

**MINUTES OF THE
WASATCH COUNTY COUNCIL
JUNE 5, 2024**

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

PRESENT: Chair Spencer Park
Mark Nelson
Erik Rowland
Steve Farrell
Kendall Crittenden
Karl McMillan

EXCUSED: Councilman Luke Searle

PRAYER: Councilman Erik Rowland

PLEDGE OF ALLEGIANCE: Led by Councilman Mark Nelson and repeated by everyone

Chair Spencer Park called the meeting to order at 4:00 p.m. on Wednesday, June 5, 2024, and indicated that all the Wasatch County Council are present with the exception of Councilman Luke Searle who was excused. The record should also show that the Wasatch County Council is meeting in the Wasatch County Council Chambers located in the Wasatch County Administrative Building at 25 North Main, Heber City, Utah. Chair Spencer Park then called the first agenda item.

OPEN AND PUBLIC MEETING AFFIDAVIT

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

ADMINISTRATIVE ISSUES FOR FUTURE MEETINGS

Dustin Grabau, the Wasatch County Manager addressed the Wasatch County Council and indicated that we have a need to potentially amend some fees and it would be helpful if we could make next week's work session into a regular meeting so we could do both readings next week and on the 26th of June so if a motion could be made to make next week's work meeting a regular meeting and then we could take action items on that agenda for the fees.

Councilman Karl McMillan made a motion that we change next week's work meeting to a regular meeting to accept fees and considerations thereof. Councilman Steve Farrell seconded that motion, and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE; Erik Rowland

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Karl McMillan

NAY: None.

Dustin Grabau also indicated that we voted at our last meeting to bring transit sales tax consideration to this meeting and in working with the attorney's office we identified that the effective date of that sales tax changed making it eligible for both the method of adoption and the use for public safety. It doesn't go into effect until July so we won't be able to take action on that until next month and just giving you notice that it would be in July that we would be considering this matter, and the matter will be taken off the regular agenda items to be heard which is Item No. 7.

LEGISLATIVE ISSUES FOR FUTURE MEETINGS

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

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Jeremy Keel, Wasatch County resident, addressed the Wasatch County Council and indicated that this pertains to roll back tax and it is not on the agenda until next meeting but what happened is that there was a failure with paperwork in getting done but it is a green belt use that has never been added to the green belt use and want to just bring it to Council's attention to facilitate that. Councilman Steve Farrell indicated that we could abate the roll back and just have it continue in green belt, so he has got five years of roll back tax if he does change the use needed. This would be a decision of the County if it is in the best interests of the County and the property owner so we could make that decision. Let's put it on as an agenda item and have the assessor's office give us some background on it to make sure that we are not going contrary to their opinion to abate the green belt. Dustin Grabau indicated that we will put that on the next week's agenda because that will be a regular meeting instead of a work meeting.

APPROVAL OF THE MINUTES OF MAY 15, 2024

Councilman Karl McMillan made a motion that we approve the minutes for May 15, 2024, as they are written and presented. 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: Steve Farrell

AYE: Kendall Crittenden

AYE: Karl McMillan

NAY: None.

PRESENTATION AND DISCUSSION OF THE WASATCH COUNTY HEALTH DEPARTMENT 2023 ANNUAL REPORT.

Councilman Kendall Crittenden indicated this is the annual health report that we put out every year. Councilman Kendall Crittenden then discussed some of the programs that the Health Department is doing, also the life expectancy in Wasatch County is longer than the State of Utah average. General Health in Wasatch County is a little low compared to the average in the State of Utah. Health insurance is one area that the Health Department is concerned about because some citizens don't have health insurance. Diabetes is down in Wasatch County. Depression is down a little bit. Obesity is down.

Jonelle Fitzgerald, the Health Department Director, addressed the Wasatch County Council and indicated that this report is online also, and we have been updating our web site to make it a lot more user friendly. People reporting that they have poor health in Wasatch County is below the State of Utah average. In 2024 Wasatch County ranked third out of the State of Utah or of the top three counties of Utah for health outcomes. That is length of life and quality of life and then there are health factors that are part of that as well. We have nutrient assistance available and trying to make that more accessible online so folks can utilize a card and get their card loaded through the Health Department rather than have need checks for a grocery store, also we are pleased with our representation on the Health Board and thank the Council for all your support of the Health Department. Councilman Kendall Crittenden commended Jonelle and her staff because they are all doing a great job.

CONSIDERATION OF AWARDING AN RFP FOR PROFESSIONAL ENGINEERING SERVICES FOR WASATCH COUNTY 2023 FLOOD DAMAGE RESTORATION.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that Wasatch County solicited for cost proposals and professional qualifications to provide consulting engineering services for the restoration of the resultant damage incurred to County roads and flood control infrastructure during the runoff in the spring of 2023. The work includes various debris basins Snake Creek Road slope stability repair. Road repair and culvert cleaning/replacement will be addressed at Little Pole Road, Big Pole Road, Little Valley Road, and Pine Canyon Road near Guardsman Pass. Wasatch County received two bids from qualified firms. Because of the nature of the slope stability issues on Snake Creek Road and the need for a geotechnical study and recommendations, the pricing provided is an estimate and of a general budgetary nature.

Proposals were received from Jones and DeMille Engineering and CIVCO. We are recommending Jones and DeMille Engineering to be awarded to do the job. There is a match associated with the work we do here. Those matches can be in kind so there is an estimate of what the impacts will be but some of that will depend on how much we can do in house and how much gets recognized as in-kind contributions and if there are things that we can do through any of the repairs or mediation process to help bring that number down. In kind of things donated really depends on help from our crews and things such as that. They have done some of the repair work on some of those roads. Things such as that can be taken into consideration regarding matching as in-kind contributions. We need to have Jones and DeMille Engineering on board and have them help us figure out the scope of what improvements need to be made and then we can come back to the Council once we have a better idea of what those costs are going to be. We are prepared to do the funding through FEMA for the repairs. The matches are twenty-five percent so seventy-five percent of the cost will be covered by the FEMA Grant.

Councilman Steve Farrell indicated that we are talking millions of dollars. Dustin Grabau indicated that the \$684, 000 will be the County's match. They will get paid out of the FEMA Grant so that the money that we are paying to Jones and DeMille Engineering. We have got a contract, but the County doesn't have a set fee. It will be part of the scope of the entire project which will come out of that entire allocation. There are some creative things that can be used as in-kind contributions, and we will wait and see how the in-kind contributions play out.

Councilman Steve Farrell made a motion that we award the RFP to Jones and DeMille Engineering as recommended by the review committee. 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: Steve Farrell
AYE: Kendall Crittenden
AYE: Karl McMillan

NAY: None.

PRESENTATION ON THE PUBLIC WORKS DEPARTMENT

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that this is a part of the intent to educate the public and yourselves on the function of the County Public Works Department. Terry Ekker, the Public Works Department Director, then went through various things that the Public Works Department does and also that the department consists of twenty-seven full time employees. Terry Ekker then went through various duties that the Public Works Department does. Also went through the vision and mission statement that the Public Works Department has which is to keep County Roads and facilities in top quality condition while providing timely and appreciated departmental services such noxious weed control and snowplow services to our beautiful County through innovative service delivery methods. Also, our budget is almost seven million dollars. We have put together a pavement management program which Wasatch County hasn't had in the past. Also to create a road maintenance capital plan, also working on the major equipment capital plan to help determine where our funds need to be spent and what the priorities are there. Also working to move the street cut or excavation permit inspections over to public works and make sure that the quality of road repairs are at the highest possible standard in having public works do that instead of the consulting engineers. Also, we have the joint highway funds for projects on both 2400 East and 2400 South and in the design phase of that for this year and then we will be in construction next year and Center Creek Road and then 2400 East and there will be federal funding on those projects. We want to maximize the funds and do the work where it is most critical, and both are widening projects. Also storm drainage per structure mapping project and we don't have a good GIS of where all our drop inlets are and our storm drainpipes and working with the Engineering Department regarding this also with the surveyor's office. We are working on more employee training to make sure that they are performing at their highest potential. Also working on improving our performance metrics.

Terry Ekker then discussed Bonanza Flats parking regarding no parking signs. Working with Park City on some crossings for new primitive hiking, mountain biking trails and working with Park City regarding parking problems and enforcement that Park City does up at Bonanza Flats. Park City wants to keep the parking in the parking lots and not along the roadways. Dustin Grabau also indicated that Park City is considering putting in a paid parking on their parking lots. As a result, we are looking at combining it with Park City and having them pay for these types of temporary no parking areas, but they would be removed at the end of the season when the road is closed. Also, there is a safety issue regarding this with regard to the width of the roads. Terry Ekker also indicated that our agreement with Park City does not allow Park City to install any parking

infrastructure and that has to be Wasatch County per our agreement along the right-of-way. We want to make sure that the Council is aware of this and right now not looking for anything but just make everyone aware of the potential request from Park City and we still need to work out the details.

BOE ADJUSTMENTS AND RECOMMENDATIONS FOR APPROVAL.

Joey Granger, Wasatch County Clerk/auditor indicated that these are some of the decisions that the BOE has collaborated with and are there any questions there and things that you would like to discuss. Councilman Steve Farrell asked are these decisions made by the hearing officer that we hire, and these are properties that were sent back from the tax commission to allow us to rehear. Joey Granger replied that is correct.

Councilman Steve Farrell made a motion to approve the recommended changes that the BOE has presented. Councilman Karl McMillan seconded the motion, and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Erik Rowland

AYE: Mark Nelson

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Karl McMillan

NAY: None.

2024 TAX SALE CERTIFICATION

Joey Granger, the Wasatch County Clerk/auditor addressed the Wasatch County Council and indicated that we need to move that to the next meeting because we haven't collected the payments yet.

Councilman Kendall Crittenden made a motion to continue Item No. 4 to the next week the June 12, 2024, meeting. Councilman Mark Nelson seconded the motion, and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Karl McMillan

NAY: None.

APPROVAL OF THE LIBRARY DEPARTMENT'S BACKGROUND CHECK POLICY

Juan Lee, the Wasatch County Director of the Wasatch County Library, addressed the Wasatch County Council and indicated that in 2023, the Utah Legislative passed HB 284 which requires criminal background checks of prospective public library employees and volunteers who have significant contact with minors. This bill goes into effect July 1, 2024. The included policy outlines when and how the library department will perform background checks in order to ensure compliance with the State requirements. This policy has been reviewed by HR and the Attorney's Office for compliance and was approved by the Library Board during their May 17, 2024, public meeting. We don't require fingerprinting because the bill did not require that. Dustin Grabau indicated that we have already been doing it and there is no net change to our practice. Juan Lee indicated that he believes that the fee is minimal every time for this to be done. Dustin Grabau replied that there is a minor charge that the attorney's office bears to run the background check.

Councilman Kendall Crittenden made a motion that we approve the library department's background check policy as presented. 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: Steve Farrell

AYE: Kendall Crittenden

AYE: Karl McMillan

NAY: None.

SECOND READING OF ORDINANCE 24-06 UPDATING WCC TITLE 15 TO INCLUDE THE 2021 EDITION OF THE IFC, TO REQUIRE FIRE FIGHTER AIR REPLENISHING SYSTEMS. (FARS) ON CERTAIN NEW STRUCTURES, TO MAKE RELATED UPDATES CONSISTENT WITH THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 13 AND TO MAKE ADDITIONAL UPDATES TO THE FIRE CODE.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that the Fire District has asked that this item to be continued to a future meeting,

essentially to next week for discussion and will confer that with the Fire Chief and he indicated that they are not ready to proceed. They wanted to clarify some of the language in there to make it more explicit of what their desire was.

Councilman Kendall Crittenden made a motion to continue this item to a later date June 12, 2024, and the Council also has the June 7, 2024, as a regular meeting. Councilman Erik Rowland seconded the motion, and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Karl McMillan

NAY: None.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that we will just put it on the Council's agenda when they are ready to be heard.

Councilman Erik made a motion for this matter to be continued for a date to be determined. Councilman Mark Nelson seconded the motion, and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Erik Rowland

AYE: Mark Nelson

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Karl McMillan

NAY: None.

DISCUSSION REGARDING POTENTIAL UPDATE TO WASATCH COUNTY TRANSPORTATION IMPACT FEES.

Heber Lefgren, the Assistant Wasatch County Manager, addressed the Wasatch County Council and indicated that this matter will be continued as it was addressed in the Administration Issues for future agendas by Dustin Grabau, the Wasatch County Manager.

COUNCIL/BOARD REPORTS

Councilman Kendall Crittenden indicated that Clint Ercanbrack of the solid waste slipped taking his trash can out at home and broke his ankle and had to get surgery with six pins in and he is getting around.

Councilman Kendall Crittenden indicated that we got an invite to Saturday June 8, 2024, when Heber City is going to rededicate the Tabernacle.

Councilman Kendall Crittenden indicated there is a SITLA tour on the Christensen land.

Councilman Kendall Crittenden indicated that the Community Caring Coalition is working with about thirty or so restaurants in town to use special place mats and the kids will play with them while they are waiting for their meal and there is a health message.

Councilman Kendall Crittenden asked if there is any direction from the State of Utah to fly the new Utah Flag. Dustin Grabau replied other than it is the official and I don't believe we have an explicit requirement. All the new Utah flags are on the County facilities.

Councilman Kendall Crittenden indicated that the Seniors have a Senior Expo on June 21, 2024, and would like the High Valley Transit to make a presentation. Still a lot of complaints from the seniors about lack of service because they don't pick them up, etc.

MANAGER'S REPORT

BRIEFING ON THE WASATCH COUNTY 2024 FIRST QUARTER FINANCIAL REPORT.

Heber Lefgren, the Assistant Wasatch County Manager, addressed the Wasatch County Council and indicated that each year, the County Council adopts an annual budget of anticipated revenue and expenditures for the operation of the County. The 2024 adopted budget which equaled \$37.9 million in the General Fund and an additional \$39.4 million distributed among all other funds, was adopted by Council on December 6, 2023.

To be more transparent to the residents of Wasatch County and to improve the County's financial accounting practices, the Department of the County Manager and Clerk's Office started to provide to the County Council a more thorough quarterly financial report in 2022. These quarterly reports compare the County's Authorized Budget to a more up-to-date estimate of where the County expects to be financially at the end of the year. The accompanying document titled "Wasatch County 2024 1st Quarter Financial Report" shows financial estimates for the First Quarter of 2024

(January 1 through March 31) and includes three months of actual revenue/expenditure data with nine months of updated re-estimates.

Heber Lefgren indicated that on page one of the report provides a detailed summary of all general fund revenues. Page 2 provides a detailed summary of all the general fund expenditures. Page 3 through 5 provides a detailed summary of all special revenue funds. Page 5 is where you will also find a summary of our debt service funds. Then Page 6 is a summary of our internal service funds and on Page 7 contains the summary of our capital fund. This is how we showed it to you in the past. There is one significant change that we have made in connection with the layout. Previously we had one debt service fund that was titled the County Bond Debt Service Fund and we have taken that signal fund and we split it into three separate funds. The decision was made to improve our monetary tracking. So going forward instead of it being called the County Bond Debt Service Fund, Fund 32 will now be referred to as the Municipal Building Authority Fund. The purpose of that fund is to track all revenue and expenses associated with non-general obligation bond payments.

Then we are creating Fund 33 and titling it as the GO Debt Service Bond Fund. In going forward that fund will track all the revenues/expenditures associated with general obligation bond payments.

Finally, we are recommending creating Fund 38 which is now referred to and it is a capital fund, and we are titling it Open Space Capital Improvement Fund and its purpose to track the revenue/expenses associated with the use of the open space bond proceeds. These are the changes made to this structure.

Also, if there are any expenditures or revenues that exceed \$100,000, in variance compared to the budget we provided a narrative to explain what those variances are. In summary, in the first quarterly report for the most part we are anticipating that the revenues and expenditures are generally consistent to our budget. Some of the significant changes we are projecting for all the funds together to be about nine million dollars and seeing about nine million dollars in additional revenue. The majority of that is associated with the sale of the bond for the courthouse, we need more than what was previously budgeted and see more revenue coming from that. Regarding the expenditure, we are projecting it to be about three million dollars less than what was budgeted. The main variance from that is as we are analyzing the court process, we now have a better understanding of what the first-year costs are which are coming in lower. In general, we are where we plan to be.

There are two funds though that we are paying close attention to right now. The first one is the transportation fund and had some conversation on that one. When we started last year's use of the transportation fund it was higher than what we anticipated so we are paying close attention to that. The other fund is the TRT fund, the revenues are coming lower than what we anticipated. So, we are working with parks and rec and economic development to just stay on top of that so that we can make decisions early instead of having to make large decisions later on.

Councilman Steve Farrell asked that other than the courthouse or the court's building what other revenue bonds or building authority bonds are we still paying on. Dustin Grabau, we have the bonds for the event center still. We refunded those in 2021 and they go through 2030 now and refinanced it at a lower interest rate. Heber Lefgren replied that we also have a small bank note that ends next year and is not payable and that is tied to a property acquisition.

Councilman Mark Nelson asked is the trend of TRT funds for the County the same kind of trend for the State of Utah. Dustin Grabau replied that the Heber Tourism and Economic Development is optimistic there is growth potential above this but rather than assume that comes through what we are talking about is reducing some of the transfers out and the expenditures of those funds to make sure that we stay within the budget that we project. We believe that it is a very conservative estimate. We expect this to grow significantly in the future but not this year with the other developments that are coming through.

Also, we have a MIDA fund now and previously it was part of the general fund, and it has now been broken up separately so there could be more transparency in the net flow of revenue which is money in and money out. The funds then will be transferred out to the General Fund unless we chose to do it differently in our 2025 budget. We also get a portion of the resort taxes in the MIDA Fund that then is eligible for any use not restricted to the transient room tax which is two percent which is unrestricted. Also, we will be talking at our next interlocal meeting about the process of shifting quarter reservation funds to capital improvements funds for Wasatch County and other jurisdiction funds.

SUMMIT COUNTY ROAD MEETING

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council about a Summit County meeting next week during ours to consider potential issues associated with the road that leads into Tuhaye from Summit County. It is 200 South in Kamas and then it changes its name to something like Spring Meadow because there have been some complaints that deal with everything from a request to pave the road and a request to close the road. They are having a meeting concerning this road.

CLOSED SESSION

Chair Spencer Park asked if there is a need for a Closed Session and the Council indicated that they have no need for a closed session.

ADJOURNMENT

Councilman Mark Nelson made a motion to adjourn. 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: Steve Farrell

AYE: Kendall Crittenden

AYE: Karl McMillan

NAY: None.

The meeting adjourned at 6:30 p.m.


SPENCER PARK/CHAIRMAN


JOEY D. GRANGER/CLERK/AUDITOR

