

**MINUTES OF THE
WASATCH COUNCIL
DECEMBER 7, 2022**

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

PRESENT: Chair Mark Nelson (via Zoom)
Jeff Wade
Marilyn Crittenden
Kendall Crittenden via Zoom
Steve Farrell
Danny Goode
Vice Chair Spencer Park

EXCUSED: Dustin Grabau, the Wasatch County Manager
Mike Davis, the MIDA Coordinator

STAFF: Karl McMillan, new Wasatch County Councilman
Heber Lefgren, Assistant County Manager
Jon Woodard, the Assistant Wasatch County Attorney
Scott Sweat, the Wasatch County Attorney
Doug Smith, the Wasatch County Planner
Austin Corry, the Assistant Wasatch County Planner
Rick Tatton, Court Reporter via Zoom
Joey Granger, Wasatch County Clerk/Auditor
Wendy McKnight, from the Clerk's Office.

PRAYER: Councilman Steve Farrell

PLEDGE OF ALLEGIANCE: Led by Councilman Kendall Crittenden and repeated by everyone

Vice Chair Spencer Park called the meeting to order at 4:00 p.m. on Wednesday December 7, 2022 and welcomed those present and indicated that all of the Wasatch County Council are present either live or by Zoom. Also Chair Mark Nelson will be a few minutes late but will be present via Zoom. The record should further reflect that the Wasatch County Council is meeting in the Wasatch County Council Chambers in the Wasatch County Administration Building located at 25 North Main, Heber City, Utah 84032. Vice 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

ADMINISTRATIVE ISSUES FOR FUTURE MEETINGS

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

LEGISLATIVE ISSUES FOR FUTURE MEETINGS

Councilman Kendall Crittenden indicated that we need to make our next meeting a regular meeting to discuss some matters.

Councilman Kendall Crittenden made a motion to make October 14, 2022 a regular meeting instead of a work meeting. Councilman Steve Farrell seconded the motion and the motion carries with the following vote:

AYE: Vice Chair Spencer Park

AYE: Danny Goode

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Marilyn Crittenden

AYE: Jeff Wade

NAY: None.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Vice Chair Spencer Park then asked if there was any public comment on matters not on the agenda.

Bruce Baird, Attorney at Law, addressed the Wasatch County Council and indicated that he is counsel for Jordanelle View Estates. On October 26, 2022 I sent all of you a letter and I followed it up with an e-mail on November 21, 2022 and it is about my client's development of their property being blocked by a protection stripe that was illegally created by Sky Ridge. The reason I am here is because I haven't heard anything back from them and would respectfully request that you ask that the Council Staff, County Manager but perhaps the Wasatch County Attorney to try and contact us so we can work peacefully with this matter because we really don't want to bring a lawsuit but my client is being held hostage by I think what is pretty clearly and obviously protection stripe. He brought copies and gave them to each of the Council. Wasatch County did record the plat with the protection stripe and there are easy ways for the County to fix it. If the

County hadn't recorded the plat we wouldn't be here.

Councilman Steve Farrell asked if they didn't they provide access in a later phase? Bruce Baird replied a later phase maybe as whenever they get around to us. Let's try and talk this through and want to know what the County's position is face to face and let's talk. Heber Lefgren, the Assistant County Manager, indicated that he can schedule a meeting and we can sit down and talk about this matter.

Vice Chair Spencer Park then closed public comment.

APPROVAL OF NOVEMBER 9, 2022 MINUTES

Councilman Kendall Crittenden made a motion to approve November 9, 2022 minutes. Councilman Steve Farrell seconded the motion and the motion carries with the following vote:

**AYE: Chair Mark Nelson
AYE: Steve Farrell
AYE: Kendall Crittenden
AYE: Marilyn Crittenden
AYE: Jeff Wade
AYE: Danny Goode**

NAY: None.

ABSTAIN: Councilman Jeff Wade (absent)

APPROVAL OF THE NOVEMBER 16, 2022 MINUTES

Councilman Steve Farrell made a motion to approve the minutes for November 16, 2022 as written. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

**AYE: Chair Mark Nelson
AYE: Steve Farrell
AYE: Danny Goode
AYE: Kendall Crittenden
AYE; Marilyn Crittenden
AYE: Jeff Wade**

NAY: None.

ABSTAIN: Vice Chair Spencer Park (absent)

DISCUSSION/CONSIDERATION FOR BOE ADJUSTMENTS

Joey D. Granger, the Wasatch County Clerk/Auditor, addressed the Wasatch County Council and indicated that this our third round of hearings and we still have about 330 to go but we are surely getting there. Joey then presented a summary of where we are at with this round. If you have any questions let me know and I can give you whatever information you want regarding the appeals. There was 90 that had changes through the hearing officers. Forty-five of them were denied for various reasons and most of them were because the lack of evidence or insufficient evidence. There was 37 that was agreed upon via stipulations the ones heard by the hearing officer do get reviewed. We have 172 through hearings and stipulations for today and 45 denied. If we include these adjustments plus the assessor errors that I sent over in that other e-mail and the total will be \$171 million in value adjustments from where we are at now. That bring us to about one percent.

Councilwoman Marilyn Crittenden asked how the communication has been going. Joey Granger replied that by an e-mail to anybody who was still in process. Anybody who is still in process and have paid their taxes and after a hearing if necessary a rebate can be given back.

Councilman Steve Farrell indicated that the code is pretty clear on that and any adjustment will be in the form of a rebate. We probably can abate the penalties. Seventy-five percent of the people outstanding is being paid by their escrow company anyway and just being paid on the face amount. The Council was then given the assessor adjustment list. The list is when the assessor's office or recorder's office comes across something is a County error of some sort.

Councilwoman Marilyn Crittenden asked what about these green belt ones. That has been taken care of. Councilman Steve Farrell indicated that these are basically where there is a factual error and the assessor has the legal right to change them after the tax roll is closed if it is not a judgment error. It is hard to make sense out of these changes.

The record should reflect that Chair Mark Nelson has joined the Council via Zoom.

Councilman Steve Farrell made a motion that we go ahead and approve the changes that has been presented. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

**AYE: Jeff Wade
AYE: Marilyn
AYE: Kendall
AYE: Steve
AYE; Danny
AYE: Chair Mark Nelson
AYE: Spencer Park**

NAY: None.

Joey Granger also indicated that possibly next year a member of the Council could be present when the hearing is going on so they will be made more aware of what is taking place.

Joey Granger then indicated that she has one more question in regards to the discussion from last time. This might be a code thing that we might need to look at more. When we have exempt corporations or entities or whatever taking properties do we need to make them prove just like we are doing with primary/secondary that they are exempt to give that new exempt status. Councilman Steve Farrell replied that they should have their exempt approval already through the County Assessor. By law they have to submit a request every year to handle it.

CONSIDERATION OF AN INTERLOCAL AGREEMENT BETWEEN WASATCH COUNTY AND PARK CITY FOR LAW ENFORCEMENT SERVICES.

Heber Lefgren, the Assistant Wasatch County Manager, addressed the Wasatch County Council and indicated that the inter local agreement is the result of significant effort by both Wasatch County and Park City staff to reach an agreement on how law enforcement services for properties owned by Park City but within Wasatch County. It details the circumstances and powers of Park City law enforcement and the practices used in the execution of those powers in this part of the County. This inter local agreement corrects a lot of those opportunities that were missed and adds to the already existing inter local agreement. In summary it basically grants the Park City's Sheriff Office the authority to enforce Park City law within those areas and also we grant the Park City Police Authority to enforce laws that they are called out for. We provide the dispatching services and if we are called up we will provide the jail services for any offense that occurred within this area. Whoever responds we are working together to be able to provide those services for that area. It doesn't change anything in the budget and agree that whatever effort we utilize in that area we will incur and whatever resources they utilize to police the area also. This agreement allows us to be able to work a little bit better with Park City on the law enforcement efforts in those areas.

Jon Woodard, the Assistant Wasatch County Attorney, indicated that the primary driver for creating this was to address the Bonanza Flat's area. Councilman Steve Farrell indicated the parking issue and the law enforcement issues on Bonanza Flat since they bought it and put a conservation easement on it.

Jon Woodard indicated that the Wasatch County Sheriff Rigby has been the shining star of working this out with the Chief of Police in Park City and have been very involved behind the scenes but Jared Rigby is the one that has been driving this forward. This makes it so if there is an issue up in the Bonanza Flats the two agencies can help each other out the same way that they handle it in any other situation where they would be helping each other out. We do grant them additional powers to enforce parking up there and they have to enforce the ordinance.

Councilman Steve Farrell asked if we are going to recognize their parking rangers where they are not law enforcement. Jon Woodard replied that because it is a civil process so what we did is

authorize their Chief of Police to authorize other people to enforce parking pursuant to the civil ordinance so yes but they cannot handle any other law enforcement matters without going through our Wasatch County Sheriff's Office and getting permission to do that. Sheriff Rigby indicated that when it comes to the parking issue, they are not criminal issues. Park City is able to issue a fine or penalty and Wasatch County sets that and Park City gets the revenue. To put up no parking signs they have to go through the Wasatch County Sheriff's Office to get that.

Councilman Steve Farrell asked if there is a termination clause in this agreement so if we find it is not workable we can terminate it with a thirty day notice. Sheriff Rigby indicated that there is a temporary parking enforcement agreement in place and this is what is taking place and making it more permanent.

Councilman Steve Farrell asked why we are looking at some of the old matters. Jon Woodard replied that we are looking at some of the old historic agreements having to do with this St. Regis area. In looking at this old agreement there was some things that needed to be looked at. That we are treating that area that is in Park City but also in Wasatch County the same way that we handle like the Park City will be the first line of law enforcement but if they arrest it is going to come to our jail and if they go to court it is going to be in our courts and that is the way we have been historically doing it and wanted to make that clear by agreement from what we have been doing is authorized. Thanks to Sheriff Rigby for over years of negotiation where we really been wanting this all along.

Councilman Steve Farrell made a motion that we go ahead and approve the inter local agreement between Wasatch County and Park City for law enforcement services as presented. Councilwoman Marilyn Crittenden seconded the motion and the motion carries with the following vote:

AYE; Vice Chair Spencer Park

AYE: Chair Mark Nelson

AYE: Marilyn Crittenden

AYE: Jeff Wade

AYE: Danny Goode

AYE: Kendall Crittenden

AYE: Steve Farrell

NAY: None.

CONSIDERATION OF AN INTERLOCAL AGREEMENT ALLOCATING FUTURE TAP TAX REVENUES.

Heber Lefgren, the Assistant Wasatch County Manager, asked that this matter be tabled until next week and we want to make a few adjustments.

Vice Chair Spencer Park made a motion that we continue this matter until next week and that meeting has been made a regular meeting. Chair Mark Nelson seconded the motion and the motion carries with the following vote:

**AYE: Chair Mark Nelson
AYE: Vice Chair Spencer Park
AYE: Steve Farrell
AYE: Marilyn Crittenden
AYE: Kendall Crittenden
AYE: Jeff Wade
AYE: Danny Goode**

NAY: None.

CONSIDERATION AND DISCUSSION OF RESOLUTION #22-17 REGARDING THE ADOPTION OF THE WASATCH COUNTY 2022 BUDGET.

Heber Lefgren, the Assistant Wasatch County Manager, addressed the Wasatch County Council and indicated that you have the adopted budget. We have made a few minor adjustments and we have created a new RAP Tax fund in order to collect and distribute the recently proposed RAP Tax. It includes an increase in the one-time transfer from the General Fund to the Library Fund in order to insure the library fund that the revenue received is greater than the expenditures planned. Includes the purchase of about \$200,000 in equipment to be funded through the ARCO Fund and transferring the plan purchase of a search and rescue vehicle from the ARCO fund to the transient room fund. Finally, it includes the increasing in funding for the EMS equipment so that the total amount that we provide to the fire district is \$600,000 so an increase of \$213,000.00 from the tentative budget. The final change is just more of documentation to be able to qualify to receive the distinguished budget presentation aware and a lot of clarification on policies and processes about the budget so that the community better understands what goes into the developing budget. For summary purposes the adoption of the 2023 budget is \$55.9 million divided among 23 funds and authorizes 269 positions. The General Fund Budget is \$34.6 million which is an increase from last year and 207.5 positions. When this is presented in the public hearing agenda just note that the budget is approved with these adjustments that I have mentioned.

DISCUSSION/CONSIDERATION OF RESOLUTION #22.18 REGARDING A ONE TIME APPRECIATION GIFT IN THE AMOUNT OF \$50.00 FOR THE ELECTED AND APPOINTED OFFICIALS INCLUDING COUNCIL, ATTORNEY, RECORDER, SURVEYOR, CLERK/AUDITOR, TREASURER ASSESSOR, SHERIFF AND APPOINTED COUNTY MANAGER HEBER LEFGREN.

Heber Lefgren, the Assistant Wasatch County Manager, addressed the Wasatch County Council and indicated that we are going to be working with the personnel department to issue to all the

staff a \$50 appreciation gift through the payroll and that is planned to go through on the second pay check in December. To do this it requires the Council's approval.

Chair Mark Nelson indicated that this is a great notion and great idea but my concern about it is that when someone hands you a \$50 bill you look at them and say, wow, thanks and you put it in your wallet. But when your payroll by direct deposit or check has \$50 more and all the deductions come out of it, it is invisible and doesn't really mean anything. I don't have a suggestion on how to fix that because I know it isn't practical to hand someone \$50 but much of the effectiveness of the gift is lost when it is in payroll. Heber Lefgren felt that by going through the payroll is the best way to account for that gift. Again this is put on the public hearing agenda for you to vote on this.

RECOMMENDATION OR ENACTMENT OF AN AGRICULTURAL PROTECTION AREA ADVISORY BOARD AND RELATED CODES AS ALLOWED IN 17.41.402 OF THE UTAH STATE CODE.

Jon Woodard, the Assistant Wasatch County Attorney, addressed the Wasatch County Council and indicated that this was continued from the last meeting in November in order for us to meet with UDOT and that happened about a week ago. There are two versions and one makes it so this area on the Heber side of the transmission would not be eligible to be included in the agricultural protection area but would allow for this little parcel or part of this parcel to be included in the agricultural protection area. The other version of it makes it so this area that is part of the WB-1 and WB-2 Routes would not be eligible for the agricultural protection area.

We met with UDOT and UDOT doesn't oppose the enactment of the agricultural protection area ordinance. If we created properties that were in the agricultural protection area before their reports come out then that would be something that would be noted in their reports and need to be done by mid-January. UDOT will not collaborate with the County on the bypass corridor and will not use the discussion of the agricultural protection ordinance as a means of influencing the bypass route. They were pretty clear that they don't want to have the County to have a voice in their process beyond the voice of any other interested party.

Councilwoman Marilyn Crittenden indicated that she summed it up this way that you do what you have to do and we are going to do what we have to do. Jon Woodard indicated that it wasn't a super candid discussion but still were some take a ways. If we actually put property in an agricultural protection area that it changes the legal standards that have to be met and to some extent the processes that have to be gone through in order to use eminent domain to take property for a highway. It has to be proved that there is no reasonable or prudent alternative to that land if they are going to use eminent domain to take that for a highway.

There is a case that came in Utah County that would help Wasatch County see what can take place. Jon Woodard indicated that the most thing that we are concerned about today is what parts of the North Fields and South Fields you are going to make eligible and not eligible. UDOT indicated that if we facilitate the Ag protection area protection over UDOT's chosen bypass UDOT could

do different things. They might abandon the project altogether. They might oppose the agriculture area from being enacted over property that would be needed for the bypass at this later stage when the applications come in. Another possibility is if the agricultural protection area is approved in the corridor would UDOT attempt to move forward anyway under that standard if there is no reasonable and prudent alternative. The other thing that might happen we might push UDOT into exploring the future route in a way that they haven't before because that becomes a more viable option.

Jon Woodard also indicated that the input that we got from UDOT was that the five alternatives that have been moved were moved forward because they effectively solved the problem of traffic failure on Main Street. The plan of following the historic bypass route was eliminated because the historic bypass was not found to resolve failure on Main Street. The historic road that was planned is deemed by Utah to be far too narrow to effectively resolve the traffic failure on Main Street and we are talking on the order of magnitude. We were told that the area they are anticipating to need for this bypass road was over two hundred feet. Also the historic route does not allow for adequate distances at the intersection at South Field Road and Midway Lane. They mentioned they actually had talked to the high school in moving part of their facility further to the east that even where the high school where it is there would be not be enough distance for what they consider safe for that intersection. Their goal is to have a high speed corridor and if there are a bunch of driveways coming off it that loses that.

Councilwoman Marilyn Crittenden indicated that limited access does not mean total protection. Jon Woodard indicated that the currently planned UDOT routes go further west into the South Fields than the routes released in June 2022. The goal was since they released those or Heber Light and Power has moved forward with putting in a substation and those routes through the South Fields would cut through that substation so they moved the route further west in order to avoid that substation. UDOT indicated that their biggest impact to moving further forward with their standard processes if there is significant public outcry against all the planned options.

The Council should think about if their goals would be better by encouraging one of the routes that UDOT is currently considering through enacting the agriculture protection ordinance but minimize the impact to the northern parts of the North Fields. Are we going to work with the UDOT route or the other option is to encourage the use of the historic bypass route. My opinion is the best way to try and minimize the bypasses impact to the North Fields and to facilitate the needed bypass route moving forward is to not allow for the WB-1 and WB-2 routes to be eligible for the Ag protection area.

Jon Woodard indicated that there are two options in the packet. There is the ordinance which does not allow for the historic bypass to be placed in the agricultural protection area but does allow for the rest of the North Fields and South Fields to be in the agricultural protection area so it is designed to make it so the historic route would still be viable without going through the additional hurdles that could potentially be created by new agricultural protection areas. The area between the transmission lines and Heber City is not eligible for agriculture protection in the North Fields though excluding the parcel that is the northwest corner of the transmission. This seeks to

encourage UDOT to use property within a hundred feet of the center line of the historic route that Heber City and the County have been working towards decades through planning through property acquisition. This creates some concern with how UDOT will move forward.

The second option is the ordinance that does not allow the UDOT routes WB-1 and WB-2 to include in the agricultural protection area but does allow for the rest of the North Fields and South Fields to be in the agricultural protection area. The area not eligible would be by the substation and the South Fields and move the area that wouldn't be eligible three hundred foot west of what was shown on the June plan specifically that stretch by the substation. This does have more impact on the North Fields than the historic bypass. It abandons the work that we have put into the planning and properties that have been acquired over the past decades to build their historic route.

The key difference between the two options are one protects the historic route the other protects the route that UDOT has given us the best information on to be able to protect and help them move forward with their current process. We are protecting everything within one hundred and fifty feet of that line as shown on this map was excluded and giving them additional area by the substation that they would figure out a way to do this and we couldn't be totally throwing the process that they are going through because what UDOT indicated is that they do not believe the historic route meets the objectives that they are doing the whole thing to meet. If we force UDOT to try to follow the historic option instead of doing that we are going to either force them to say we are just not going to do this or we are forcing them to a position where they have to ignore what we did anyway because that is not creating a viable solution.

Councilman Steve Farrell indicated that we have been collecting a fee from the public every time they changed the registration of their vehicle and been using that money to buy these parcels. Also we don't need a sixty-five mile an hour bypass. I think we have been misled. We spent over \$100,000 with MAG on having that intersection on Midway Lane and South Field Road designed. That was accepted and now they are throwing it out. I think we are best in going back and saying for the last fifteen years we have been working in this direction. The citizens have spoken both in referendum that they don't want to see the North Fields changed the zoning changed or the South Fields zone changed. We also have seen the citizens vote to preserve this. I think that we need to hold true of what we started with. UDOT is going to change it and make it whatever will be easier for them. They need to work within our framework and we have been working with their framework for years. I am ready to move forward with the historic option.

Councilwoman Marilyn Crittenden indicated that if there is going to be a road go through here we need to protect Midway Lane and the North Fields from development. If we don't have a conservation easement right there, there is no way that you are going to protect that from happening. It will change and will change the face of this valley forever. I agree with Councilman Steve Farrell that we need to stick to what has been promised and what we accept and do the best that we can to protect this county. Councilwoman Marilyn Crittenden indicated that we have already held the public hearing regarding this matter and closed the public hearing in the previous meeting on November 16, 2022.

Councilwoman Marilyn Crittenden made a motion that we stick with the historic option for the ag protection area. This is ordinance no. is 22-23. Councilman Steve Farrell seconded that motion and the motion carries with the following vote:

AYE: Chair Mark Nelson via Zoom

AYE: Marilyn Crittenden

AYE: Jeff Wade

AYE: Steve Farrell

AYE: Danny Goode

AYE: Kendall Crittenden.

NAY: Vice Chair Spencer Park

Councilman Kendall Crittenden indicated that he is going to vote yes but hopefully we can continue to work together. I probably worked on that historic option more than any member of the Council and have been involved with that the entire time I have been on the Council and we can hope that it would work. I do recognize that we have some individuals that don't want any of these routes to go. They would rather cram all that traffic on Main Street or whatever. I think that for the reason that we have stated that is the route that we have been looking at and let them work within that and see what they do so I voted yes.

Councilman Danny Goode indicated that you want to keep in mind when you are dealing with this process that it was explained to us at that meeting that we had at the Police Safety Building that we talked about the bypass and those options and if an area culturally significant to the community then the federal government and the state government have to listen to that. The argument is this is quality of life and we want to keep it in the historic areas and keep it out of the North Fields then that is the argument that we have that it is culturally significant to the population in our community. I think that is the only route that we have.

Vice Chair Spencer Park indicated that my no vote was not because I am not for an agricultural protection but feel like the historic option makes it more likely for option three and four to be made.

DISCUSSION/CONSIDERATION TO RESOLUTION 22-19 REGARDING COST OF LIVING AND SALARY ADJUSTMENT FOR THE ELECTED OFFICIALS INCLUDING COUNCIL, ATTORNEY, RECORDER, SURVEYOR, CLERK/AUDITOR, TREASURER, ASSESSOR, SHERIFF AND APPOINTED COUNTY MANAGER HEBER LEFGREN.

Heber Lefgren, the Assistant Wasatch County Manager, addressed the Wasatch County Council and indicated that this item is also on the public hearing agenda and basically this is tied to the 20-23 budget of adoption. We are planning on a seven percent across the board cost of living increase for all of staff by ordinance and any adjustments to elected officials needs to be approve by Council and adjusts all the salaries for all elected officials to the level that is recorded in the 2023 budget.

DISCUSSION/CONSIDERATION OF ADDENDUM #2 TO THE COOPERATIVE CORRIDOR ACCESS AGREEMENT #098-400 BETWEEN UDOT, WASATCH COUNTY AND HEBER CITY ON US-40 FROM SR 32 TO RIVER ROAD TO HEBER CITY LIMITS 1200 NORTH.

Councilman Kendall Crittenden indicated that UDOT missed it and Wasatch County missed it over the years and what has happened in the corridor access agreement that was entered into with the Wasatch County and UDOT in November of 2008 and we had a corridor access agreement between Wasatch County and UDOT where future lights would be on North Highway 40 and there were three locations designated for those lights. The first one after the Highway 32 intersection there was a North College Way and then street access to Wasatch Commons and then Coyote Lane. We were assuming that the North College Way is the one on this map labeled University Avenue. This agreement all it says in the third whereas is this development has created the need to modify the transpiration plan of area such that the City and the County recommends the location of a proposed future traffic signal at North College Way, 1000 North be moved north approximately 1200 feet to a proposed new public street connection known at this time as University Avenue. This location is at Mile Post 14.045. The street name may change in the future.

Councilman Steve Farrell indicated that the North College Way as I always understood it would be a right in and right out. Councilman Kendall Crittenden indicated that this just clarified some misunderstandings that have been there. It really isn't changing anything from what we assumed it was going to be. Councilman Steve Farrell indicated that the whole thing we should go through it all again.

Councilman Kendall Crittenden made a motion to continue this item for next week. Councilman Danny Goode seconded the motion and the motion carries with the following vote:

**AYE; Jeff Wade
AYE; Marilyn Crittenden
AYE; Kendall Crittenden
AYE: Chair Mark Nelson via Zoom
AYE; Steve Farrell
AYE; Vice Chair Spencer Park
AYE: Danny Goode**

NAY: None.

DISCUSSION/INFORMATION ON CONNECTING UTAH , HIGH SPEED INTERNET FOR EVERYONE SPEED TEST CONNECTION, SPEED TEST UTAH GOV. WEBSITE ALLONLINE UTAH GOV.

Kendall Crittenden indicated that this is an item that came up at UAC and there was a presentation on it. It is intended to utilize new federal funding to expand high speed internet access through the state. They need help identifying in the community where the gaps in high speed internet might be so input is requested. People can look at this if you go to the website listed and you can run a speed test on your system to tell them how fast and how to download and how close they are so they can identify different areas. Also go to that speed test site and you can see where our community is in this area. They want as much input as they can from running this speed test so they can determine what is happening. They are doing a public meeting, informational meeting on January 30, 2023 here in Wasatch County and there will be two 90 minute sessions and one session from 10:00 to 12:00 for elected officials and 12:00 to 2:00 there will be one for the public and business, etc. It will be in the public safety building, Heber City's Public Safety Building on 301 South Main. Hopefully we will get a good response on this speed test. Tracy Taylor, Wasatch County resident, asked if that meeting can be recorded by somebody so 2:00 p.m. in the afternoon most people aren't going to be able to be there. Councilman Kendall Crittenden indicated that this is a training meeting and not a meeting to make decisions.

MIDA UPDATE

Vice Chair Spencer Park indicated that Mike Davis, the MIDA coordinator is out of town so there won't be an update.

COUNCIL/BOARD REPORTS

Councilman Kendall Crittenden indicated that UAC is organizing some policy steering committees to help get input from all over the state on different issues. They are asking for involvement from elected officials to sign up for these committees and if you would like to be on them just let that be known. To get help from UAC we have to put in so this is an opportunity to do that.

Councilman Kendall Crittenden indicated that it came up in our USAC meeting during the UAC Convention with regard to the LATCE allocation. Wasatch County's piece of that is \$738,906.48. That is split out in two pieces. There has been no designation of where that is going. Heber Lefgren indicated that we have received the 2022 allocation and is included in the ARCO Fund Budget and will receive the second amount in the 2023 budget.

Councilman Kendall Crittenden indicated there has been a discussion in the meeting that NACO has proposed creating a National Center for Public Lands. This center will be a NACO organization with headquarters in Washington and likely will have an office in the western states. They are

to help get input from all over the state on different issues. They are asking for involvement from elected officials to sign up for these committees and if you would like to be on them just let that be known. To get help from UAC we have to put in so this is an opportunity to do that.

Councilman Kendall Crittenden indicated that it came up in our **USACCC** meeting during the UAC Convention with regard to the **LATCF** allocation. Wasatch County's piece of that is \$738,906.48. That is split out in two pieces. There has been no designation of where that is going. Heber Lefgren indicated that we have received the 2022 allocation and is included in the ARCO Fund Budget and will receive the second amount in the 2023 budget.

Councilman Kendall Crittenden indicated there has been a discussion in the meeting that NACO has proposed creating a National Center for Public Lands. This center will be a NACO organization with headquarters in Washington and likely will have an office in the western states. They are going to work very hard to help the public and federal government and everybody to be aware of the importance of federal lands and we have 60 - 70% in Wasatch County. There is a pretty good chance that office could be housed in Utah. To help set that up they have proposed that we contribute one percent of that \$738,906.40 of our share to organizing this center and would pertain to other counties in Utah donating their one percent. The Council should think about this and put it on the agenda as an action item. In the **USACCC** meeting in January there will be a discussion regarding the other counties donating to that. Councilman Steve Farrell indicated that we need to get further information regarding this. I don't want this to be just another government bureaucracy. Councilman Kendall Crittenden indicated that he has got an information letter regarding this and will send that to the other Council Members. This is still a work in process. Some other counties have already passed it and we will donate our one percent. Councilman Steve Farrell indicated that UAC ought to make some presentations on it.

Councilman Steve Farrell indicated we had our public lands meeting our District Ranger for the Kamas District has put in for a forest grant over the next two years and it is about \$9 million that he hopes to be able to spend on the forest here in Wasatch and Summit County in the form of getting dead timber out and do more logging. The District Ranger is working hard to get that back on track.

Councilman Danny Goode asked about an update on the Olympics. Chair Mark Nelson indicated that he has a little bit of an update in that we got an e-mail from Luke at Soldier Hollow and it basically said that the committee is going to take a step back and consider a different approach and that they might name the 2030 and 2034 at the same time and thinking about creating a short list of compatible or approved venues that it would rotate through over time. That the Utah folks felt like this was a positive and not a negative and made it more likely not less likely that Utah would be chosen.

Councilman Mark Nelson indicated that he wanted to mention that Vice Chair Spencer Park and I had a discussion with a citizen last week about the transfer station and the policy there to not allow contractors to put contractor waste in there. Apparently a lot of the contractors felt like this was a

going to work very hard to help the public and federal government and everybody to be aware of the importance of federal lands and we have 60 - 70% in Wasatch County. There is a pretty good chance that office could be housed in Utah. To help set that up they have proposed that we contribute one percent of that \$738,906.40 of our share to organizing this center and would pertain to other counties in Utah donating their one percent. The Council should think about this and put it on the agenda as an action item. In the USAC meeting in January there will be a discussion regarding the other counties donating to that. Councilman Steve Farrell indicated that we need to get further information regarding this. I don't want this to be just another government bureaucracy. Councilman Kendall Crittenden indicated that he has got an information letter regarding this and will send that to the other Council Members. This is still a work in process. Some other counties have already passed it and we will donate our one percent. Councilman Steve Farrell indicated that UAC ought to make some presentations on it.

Councilman Steve Farrell indicated we had our public lands meeting our District Ranger for the Kamas District has put in for a forest grant over the next two years and it is about \$9 million that he hopes to be able to spend on the forest here in Wasatch and Summit County in the form of getting dead timber out and do more logging. The District Ranger is working hard to get that back on track.

Councilman Danny Goode asked about an update on the Olympics. Chair Mark Nelson indicated that he has a little bit of an update in that we got an e-mail from Luke at Soldier Hollow and it basically said that the committee is going to take a step back and consider a different approach and that they might name the 2030 and 2034 at the same time and thinking about creating a short list of compatible or approved venues that it would rotate through over time. That the Utah folks felt like this was a positive and not a negative and made it more likely not less likely that Utah would be chosen.

Councilman Mark Nelson indicated that he wanted to mention that Vice Chair Spencer Park and I had a discussion with a citizen last week about the transfer station and the policy there to not allow contractors to put contractor waste in there. Apparently a lot of the contractors felt like this was a very negative thing for them. The outcome was that the solid waste district is going to come back next week in our meeting and present some data, some price comparisons and show contractors what their options are and justify why we made the decision that we made. The Board of the solid waste needs to take a look at that next week and make sure that we didn't do something we shouldn't have done. Vice Chair Spencer Park indicated that information could have solved most of our concerns and problems. Councilman Steve Farrell indicated that Wasatch County can't afford to continue to take all that construction waste and haul it to Duchesne and fill up our cells which is costing us millions to build and they will be filled up before they are paid for.

Chair Mark Nelson indicated that I was assigned to attend some of the meetings with Doug Smith and others on the Temple Project. Part of that process now includes some consideration and some study on our lighting ordinance. It would be helpful to have two members of the Council join me on a committee where we look at that. I would like to get those names now with the Council Members who are still going to be on the Council. The three will be Councilman Kendall

Crittenden and Vice Chair Spencer Park will serve with me on the committee.

MANAGER'S REPORT

CONSIDERATION OF AWARDING AN RFP FOR INDIGENT DEFENSE SERVICES.

Heber Lefgren, the Assistant Wasatch County Manager, addressed the Wasatch County Council and indicated that in the General Fund there is about \$300,000 that is allocated for providing legal services for those who cannot pay for the service on their own. The Wasatch County's existing indigent defense services contracts are expire at the end of 2022 to ensure continuity of services, the County published an RFP for consolidated services that closed on December 2nd. This RFP differed from previous solicitations because it combined our contracts under a single bid with the intent of the applicant administering all aspects of indigent defense, including applications to the indigent Defense council for state-level funding. Friday we received the bids back with one respondent responding and that is the Utah County Public Defender's Association. The Utah County Public Defender's Association is a charitable organization that is currently providing this service for Utah County. They are providing the service for Juab County, Millard County, Sanpete County as well as the City of Nephi. If approved we want to enter into a contract with the Utah County Public Defender's Association to be able to provide that service going forward. Based upon the response provided we have still have not solidified the actual contract. We are here asking for your approval for us to enter into a three year contract with the Utah County service provider and that will be an annual cost that would not exceed \$302,500.00 and give us the authority for us to renew that contract.

Councilman Steve Farrell asked can we terminate the contract if we find that we are unsatisfied. Heber Lefgren indicated that can put into the clause. Scott Sweat, the Wasatch County Attorney, indicated that this will now be managed by this association and probably the personnel will be alternated. Heber Lefgren indicated that the organization will take the lead on making sure that the services are being provided and that would include contracting work with other individuals. Councilman Steve Farrell indicated that we need to have the qualified service and we need to have a termination clause put in.

Councilman Steve Farrell made a motion with the caveat that we have a modification to the contract to put a termination clause in at the county's discretion. Councilwoman Marilyn Crittenden seconded the motion and the motion carries with the following vote:

**AYE: Vice Chair Spencer Park
AYE: Chair Mark Nelson via Zoom
AYE: Marilyn Crittenden
AYE: Jeff Wade
AYE: Kendall Crittenden
AYE: Steve Farrell
AYE: Danny Goode**

NAY: None.

The record should show that the Council took a brief recess before the public hearings will start.

**PUBLIC HEARING
DECEMBER 7, 2022**

CHRIS GIVENS, REPRESENTING THE KENNETH NILE GIVENS TRUST REQUESTS A ZONE MAP AMENDMENT IN ORDER TO CHANGE THE ZONING OF PARCEL NUMBERS 14-6634, 21-0673 AND 21-0674 LOCATED AT APPROXIMATELY 990 WEST MAIN CANYON ROAD FROM THE PRESERVATION P-160 ZONE TO RESIDENTIAL AGRICULTURE 5 RA-5 ZONE TO FACILITATE A PROPOSED FARM PRESERVATION SUB DIVISION CONSISTING OF FOUR PROPOSED LOTS ON 64.98 ACRES.

Staff:

Austin Corry, the Assistant Wasatch County Planner, presented a power point presentation and then addressed the Wasatch County Council and indicated that the subject property is a long narrow property with approximately 180 feet of frontage on Main Canyon Road. The property includes an existing single family residence and is split between Residential Agriculture 5 RA-5 and Preservation P-160 zoning. Although there are three parcel numbers, the property is one property. The multiple parcel numbers are due to section lines running through the area. Properties fronting Main Canyon Road on the east side are zoned RA-05 from the road centerline to an area where the slopes become steeper and historically have been un-irrigated. The requested zone map amendment is to change the P-160 zoned area of the property from the current P-160 designation to RA-5 zoning. Per the applicant, the intent is to pursue a four lot farm preservation subdivision by making this change, all permitted uses listed under the RA-5 zone would become permissible. The portion that is RA-5 on the property would remain the same but it is the portion of P-160 within the boundary of this property that they would like to have changed to RA-5. This property is also split by zoning and also split by two different planning areas but the critical one being the South Fields planning area. The RA-5 has roughly seven acres and just shy of a 65 acre parcel and it is 57 acres. It is a lot of record. One of the key elements of a rezone request per the code is that there should be consideration given for what the purpose of the different zones are. Rezones and code amendments things like that should only be done when they are in conformance with moving forward the purpose or fulfilling the policies that you as the Council has established. The intent for asking for a rezone they are desirous to pursue a farm preservation subdivision. It is a four lot farm preservation subdivision one of those lots being the minimum twenty acre and is a 57 acre piece itself but the farm preservation requires a minimum of twenty for the farm piece. They don't have to meet the septic requirements because it calculates through the overall density

and makes a five acre average. The Farm Preservation relieves some of the road standards. Also it comes with a deed restriction on the property. One of the key requirements in the Farm Preservation Subdivision that all of the property must be in an RA-5 or RA-1 zoning designation. Again this property roughly sixty-five acres is primarily P-160 so their request to rezone it RA-5 so it opens up the potential for this farm preservation option for them. Austin then went through the DRC report that was issues and that was on a previous plan and again the one that I just showed you is what was presented and brought to the Planning Commission by the applicant and presented there and it resolved some of these comments. We haven't sent it through a formal DRC process but considering that this isn't a subdivision application that seemed to be low on the list of it to be sending through that anyway. They have resolved some of the major red flags from what was raised in this report in terms of the rezone was granted how to execute the farm preservation.

Austin Corry then tried to explain what the motion that the Planning Commission made. There was a discussion about that the Planning Commission in not wanting the RA-5 Zone go up the mountain. The motion was trying to represent to you if that they didn't want to see that rezoned that way but were okay with a Farm Preservation Subdivision happening. The Planning Commission sent this matter on with a vote of four to one.

Austin Corry then went through the proposed findings:

1. The application is for a rezone of 59.517 acres of P-160 to RA-5.
2. The subject property is currently zoned Residential Agriculture 5 RA-5 and Preservation P-160.
3. The subject property is bordered by RA-5 on the southwest and surrounded by P-160 on all other sides.
4. There is currently an existing home on the subject property.
5. Staff analysis of the General Plan suggest uncertainty with established policies and the potential uses allowed by the proposed zone.
6. The proposed amendment is required to be consistent with the goals and policies of the Wasatch County General Plan
7. The property is located in the South Hills Planning Area.
8. The General Plan states that land uses in the South Hills Planning Area should be limited to watershed protection, livestock grazing and wildlife habitat.
9. A positive impact of the proposed change would be providing development potential for additional housing stock in the vicinity of Wallsburg town.
10. Negative impacts of the proposed change would be the precedence for development encroachment in P-160.
11. The RA-5 zone has typically only been allowed in areas of historically irrigated ground.
12. The P-160 zone permitted land uses are limited to forestry and limited agricultural operations included very low density housing.
13. A rezone to RA-5 would permit a variety of housing development options and business operations that do not currently exist on the subject property.
14. The applicant has stated an intention to develop as a farm preservation subdivision.
15. Farm preservation subdivisions allow up to five lots with one of the lots being a minimum of 20 acres with a 10 year deed restriction on development.

16. The 20 acre lot in a farm preservation can be further subdivided after the 10 year period ends.
17. The land use element of the General Plan identifies the open space qualities contributing to the scenic value within the County.
18. The General Plan states that all utilities should be provided. This would require fire flow, street improvements, and water and sewer services.
19. The Wasatch County Council, as the legislative body, has broad discretion for amendments to the Wasatch County Zoning Map.
20. The concept plan provided in the application does not demonstrate an ability to comply with code requirements related to utilities, lot dimensions, and frontage and access requirements.
21. The applicant states the proposed amendment is in the interest of the public by allowing the continued operation of a family farm. The details of the farm production were not included in the application materials. The applicant states that the proposed amendment is in the interest of the public by allowing the continued operation of a family farm. The details of the farm production were not included in the application materials. It was indicated during the Planning Commission hearing that cattle are raised on the property.

Austin Corry then went through the proposed conditions.

1. Approval is contingent on the applicant entering into a development agreement committing to develop the property as a farm preservation subdivision only. Additional restrictions should be added to the Farm Preservation piece to remove the sunset clause of the code and make the preservation piece a permanent deed restriction.
2. Approval is not granting any variance to county codes and a subdivision development plan that complies with county codes will need to be reviewed and approved through the subdivision process. If a development plan cannot be presented that complies with code within one year of the date of zone map amendment approval, the zone map amendment approval shall be revoked.

Austin Corry indicated that these are key issues to consider.

1. Total request is for a rezone of 59,517 acres across three properties collectively referred to as subject property.
2. Property is zoned Residential Agriculture 5 RA-5 and Preservation P-160.
3. Property is bordered by RA-5 at the southwest and surrounded by P-160 on all other sides.
4. The proposal includes a suggestion that the property will be developed as a Farm Preservation subdivision.
5. There is currently an existing home on the subject property.
6. Staff analysis of the General Plan suggest uncertainty with established policies and the potential uses allowed by the proposed zone.

Council Discussion:

Councilman Jeff Wade asked if the code says that we have to make RA-5 the whole piece in order to use a farm preservation right. Austin Corry replies yes RA-5 or RA-1. Could the code be changed so that we can leave it P-160? Austin Corry replied that as a Council you would need to

change the code.

Councilman Mark Nelson asked if the Council has the authority to remove the Sunset Clause of the code. Austin Corry replied that the recommended condition would be that it would be removed through development agreement. Scott Sweat, the Wasatch County Attorney, indicated that a zone change can request a development agreement. A development agreement is usually done at a subdivision stage not a zone change.

Councilman Steve Farrell indicated that in the past we have been very concerned about changing the zone in the Wallsburg area to the RA-5 or A-20. It has been a while since some of this ground has seen any water. Have these changes been made elsewhere in the Wallsburg Valley. Austin Corry indicated that there is a farm preservation directly to the south of this and that is entirely within the RA-5. There hasn't been to my knowledge a rezone has taken place for a farm preservation.

Councilman Steve Farrell indicated that he would like to see if we can find a way to use this property but I don't like to see us making a zone change using the farm preservation subdivision as a way of doing this. Is there a way that we could do a quasi-overlay zone for this parcel and be a little more restrictive and call it the Givens Farm Overlay Zone? Austin Corry replied that would be creating a new zone. Councilman Steve Farrell indicated that would give us more flexibility in doing something like this. Frankly, I hate to see the Council make these kind of changes. Councilwoman Marilyn Crittenden indicated that it sets such a precedence. Councilman Steve Farrell indicated that he wants to help the family find a way of utilizing their property. Austin Corry replied that the question that I would have from the policy standpoint that I would want answered if the direction you wanted to head would be how you want to handle the P-160 property that doesn't meet the P-160 Zone. If the farm preservation allowed it to be in the P-160 what is your density requirements for farm preservations in the P-160. The Council can certainly do what you would like.

Applicant:

Chris Givens, the applicant, indicated that we are just planning on building on two of the lots not all of them and the other one would be held in the farm preservation the two of the new lots and then the existing home. The fourth lot wouldn't be a building lot but just a way of protecting the farm.

Public Comment:

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

Council Comments:

Councilman Steve Farrell asked if the Council would consider tabling this and let Doug Smith and

Austin Corry work with the applicant and do you see where the RA-5 goes up to that tip. Austin Corry replied I assume you are referring reducing the size of the lot in the zone increase. Councilman Steve Farrell you see where the RA-5 and if we extended that north to their west property line and approve the zone change of that portion and that might give enough in the RA-5. Austin Corry replied that was actually their initial request and can't remember but they might even had five acres lots. Councilman Steve Farrell indicated that rezone that little section and then we wouldn't have the RA-5 going all the way up into the P-160 and have it match where the RA-5 already is and then look and see if we can get two building sites out of that portion. Austin Corry replied that the subdivision would absolve the lot of record and the home that is there would become one of those legal lots. Councilman Steve Farrell indicated that the lot of record would allow you to reduce the size of the original lot. Austin Corry replied that no the lot of record does not allow you to reduce the size. The only way that they can change this parcel is to go through a legal subdivision process and meet some sort of a standard. We still would need a code amendment to only partially rezone a piece of property. Councilman Steve Farrell indicated that he would rather do a code amendment than open it up to a zone change and create something that would work for them.

Councilman Steve Farrell made a motion that we table this item until the applicant is ready to come back and if they come back without a recommendation then we can take action and don't need to have a public hearing because we have had the public hearing and now send it back to the staff and the applicant to work with them to see what options that we can come up with. As it stands right now I would have a hard time approving this and open this up because next year we would have half the valley in here. Councilman Kendall Crittenden seconded that motion. The motion carries with the following vote:

**AYE: Jeff Wade
AYE: Marilyn Crittenden
AYE; Kendall Crittenden
AYE; Mark Nelson via Zoom
AYE; Steve Farrell
AYE: Danny Goode
AYE: Vice Chair Spencer Park**

NAY: None.

The record should indicated that Councilman Danny Goode has left the Wasatch County Council. Vice Chair Spencer Park indicated that will leave six members of the Council who are now present.

**PUBLIC HEARING
DECEMBER 7, 2022**

A REQUEST BY LANDSCOPE L.L.C., FOR AN AMENDMENT TO THE WASATCH COUNTY CODE 16.33.13 ORDINANCE 22.22, PARKING COMPUTATION MATRIX, TO REDUCE PARKING REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL UNITS IN THE JSPA OVERLAY ZONE.

Staff:

Doug Smith, the Wasatch County Planner, presented a power point presentation and then addressed the Wasatch County Council and then indicated that this is a code amendment proposal to lower the parking requirement for stacked multi-family residential. The applicant's specific situation is regarding 12-plex condo buildings that provide 21 underground parking spaces and 3 surface spaces for a total of 24 spaces for each building. Staff has met with members of the HOA of the applicant's former development and asked if parking is every an issue. The answer was a unanimous no that the parking under the buildings handles all the parking. Every so often there is the need for a visitor to park in the surface parking. Most of the units in the former development are used as second homes. The developer estimated the percentage of primary residents to be around 20 percent however, there is no way to anticipate that units will remain primarily second homes in perpetuity or that short term rentals will not require more parking.

Doug Smith indicated that when this issue was discussed there was a lot of discussion about the units that Mr. Burbidge up off from 319 in the Jordanelle. The parking lot is really never getting used and there is underground parking. The proposed building that is not built yet is what Mr. Burbidge is then asking for a code amendment on. These are 12-plex buildings that the Wasatch County Code requires thirty stalls on it and two and a half stalls per unit. Mr. Burbidge is asking for it to go to two stalls per unit and twenty four stalls versus thirty. Doug Smith then went through various other cities and counties with regard to their parking with the Wasatch County Council and the Council asked me explore the option to allow a study to be done in the code or an amendment to the code to allow some type of further study. You also asked what MIDA required at the Pioche Apartments. Doug Smith then went through the section of code that Wasatch County has now that allows for a shared parking plan to lessen the parking requirements. Also indicated that he really doesn't know how to form a study for this type of project where parking being lessened is based on it being second homes and can't really deed restrict that or see in perpetuity that those will be second homes forever. We have handled issues like this before and parking was changed. The parking in Park City and they are eighteen stalls for a 12-plex and they said as far as they are aware they don't have any parking issues with it. One of the options is that we could go into a code amendment and allow for some lower parking if there is transit in the near future. The other option would be to split the difference and go to 2.5 per unit and it would be a twenty-seven stall requirement versus a twenty four stall requirement and the current code is thirty.

Council Comments:

Vice Chair Spencer Parks indicated that the secondary may have more parking requirements just because it will be in a pool a nightly rental situation.

Councilman Steve Farrell asked if this ordinance is 22-22 two units. Doug Smith it is the two per unit up to three bedrooms and an additional .25 for each bedroom above three. Councilman Steve Farrell asked if that is what the Planning Commission recommended. Doug Smith replied yes. Councilman Steve Farrell indicated that we have had the public hearing on this matter and it was closed at the last meeting so we can just go ahead and make a motion.

Councilman Steve Farrell made a motion that we approve Ordinance 22-22 parking computation matrix with all the conditions and the findings of the staff and the Planning Commission. Chair Mark Nelson seconded the motion and the motion carries with the following vote:

AYE: Vice Chair Spencer Park

AYE: Chair Mark Hendricks

AYE: Marilyn Crittenden

AYE: Kendall Crittenden

AYE: Jeff Wade

AYE: Steve Farrell

NAY: None.

**PUBLIC HEARING
DECEMBER 7, 2022**

**DISCUSSION AND CONSIDERATION ON RESOLUTION 22-17 REGARDING THE
ADOPTION OF THE WASATCH COUNTY 2023 BUDGET.**

Heber Lefgren, the Assistant Wasatch County Manager, indicated that this matter was discussed before in the agenda and this is the public hearing portion of the approval of the budget and then a decision to be followed.

PUBLIC HEARING

**DISCUSSION/CONSIDERATION OF RESOLUTION 22-18 REGARDING A ONE-TIME
APPRECIATION GIFT IN THE AMOUNT OF \$50.00 FOR THE ELECTED AND
APPOINTED OFFICIALS INCLUDING COUNCIL, ATTORNEY, RECORDER,
SURVEYOR, CLERK/AUDITOR, TREASURER ASSESSOR, SHERIFF AND
APPOINTED COUNTY MANAGER.**

Public Comment:

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

Motion:

Councilman Kendall Crittenden made a motion that we pass Resolution No. 22-18. Councilman Jeff Wade seconded the motion and the motion carries with the following vote:

**AYE: Chair Mark Nelson
AYE: Vice Chair Spencer Park
AYE: Marilyn Crittenden
AYE: Kendall Crittenden
AYE; Jeff Wade
AYE: Steve Farrell**

NAY: None.

**PUBLIC HEARING
DECEMBER 7, 2022**

DISCUSSION/CONSIDERATION RESOLUTION 22-19 REGARDING COST OF LIVING AND SALARY ADJUSTMENT FOR THE ELECTED OFFICIALS INCLUDING, COUNCIL, ATTORNEY, RECORDER, SURVEYOR, CLERK/AUDITOR, TREASURER, ASSESSOR, SHERIFF AND APPOINTED COUNTY MANAGER.

Public Hearing

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

Motion:

Councilman Steve Farrell made a motion we pass Resolution 22-19 regarding cost of living and salary adjustment for the elected officials. Councilwoman Marilyn Crittenden seconded the motion and the motion carries with the following vote:

**AYE: Jeff Wade
AYE: Marilyn Crittenden
AYE: Kendall Crittenden
AYE: Chair Mark Nelson via Zoom
AYE: Steve Farrell**

AYE: Vice Chair Spencer Park

NAY: None.

**PUBLIC HEARING
DECEMBER 7, 2022**

**DISCUSSION/CONSIDERATION OF RESOLUTION 22-17 REGARDING THE
ADOPTION OF THE WASATCH COUNTY'S 2023 BUDGET.**

Public Comment:

Vice Chair Spencer Park then opened the Public Hearing for Public comment and there was none so the public comment period was closed.

Heber Lefgren indicated that when making a motion on the adoption of the 2023 budget indicate that it is based upon the adopted budget document as presented and accept any changes that have been made.

Motion:

Chair Mark Nelson made a motion that we approve Resolution 22-17 regarding the adoption of the Wasatch County 2023 Adopted Budget document as presented and accept any changes that have been made. Councilman Steve Farrell seconded the motion. The motion carries with the following vote:

AYE: Chair Mark Nelson via Zoom

AYE: Vice Chair Spencer Park

AYE: Marilyn Crittenden

AYE: Kendall Crittenden

AYE; Steve Farrell

AYE: Jeff Wade

NAY: None.

The record should show that Chair Mark Nelson left the County Council for another appointment

Councilman Steve Farrell made a motion to go into our closed session to discuss pending litigation. Councilwoman Marilyn Crittenden seconded the motion and the motion carries with the following vote:

AYE: Vice Chair Spencer Park
AYE: Jeff Wade
AYE; Marilyn Crittenden
AYE: Kendall Crittenden
AYE: Steve Farrell

NAY: None.

Vice Chair Spencer Park indicated that when we finish the Closed Session we will not be going back into regular session because that concludes the items that need to be discussed. Also the record should show that the Wasatch County Council is in Closed Session to discuss pending litigation and all the Council are present except Councilman Danny Goode and Chair Mark Nelson. The record should also show that the Wasatch County Council is meeting in closed session in the Wasatch County Council Chambers located in the Wasatch County Administration Building located at 25 North Main, Heber City, Utah 84032

Councilman Jeff Wade a motion to leave our Closed Session and go back into regular session. Councilwoman Marilyn Crittenden seconded the motion and the motion carries with the following vote:

AYE: Vice Chair Spencer Park
AYE; Marilyn Crittenden
AYE: Kendall Crittenden
AYE: Steve Farrell
AYE: Jeff Wade

NAY: None.

ADJOURNMENT

Councilwoman Marilyn Crittenden made a motion to adjourn. Councilman Jeff Wade seconded the motion and the motion carries with the following vote:

AYE: Vice Chair Spencer Park

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE; Marilyn Crittenden

AYE; Jeff Wade

NAY: None.

The meeting adjourned at 8:00 p.m.

SPENCER PARK/VICE CHAIR

JOEY D. GRANGER/CLERK/AUDITOR

Councilman Jeff Wade a motion to leave our Closed Session and go back into regular session. Councilwoman Marilyn Crittenden seconded the motion and the motion carries with the following vote:

**AYE: Vice Chair Spencer Park
AYE; Marilyn Crittenden
AYE: Kendall Crittenden
AYE: Steve Farrell
AYE: Jeff Wade**

NAY: None.

ADJOURNMENT

Councilwoman Marilyn Crittenden made a motion to adjourn. Councilman Jeff Wade seconded the motion and the motion carries with the following vote:

**AYE: Vice Chair Spencer Park
AYE: Steve Farrell
AYE: Kendall Crittenden
AYE; Marilyn Crittenden
AYE; Jeff Wade**

NAY: None.

The meeting adjourned at 8:00 p.m.


SPENCER PARK/VICE CHAIR


JOEY D. GRANGER/CLERK/AUDITOR

