

**MINUTES OF THE
WASATCH COUNTY COUNCIL
SEPTEMBER 18, 2024**

The Wasatch County Council met in regular session live at 4:00 p.m. on Wednesday, September 18, 2024, and the following business was transacted.

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

STAFF: Dustin Grabau, the Wasatch County Manager
Heber Lefgren, the Assistant Wasatch County Manager
Randy Bates, Financial/Budget
Wendy McKnight, from the Clerk's Office
Scott Sweat, the Wasatch County Attorney
Jerry Jones, from the Wasatch County Clerk's Office
Tiarra Cooper, from the Wasatch County Manager's Office
Rick Tatton, Court Reporter via Zoom
Richard Breitenbeker, from the County Manager's Office.
Austin Corry, the Assistant Wasatch County Planner
Jed Muhlestein, Wasatch County Engineer

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 September 18, 2024, and indicated that all the Wasatch County Council are present. 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 84032. 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

Chair Spencer Park asked if there were any administrative issues for future meetings.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that we recently received an email from UDOT about their intentions to proceed with the north Highway 40 safety improvements and this includes making a center median down that section of Highway 40. Our county engineer and public works director look at it and they agree with UDOT's plan for making these safety improvements. This will impact residents in that area and how would you as a Council may want to deliberate that and provide feedback to UDOT. Councilman Steve Farrell indicated that we should hear what they have in mind. Dustin Grabau asked if the Council want to discuss that at a future work meeting or want to convene a subcommittee to look at it, what is your preference. We can present it on a future meeting for discussion. The Council indicated that would be good to have a discussion regarding this on the first meeting in October.

Dustin Grabau wanted to mention that Todd Griffin was recently recognized at UAC as the Assessor of the Year.

Councilman Steve Farrell indicated that we need to put on a meeting with the Open Lands Board, the Utah Open Lands and the Council and UDOT to discuss what the best plan is to move forward since we have two years before we know on the EIS where the route is going to be. The Council felt this was a very good idea. Let's put it on the work meeting in October and have a discussion regarding that.

LEGISLATIVE ISSUES FOR FUTURE MEETINGS

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

PUBLIC COMMENT

Chair Spencer Park asked if there is any public comment for future meetings.

Ryan Davis, resident of Wasatch County, addressed the Wasatch County Council and indicated that he received a copy of a letter from Wasatch County recently that is dated September 9, 2023, for the Industrial Protection Zone for the sewer plant and want to make sure that I got the right letter dated 2023. Dustin Grabau indicated that it should have been this year, September 9, of this year that went out for public hearings and that hasn't yet been held. Ryan Davis indicated that he wondered if that meets the notice requirements for the Boundary Commission meeting. Midway City dated by application within a week but pretty significant in my world and wondered if that

meets the notice requirement. Councilman Kendall Crittenden indicated that on October 9, there will be a discussion with Central Utah Water Conservancy District at 9:00. On October 10, it will be on the Planning Commission calendar which I think we are far enough ahead to advertise that. Depending on what the Planning Commission does it is scheduled to come before the Wasatch County Council on October 16, for discussion. Ryan Davis indicated that Midway City indicated that they oppose the Industrial Zone and now the Midway City Council has changed because they had received more information. On October 23, she is inviting citizens of Midway to go in and hear why this protection is necessary in her opinion. This letter gives us fifteen days to respond. That gives us less than twenty-four hours to hear her out and respond. This really matters for us to have the ability to listen to her case and hear her out. The date of this really matters to us if this meets notice requirements. Councilman Kendall Crittenden indicated that this just protects the sewer plant, so they don't have to update anything and what not and is not the truth. Ryan Davis indicated that it is really an issue of timing, and did we receive sufficient notice, and do you feel as a County Council, and they have given us one day to meet with our Mayor and the next day by 5:00 p.m. we have got to give you our letter. Dustin Grabau indicated that we will look into the matter that is your concern. Councilman Steve Farrell indicated that the applicant must prepare the letters and to do it in 2023 and then something came up and we held off doing it and the attorney already had all the letters dated and they just changed the dates in the bottom of the letter as their meeting date. We will investigate the matter.

Mark Austin, Midway City resident, addressed the Wasatch County Council and indicated that on this issue I would ask the Wasatch County Council to send back the application when we receive it and require sufficient consultation on the proposal because the citizenry don't understand what is going on. There has not been the propensity to reach out to the community and explain the reasons behind it because the citizenry needs to be engaged in this process. Councilman Steve Farrell indicated that the sanitation district has some form of protection against this type, which is why I am here now, and you need to remove the attitude. There is a lot of false information being put out by the citizens as it relates to the sewer plant. This is an encroachment issue, but Mark Austin doesn't believe that it is an encroachment issue. The notice of this is put on the plats so the buyer is made aware of it.

Shelly Hokanson, Wasatch County Resident, addressed the Wasatch County Council and indicated that my comments are in regard to the High Valley Transit System in Wasatch County, and I use this transit system because of health reasons. I can't drive a car anymore and I need to go to dialysis full time. When I started to use this service, it worked fine but now it doesn't work. Shelly then told the Wasatch County Council the problems that she is having with regard to being picked up. I was told to schedule one week in advance and this hasn't worked. Right now, I need to find some other way to make this work. I need to know does the service exist and I feel they are trying to get rid of me. Most of the people that I ride with are teenagers between fifteen and eighteen. I really depend on this service and if I can't use this service I need to find another way. Chair Spencer Park indicated that the vote did happen, and we voted to approve more funding for it. Dustin Grabau indicated that due to funding restrictions that we have had caused us to limit the availability of this service. We do intend to start this par-transit service in January. The Council voted to approve additional funding that we can offer that. Starting in January that will be a full service at the cost

of about \$200,000 on an annual basis and the Council has indicated that is the highest priority for those funds to be used. Until January I don't believe we will have the funds for the par-transit service. Vaughn Hokanson indicated that Shelly is my mother, and I also can transport her, or your family can arrange it but what we need from the Council is a solid that this is going to be available or not so that we can plan with her. Her safety is our number one priority for her. We need to know if Shelly can count on it, or she can't then somebody can help her then. Would you please just text message me and tell us if Shelly can count on it or she can't then we can hold somebody accountable if it is available or not. Then I can make time to take care of her transportation if it is not available. Right now, I take it that it is not available until I hear otherwise.

APPROVAL OF THE SEPTEMBER 4, 2024, MINUTES

Councilman Steve Farrell made a motion to approve the minutes as presented for September 4, 2024, as written. Councilman Luke Searle seconded the motion, and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Karl McMillan

AYE: Kendall Crittenden

AYE: Steve Farrell

AYE: Erik Rowland

AYE: Mark Nelson

NAY: None.

PRESENT A PROPOSED RURAL COUNTY GRANT BUDGET.

Dallin Koecher, the Tourism and Economic Director, addressed the Wasatch County Council about a Rural County Grant that is available. This is part of the process for applying for the Rural County Grant from the Governor's Office of Economic Opportunity. This grant is up to \$200,000 and we wanted to show this to the County Council so we could get it on records that this is what we were applying for, and the funds will be used for business retention and training. Small business assistance and training, job growth, economy dev research tools, econ dev planning, business recruitment, and admin. Also, the items are the Wasatch Back Economic Summit, the Wasatch Back Business University, Wasatch Works Scholarship, Qualtrics, Placer AI, County Wide FD Plan, Destination Development, Grant Admin. Dallin indicated that there is no match on this grant. The deadline is October 1, 2024. If we can get it approved today and I can apply for it tomorrow. They want to get the money out as fast as possible. This is to be spent during the calendar year of next year. Dallin indicated that we have two years to spend it, but we try to do it within twelve months. Dallin then indicated that there is another opportunity is the Rural Community's opportunity grant is up to \$600,000 and it does require a match up to thirty percent and throw out the idea that we could use that for instance remodeling for the visitor center, etc.

Councilman Mark Nelson made a motion that we approve the proposed application categories for the Rural County Grant. Councilman Karl McMillan seconded the motion, and the motion carries with the following vote:

AYE: Karl McMillan

AYE: Luke Searle

AYE; Kendall Crittenden

AYE: Steve Farrell

AYE: Erik Rowland

AYE: Chair Spencer Park

AYE; Marl Nelson

NAY: None.

WASATCH SCHOOL DISTRICT PRESENTATION

Stephanie Discher, Director of Elementary Education, presented a power point presentation and then addressed the Wasatch County Council and indicated that we have a new logo which is Education Elevated. We have three district goals which is learn from the best schools and teams in the state until we become the highest achieving district in the State as measured by standardized tests. Be recognized as a model PLC district and have each school be recognized as a model PLC school. The PLC stands for Professional Learning Community that is something that we are trying to promote and become. In 2016 we were twentieth in reading our English Language Arts, in math we were twenty-fifth, in science we were about sixteen. In the present year we have managed to become first in EIA or reading, math we are third and for science we are seventh. We are learning from the best and to become the best and give our students more opportunities. We want the community to know what great kids we have and that we are trying to provide them with the very best opportunities that they have so that when they graduate from the Wasatch County School District that they are going to be able to go and do whatever they chose and whatever they want to be they have the opportunities in front of them. This is our attempt to say thank you especially to our parents who entrust us with their most precious resource, their children, and we want everybody to know that we take that extremely seriously and something that we are really proud of, and it is not something that we have done on our own. We have extremely good teachers, aides, bus drivers, crossing guards, everybody needs to be thanked.

Councilman Mark Nelson thanked the school district for what they are doing and what they did when COVID was around because that could have been a disaster, but the school district did great things during COVID in managing things like they did. Councilman Kendall Crittenden indicated that he liked the new banners that are put up. Councilman Erik Rowland indicated that on behalf of the Wasatch County Council we want to have a growing relationship with the school district and as a County Council we just wanted to state our support and hope that we can continue to communicate and work together towards future needs for the county and for the students.

BOE ADJUSTMENTS AND RECOMMENDATIONS FOR APPROVAL

Jerry Jones, from the Wasatch County Clerk's Office, addressed the Wasatch County Council and indicated that we want the Wasatch County Council to make a motion to approve a primary residence appeal request for 2023. The taxpayer is Matthew Wolfe, parcel number is 00-0021-3604, appeal #2023-1979. Amount of requested refund equals \$3,838.07. Reason for request equals Adjustment was missed in last year's BOE process due to clerical error. The taxpayer paid \$8,529.04 as a secondary resident, should have only paid \$4,690.97 resulting a refund/credit of \$3,838.07.

Councilman Steve Farrell made a motion that we approve the adjustment made to appeal \$2023-1979 and is a secondary resident being changed to a primary resident. Councilman Karl McMillan seconded that, and the motion carries with the following vote:

**AYE: Steve Farrell
AYE: Erik Rowland
AYE: Mark Nelson
AYE: Kendall Crittenden
AYE: Erik Rowland
AYE: Mark Nelson**

NAY: None.

Councilman Steve Farrell indicated that as a Council we ought to consider changing our policy requiring all homes be classified as secondary until they are occupied, and an affidavit filed. I would say that everything in the Jordanelle Basin should be secondary until they are proven different. Here in Heber City, Midway, and the core part of town that if they build a new house they could be put on as a primary. This would make a big difference in our taxable value because we go with secondary on the taxable value that the State Tax Commission does a certified rate on and then as we go through Board of Equalization, and we do 500 adjustments from primary to secondary that is an adjustment of forty-five percent down. Jerry Jones indicated that we would work with the attorney's office for a draft and make sure that everything we are doing complies and bring it back to the Council for their approval. Dustin Grabau indicated that Todd Griffin told me that we ended up at 750 appeals which were less than half the number of appeals that we received over 1800 last year. We told you about three years ago that it was going to take about this long to get to where we are at, and Todd has put in the work to get our tax roll in the best state that it has ever been

Chair Spencer Park indicated that we need to have a closed session now for pending litigation.

Councilman Mark Nelson made a motion to go into Closed Session for pending litigation. Councilman Karl McMillan seconded the motion, and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Steve Farrell

AYE: Erik Rowland

AYE: Mark Nelson

AYE: Kendall Crittenden

AYE: Erik Rowland

AYE: Mark Nelson

NAY: None.

**MINUTES OF THE
WASATCH COUNTY COUNCIL
CLOSED SESSION
SEPTEMBER 18, 2024**

Chair Spencer Park indicated that the Wasatch County Council is now in Closed Session to discuss pending litigation. The record should also reflect that the Wasatch County Council is meeting in the Wasatch County Council Chambers in the Administrative Building located at 23 North Main, Heber City, Utah.

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

ALSO PRESENT: Dustin Grabau, the Wasatch County Manager
Heber Lefgren, the Assistance Wasatch County Manager
Wendy McKnight from the Clerk's Office
Tiarra Cooper, from the Wasatch County Manager's Office
Scott Sweat, the Wasatch County Attorney
Jon Woodard, the Assistant Wasatch County Attorney
Clint Neerings from the Fire District

PENDING LITIGATION

Jon Woodard the Assistant Wasatch County Attorney addressed the Wasatch County Council in closed session to discuss Pending Litigation and then indicated that:

Councilman Karl McMillan made a motion to leave the Closed Session and go back into our regular agenda. Councilman Steve Farrell seconded the motion, and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Karl McMillan

AYE: Luke Searle

AYE: Kendall Crittenden

AYE: Steve Farrell

AYE: Erik Rowland

AYE: Mark Nelson

NAY: None.

Chair Spencer Park indicated that the Wasatch County Council is out of the Closed Session and back in regular session and it is 6:00 p.m. and we will now hear the Public Hearings that are scheduled for tonight. The record should reflect that the first three public hearings will be continued to a date uncertain.

ALLISON AAFEDT, REPRESENTING JORDANELLE GOLF LODGE, L.L.C. REQUESTS CONSIDERATION BY THE COUNTY LEGISLATIVE BODY FOR APPROVAL OF ORDINANCE 24-11 ENACTING, APPROVING ADOPTING OR AUTHORIZING THE EXECUTION OF A LEGISLATIVE DEVELOPMENT AGREEMENT IN ORDER TO ADDRESS ASPECTS OF THE SKYRIDGE LODGE PROJECT.

ALLISON AAFEDT, REPRESENTING JORDANELLE GOLF LODGE, L.L.C., REQUESTS FINAL SITE PLAN APPROVAL FOR SKYRIDGE GOLF LODGE, A PROPOSED CONDO-HOTEL INCLUDING 65 UNITS 35 ERUS. RECEPTION AREA, FITNESS CENTER, AND OTHER AMENITY SPACES LOCATED AT 1393 W SKYRIDGE DRIVE IN THE JORDANELLE SPECIALLY PLANNED AREA JSPA ZONE.

ALLISON AAFEDT, REPRESENTING JORDANELLE GOLF LODGE, L.L.C., REQUESTS FINAL SUBDIVISION AND SITE PLAN APPROVAL FOR THE JORDANELLE GOLF LODGE OVERFLOW PARKING, A PROPOSED SUBDIVISION AND SITE PLAN TO CONSTRUCT AN OFF-SITE PARKING LOT LOCATED OFF THE JORDANELLE PARKWAY ON PARCEL 21-2807 IN THE JORDANELLE SPECIALLY PLANNED AREA JSPA ZONE.

Councilman Kendall Crittenden made a motion that we continue Item No. 1, Item No. 2, and

No.3 on today's public hearing agenda related to Skyridge Development until a later date unknown. 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: Luke Searle

AYE: Karl McMillan

NAY: None.

CONSIDERATION AND RECOMMENDATION OF AN AMENDMENT TO WASATCH COUNTY CODE TITLE 4 AND TITLE 16 TO CLARIFY DEFINITIONS, CONSOLIDATE SECTIONS WITH SIMILAR CONTEXT AND OTHER PROVISIONS AND REDUNDANT LANGUAGE. THE PROPOSED AMENDMENT ALSO UPDATES GRAPHICS CURRENTLY IN THE CODE WITH VERSIONS THAT ARE MORE READABLE AND HIGHER RESOLUTION.

STAFF:

Austin Corry, the Assistant Wasatch County Planner, presented a power point presentation and then addressed the Wasatch County Council and indicated that throughout the year, Planning Staff in coordination with the Development Review Committee identified areas where potential conflicts exist in the land use and development code (Title 16) or where minor adjustments to the language could help improve the clarify of the intent behind an ordinance. The proposed amendments are intended to address the issues identified without making any substantial or policy changes. If staff recognizes a need to adjust the policy decision, those items have been specifically noted in the staff report to ensure full transparency in the need for a policy decision to be made.

The purpose and intent of this is that the Wasatch County Code 16.02.05 requires that amendments to Title 16 shall not be made except to promote more fully the objectives and purposes of the general plan and this title is to:

A. Guide the future growth and development of Wasatch County in accordance with the Wasatch County general plan.

B. Provide for adequate open space, light, air, air quality, privacy, safety from fire, flood, landslides and other geologic hazards, and other changes and to try to prevent overcrowding of the land and to lessen traffic congestion.

C. Protect and conserve the character and stability of Wasatch County, and to encourage the orderly development of the land.

D. Protect and conserve the Wasatch County property values and minimize conflicts among uses

of the land and structures.

E. Establish public and private policy that encourages action to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public facilities.

F. Establish reasonable standards of design and procedures for development.

G. Create an atmosphere attractive to visitors and residents.

H. Fully exercise all of the powers granted in the County by the provisions of Utah Code Annotated Section 17.27a-10 et seq., the county land use, development and management act and all other powers granted to statute or by common law for the regulation of land uses and improvements.

I. Protect and enhance the quality of life in general for Wasatch County residents.

J. Allow development in a manner that encourages the preservation of scenic values, historic structures, agricultural uses and minimizes the impact on natural resources in Wasatch County.

K. Provide for well-planned commercial and residential centers, efficient traffic circulation and efficient use of county services.

L. Regulate development that may add to existing geologic hazards, erosion, flooding or other conditions that create potential dangers to life and safety in the community or detract from the quality of life in the community.

M. Require new development to be fiscally responsible by providing all required improvements and adequately mitigating any impacts to the County.

N. Establish zone districts within which the legislative body may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings and structures and the uses of land.

O. Provide methods of administration and enforcement of this title and provide penalties for the violation thereof.

Austin Corry then went through the proposed findings:

1. The proposed amendment is in the interest of the public and is consistent with the goals and policies of the Wasatch County General Plan.

2. The proposed amendment is consistent with the purpose outlined in Title 16.

3. The proposed amendment helps clarify existing policies, reduce redundancy, and reduces potential conflicts.

4. Positive impacts of the proposed changes are increased clarity and decreased redundancy and conflict.

5. Negative impacts of the proposed changes are potential discrepancies in vested projects and which code amendments are applicable to projects currently under review. It is not anticipated this impact will be significant since the amendments are primarily not substantial or regulatory changes.

6. The Wasatch County Council as the legislative body, had broad discretion for amendments to the Wasatch County Code.

Austin Corry then highlighted some clean up matters such as a change to the fee schedule, also a land use verification that staff can do, JBOZ land title was in there and some changes were discussed to be added as permitted uses, the commercial resort matter was discussed, accessory buildings were discussed with the ADU designation for approval with possibly adding the word

detached and other matters. Setback for various structures was discussed with adding the word text in to help clarify that, solar panels were discussed regarding the mounting of them. The amendment would also eliminate a lot of redundancy that was in the code.

Austin Corry indicated that the determination issue is whether the proposed ordinance amendment provides improved clarity, reduces vague interpretation and increases the effectiveness of the land use and development codes for the purpose of furthering the health, safety, and welfare of Wasatch County. This determination is a legislative decision to be made by the Wasatch County Council after receiving a recommendation from the Planning Commission.

Austin Corry indicated that because of the things discussed and based on the analysis and findings in this staff report, the Planning Staff is of the opinion that the amendments are in the best interest of the general welfare of the county. Therefore, the Planning Commission has forwarded a positive recommendation to the Wasatch County Council for approval for the code text amendment based on the findings included in the staff report.

Public Comment:

Chair Spencer Park then opened the public hearing for public comment.

Jami Hewlett, Wasatch County resident, I would just like the opportunity to read through those and see exactly what is being passed and why. I don't think that when we have forty items, and I don't think any of the Council has read through this so I would just like to move this to a later date so we can read exactly what all the changes are so we all can come familiar with what is going on with each of the items.

Chair Spencer Park then closed the public hearing.

Motion:

Councilman Luke Searle made a motion to approve Wasatch County Code Title 4 and Title 16 to clarify definitions, consolidate sections with similar context, and other technical changes that reduce potential conflicts with other provisions and redundant language. Councilman Steve Farrell seconded the motion, and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Karl McMillan

AYE: Luke Searle

AYE: Kendall Crittenden

AYE: Steve Farrell

AYE: Erik Rowland

AYE: Mark Nelson

NAY: None.

CONSIDERATION AND RECOMMENDATION FOR AN AMENDMENT TO WASATCH COUNTY CODE TITLE 14 AND CHAPTER 16.27 RELATING TO ENGINEERING STANDARD ROAD CROSS SECTIONS IN ORDER TO MODIFY THE CROSS-SECTIONS TO PROVIDE CLARITY AND CONSISTENCY WITH THE ADOPTED TRAILS MASTER PLAN AND OTHER UPDATED STANDARDS.

STAFF:

Jed Muhlestein, the Wasatch County Engineer, presented a power point presentation and the indicated that the purpose of this agenda items is to update road cross sections as found in WCC 14.02.07. Title 16 requires 10 feet, 8 feet or 4-foot trails depending on location WCC 15.38.03 it is the intent of this ordinance to standardize trail widths throughout the code. Updating the cross sections, instigated changes to standard utility locations and public utility easement (PUE) widths. All these changes are proposed.

Ordinance #24-13 has three primary objectives which are.

1. Unify trail standard widths between Engineering and Planning codes Title 14 and 16.
2. Update standard utility locations to current needs of wet and dry utility companies.
 - a. Part of this is proposing a fifteen-foot (15 feet) front public utility easement, upping the size from ten feet (10 feet).
3. Reduce redundancy in the code and perform some code cleanup for clarity.

Jed Muhlestein also indicated that regarding the trail issue and aligning the engineering code to match the planning code and eliminate the meandering trails which are difficult to build, maintain, landscape, and do not provide a clear marker of property boundaries for homeowners adjacent to them. Jed also indicated that the gas company was very specific about their separation requirement from a main building and they will not put a main line within 10 feet of a main building and we had to be careful with that because if we have a 15 foot front PUE that means that we can't have a home any closer than 10 further from that to twenty-five feet and that means we can't have a closer setback than twenty-five feet. There are some zones in our code that allow a twenty-foot front setback, so we added language to make sure that we are not going to have a conflict there. Also, we are eliminating a lot of redundancy in this code especially the cross section

Jed Muhlestein, Wasatch County Engineer, then went through the proposed findings:

1. The proposed amendment is in the interest of the public and is consistent with the goals and policies of the Wasatch County General Plan.
2. The General Plan goal 9 states that the County should develop a connected multi-modal transportation infrastructure that will meet the travel requirements of existing and future residents and visitors, is compatible with the mountain and rural characteristics of Wasatch County, improves mode choice for Wasatch County residents and visitors, and promotes environmental

preservation.

3. The General Plan further states as objective to "Collector and arterial roadway rights-of-way shall include adequate space for roadways and safe and comfortable bike and pedestrian facilities, active transportation facility types should respond to the location context and be consistent with federal highway administration guidance."

4. Utah Code 17-50-309 authorizes the County to enact regulations for the control, construction, alteration, repair and use of all public roads and highways outside of cities or towns.

5. Positive impacts of the proposed changes, are general clarification of code, creating consistency within the code regarding trails, and providing adequate space for the installation of utilities within front public utility easements.

The determination issue is whether code chapter 14.02 Engineering Department and section 16.27.12 final plat requirements should be amended to correct and clarify standards for trails, sidewalks, and roads within the County. This determination is a legislative decision to be made by the Wasatch County Council after receiving a recommendation from the Planning Commission. Based on the analysis and findings in this staff report, engineering staff is of the opinion that the amendments to the road cross sections and other minor changes to engineering standards are in the best interest of the general welfare of the County. Therefore, the Planning Commission has forwarded a positive recommendation of the proposed code text amendment based on the findings included in the staff report

Public Comment:

Chair Spencer Park then opened the hearing up for public comment.

Tori Broughton, Wasatch County resident, addressed the Wasatch County Council and indicated that I am so excited to see that everyone is thinking about the future and planning for an active transportation network. It is important. We are so lucky to live in the mountains that you really have this flat valley that is friendly to biking and walking and things like that. This is great that you guys are thinking about it. Everybody is riding bikes. Bike trips are taking the place of car trips. Anything that can be done to make it safer will increase that. Any time that you are making it safer for people to ride bikes I think is great.

Jami Hewlett indicated that how is this contributing to the safety of our bikers. Jed Muhlestein indicated that just widening the trails alone is going to make them safer and provide more space for people to use trails.

Chair Spencer Park then closed the public hearing.

Motion:

Councilman Karl McMillan made a motion that we accept the changes for Wasatch County Code Title 14 and Chapter 16-27 relating to engineering standard road cross-sections to modify the cross-sections to provide clarity and consistency with the Trails Master Plan and

other updated standards. 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: Steve Farrell

AYE: Kendall Crittenden

AYE: Luke Searle

AYE: Karl McMillan

NAY: None.

REGULAR COUNCIL AGENDA

PRESENTATION AND DISCUSSION OF: (1) THE WASATCH COUNTY 2024 QUARTER 2 FINANCIAL REPORT (2) 5 YEAR FINANCIAL FORECAST (3) COUNCIL'S 2025 BUDGET PRIORITIES.

Randy Bates, Financial Director for Wasatch County, presented an extensive Power Point presentation and then addressed the Wasatch County Council and indicated that the purpose of this item is for staff to present to the County Council the Wasatch County 2024 Quarter 2 Financial Report which will show financial re-estimates through the second quarter of 2024 and includes six months of actual revenue/expenditure data January 1-June 30 2024 with six months of updated re-estimates July 1-December 31 2024.

In addition, staff will present to Council 5-year financial forecast based upon the assumption that current level of services remain unchanged and seek guidance regarding the Council's budget priorities for 2025. The information gathered through this discussion will be used to determine if there is a potential need for truth-in-taxation and to provide staff direction as they work to create the 2025 tentative budget. The 2024 Budget Calendar which was approved by Council on July 3, 2024, and is provided as a reminder of the various steps leading to the adoption of the 2025 budget.

Randy Bates indicated that right now the General Fund we are re-estimating the budget, and we are actually estimating that we are going to be receiving about \$4 million extra in revenue. About \$2.2 million that is related to interest income and in a great time of having extra income. We have dealt with that in the five-year projections. We know that is going to go away. The ending balance for the General Fund will be \$23.24 million and will be an increase of \$2.49 million over what we had budgeted and that is a good thing.

If you have any questions about anything specifically there are the notes that tell you pretty much of all of what those changes are. That most of the changes were green because of the increased revenue and the few changes that were related to expenditures we did have six funds that were

projected over budget but two of those are new funds.

As Steve Farrell talked about when we did the 2024 budget adoption, we needed to address the EMS sales tax and that is a separate fund. We have created a separate fund for the EMS sales tax. We are projecting about \$4.5 million dollars. That is just going to be a revenue and expense, and it will always be a zero balance. There are transfers in this year, but I don't anticipate those going forward. Dustin Grabau indicated that it is just for the public transit are the monies that we collect from those sale taxes and only the transit portion that would be going into this fund. We would transfer the money from the sales tax into the general fund to pay for the public safety so we would be able to track that as well. We separated out the general obligation bonds debt service and that did not have a budget last year because it was lumped under the municipal authority. Randy Bates went through the various funds and their year end fund balances. Then Randy and Heber went through the five-year general fund forecast. There was a five percent growth in just ordinary revenue this year. In 2027 we anticipate that expenditures will exceed revenue and then by 2029 will drop below the minimum that we have set for forty-five percent. For the next couple of years, we feel like we are doing well and after that we don't know but anticipate do something like reduce expenditures, increase revenue or something will happen. Also, if you have things and I would say that now is the time to look at them if we have projects that we want to do. I believe that our revenues will grow more than five percent and there will still be a lot of growth in this area, and I think that our revenues will increase by more than that. Also, I struggle with five-to-ten-year projections because to me you are pulling something out of the air. You should look as far ahead as you can, but you are always to be adjusting and always be looking at how you are going to make this work. We are going to be moving things around to make things work for a couple of years. The sale tax revenue this year we are seeing that a lot of projections are higher. We thought the TRT was going to be the biggest jump, and we are not as much of an increase in that as we are seeing in other sale taxes.

Heber Lefgren then presented an extensive power point presentation and indicated that the General Fund beginning balance the budget was \$20.75 million and the ending balance was \$20.75 million. The estimated budget is \$23.24 million. In July we talked about the budget calendar which we are following up as a calendar. Our goal right now is that we will hold a public hearing and potentially have the option to adopt it as early as December 4 with an understanding that we can push it on to the following weeks, if necessary, but we do have to adopt it before the new year.

Heber Lefgren went through the vision, purpose and value statements that were adopted by you last year. Heber talked about the strategic priorities and were adopted by you in preparation for the 2024 budget and there were five priorities. The first one was to remain financially sound and prepared. The second one was a high-performing county. The next one was prepared for future anticipated growth. The next one was improving service levels to enhance quality of life and finally maintain rural character and preserve open space. The Council indicated that they are okay with the budget calendar. Heber Lefgren asked are there any recommended changes to our vision, purpose and value statement and are the strategic priorities identified in the 2024 budget still aligned with your 2025 budget priorities. The Council indicated that they were okay with this and the order that was presented. I am hearing that the assumption that it is not the Council's desire for

us to be able increase revenue in order to increase service delivery through truth in taxation. The council indicated that is correct.

Councilman Steve Farrell indicated that it depends on inflation, and we may have to go through truth and taxation. The goal is find ways to reduce property taxes for all property owners. We need to find ways to increase abatements for specific population. The Council indicated that is correct. Councilman Steve Farrell indicated that the best way to do that is improve the equity issue. The circuit breaker law is a state-run program. We need to educate the people in the county to take advantage of the circuit breaker law.

Councilman Luke Searle indicated that we should verify that the state code allows for us to be able to contribute or go onto that program. There are a lot of programs that need to be advertised to the population and totally in favor of putting money aside to be able to advertise for that. Heber Lefgren indicated that we will investigate what we can do and what we can't do. Are we potentially wanting to cut services to be able to return some money back or it is being created with what we have so where on that scale would you like to have us tailor the budget to. The County needs to be conservative, so we don't need to lay people off. We need to talk to the departments about their needs and not what their wish list is.

Councilman Erik Rowland indicated that we need to take what we did last year and be even more conservative. Dustin Grabau indicated that we are wanting to improve the level of service in our assessor's office to give the public the confidence that they are paying their fair share. Heber Lefgren replied that he is assuming then taking a little bit of feedback when we talked about the idea of returning some of that money through the truth in taxation and we need to have our needs met. If there is still a little left over let's, make sure that we bring that back.

Councilman Luke Searle indicated that, if possible, to increase those abatement levels and what that looks like in the budget. The Council indicated that they had no problem with doing that. Heber Lefgren asked are there specific programs that you would like us to look at as we prepare for the 2025 budget and one that comes to mind is done with public safety. Councilman Erik Rowland indicated that we are engaging with different projects like the Deer Valley expansion, the upcoming Olympics we don't have a real effective communication process to have the public understand what we are doing. We need to investigate different technology to help us in this matter so we can be more proactive.

Randy Bates indicated that we are getting a new budget software and really believe that is a good communication tool which will help us explain what we are doing and why you are doing it people are a lot more receptive to that than just the fact that they don't know.

Councilman Mark Nelson indicated that next year our relationship with Heber City is going to get more significant as we consider the things that they want and working with Heber City better will become an even more important issue in 2025. Our relationship with UDOT regarding the bypass.

Councilman Kendall Crittenden indicated that regarding buildings perhaps we should hang onto

the fire station, etc. and we need to take very close look at that. Councilman Steve Farrell indicated that those things should be extended to all the other entities in the county and Heber City is not the only entity in the county that has needs.

COUNCIL/BOARD REPORTS

Councilman Kendall Crittenden indicated that in UAC there was a discussion about what we need to pay for the year for UAC service.

Councilman Kendall Crittenden indicated that at the UAC conference there was several sessions on maybe some over-reach from the legislature on dealing with some of the counties that should look at changing from a three-member council to a different form of government to increase their representation.

Councilman Kendall Crittenden sent out a reminder on our last interlocal meeting of the year which is October 9 and if you want things discussed please let us know. Also, in the Heber City Council meeting there was two items which would be an interest to us and one is the SITLA Christensen annexation request.

Councilman Steve Farrell indicated that the state requires an access fee to change an access from an agricultural access to a commercial. A fee is charged and the County ought to look at doing like River Road because those properties had an agriculture access only which required very little maintenance.

Councilman Steve Farrell indicated how much do we want the service of the sewer district to grow. We want to establish what is a workable level and then allocate it per entity. The district was never designed to take care of all the east side of the county or the north end of the county. That is the reason we built the JSSD sewer plant. The agreement needs to be looked at and will hurt North Village and JSSD because they built based on them coming. We are trying to determine the capacity of that plant and might have to have a smaller plant investigated. The developments should have one of the requirements that they would help with the funding of the sewer plant and then collect impact fees to get it paid back. There is no way the sewer district can justify buying more land and we could justify it when land was going for \$75,000 an acre now, we are looking at \$160,000 an area we just can't justify it. The capacity is limited.

Councilman Erik Rowland indicated that there have been some groups that approached me with wanting to know if there is any interest in the county with the old Smith's building on how it can be utilized for the public and this is a very open-ended question and I don't have any interest yet. I will try and get some more information on this and what they are looking for and see if the parks and rec has any interest in this.

Councilman Luke Searle indicated that the Wasatch Trails Foundation wants to come and present about potentially contributing to them and will be going to Heber City and Midway to put together

for a Wasatch Back trails summer crew and want us to look at contributing.

MANAGER'S REPORT

MIDA REPORT

Richard Breitenbeker, from the County Manager's office, presented an extensive power point. A clear picture of developments in the next 5 years enables conservative revenue projections specific to these projects. Richard then went through the object area funds. The summary of County revenues from MIDA are new revenue types through MIDA for providing municipal services. Growth in existing countywide sales tax revenues and one-time revenues from building permits and other development fees. The Municipal Services Revenue come from generally resolved through property tax by adding new growth onto prior years, assessments and revenues to expand the property tax pool. Also, in MRF Project Area this is resolved by adding additional revenue types to the County's tax allocation. The accountability and flexibility in MIDA Department Operating Fund comes from the interlocal agreement which indicates that the County shall provide in the same manner and to the same extent that the County provides such municipal services to the balance of the County. The County shall use the funds as it determines in its sole discretion to provide the municipal services in the MRF Project Area. The County does not have to account to MIDA in how it is using Municipal Service Revenue Fund. The MIDA Act allows MIDA expenses to be taken from either the Municipal Services Revenue Fund or the Development Fund or both. However, the Parties agree that only if needed as reasonably determined by MIDA, MIDA expenses shall be paid from the Municipal Services Revenue Fund. For the Year 2024 the Municipal Services Fund Revenue is \$227,956 and for the year 2031 \$2,478, 000. Regarding the accountability and flexibility of the State Administration plus Use Restrictions and Unrestricted S&U taxes will be difficult to attribute to project area without MIDA's help. The transient Room Tax TRT mitigates visitor impacts by contributing to recreation and tourism facilities. The County Sales Tax for the year 2024 is \$14,898 and projected to 22031 the County TRT Tax will be \$2,404, 000. The managing and capitalizing on tourism industries will require contributions to administrative infrastructure. The Development Revenues for 2025 -2030. The Accountability and Flexibility - MRF Project Area Development Fees are the interlocal designates Wasatch County provide permitting and inspection services. State code requires fees to be reasonably commensurate to the cost to provide the service. Fees collected directly and paid into general fund through department revenues. The permit fee revenue for 2024 is \$843,974. And 2031 will be \$1,189.818. The organizations and facility improvements are long overdue and will be essential in providing future service. The inspection services take place over the construction life of projects in these cases often spanning years

ADMINISTRATION BUILDING FUNDING UPDATE

Richard Breitenbeker presented an extensive power point presentation and then indicated that the progress on the Administration Building is that regarding the existing facility analysis, the review

of 5 potential sites, none found suitable. Identified space needs and department adjacencies. Subsequent strategic planning and department input on the facility needs assessment. The project now includes DMV, DLD, and HVTED. Architects and Okland Construction awarded in July. The complete space list finished in September, 58,000 square feet. Total cost of \$43 million over 3 years. Annexation process initiated in August. In accounting for growth, is that build additional space into each area according to long-term staffing projections. Build each area to be internally flexible. Layouts, workspaces, and furniture can adjust over time. The site plans a potential future expansion wing.

Funding Strategy. Considerations of saving vs borrowing. Historical needs versus future needs. The Wasatch County approach is conservative principles, balance savings and revenues, building cost of \$43 million. Levers, capital outlays, up-front 1:1 cost relationship. Future Revenues, over time borrowing costs. MIDA municipal services. MSRF bond payments. Deer Valley East S&U growth and qualified contributions either capital/revenue. Development fees of \$6.8 million and five-year TRT \$4.1 million.

Richard Breitenbeker indicated that with revenues and debt service, the conservative MIDA municipal services revenue fund. MSRF suitability of the County's MIDA fund. Matching courthouse expansion and administration building debt service payments until the MIDA fund can fully carry them. Managing capital costs largely in 2025 and 2026. Subsequent debt service carried after 2029. Interim Period 2026-2029. Pulling levers to allocate funds to costs. Active management by County Manager, through annual budgets 2026-2029. Brought through Council subcommittee. Richard went through a capital schedule showing what he just indicated. Richard indicated that the game plan is that capital outlays beginning now and going through 2025 until bond is secured in late 2025 or early 2026. Parameters Resolution in 2025 targeting a bond size of \$18.5 M over 20 to 25 years. County Manager's office balancing remaining capital, bond requirements, and MIDA revenues through 2026-2029 budgets. Municipal service revenue fund fully carrying the debt service beginning no later than 2029

ADJOURNMENT

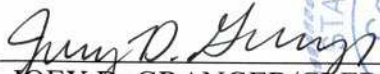
Councilman Karl McMillan made a motion to adjourn. Councilman Luke Searle seconded the motion, and the motion carries with the following vote:

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

NAY: None.

Meeting adjourned at 8:30 p.m.


SPENCER PARK/CHAIRMAN


JOEY D. GRANGER/CLERK/AUDITOR

