

**MINUTES OF THE
WASATCH COUNTY COUNCIL
SEPTEMBER 4, 2024**

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 Spencer Park
Mark Nelson
Erik Rowland
Steve Farrell
Kendall Crittenden
Luke Searle via Zoom through parts of the agenda.
Karl McMillan

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

PRAYER: Chair Spencer Park

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

Chair Spencer Park called the meeting to order at 4:00 p.m. on Wednesday September 5, 2024, and indicated that all the Wasatch County Council are present except Councilman Luke Searle who is via Zoom. 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 and there was none.

LEGISLATIVE ISSUES FOR FUTURE MEETINGS

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

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

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

APPROVAL OF THE MINUTES FOR AUGUST 21, 2024.

Councilman Karl McMillan made a motion to approve the minutes for August 21, 2024. Councilman Steve Farrell 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 via Zoom
AYE: Karl McMillan**

NAY: None.

BOE ADJUSTMENTS AND RECOMMENDATIONS FOR APPROVAL

Jerry Jones, from the Clerk's Office, addressed the Wasatch County Council and indicated that we seek a motion for approval of the recommendations of the hearing officer for the first round of BOE. We have two more rounds. So far, we are at about 86 appeals which is about a thirty-million-dollar adjustment of the total of the 86 appeals that we have had so far. Including these 86 we are at about 250 appeals so far. Since our last meeting we have had another 38 primary exemptions

submitted.

Councilman Steve Farrell made a motion that we go ahead and approve the Board of Equalization changes as presented. Councilman Karl McMillan seconded that motion, and the motion carries with the following vote:

AYE: Chair Spencer Park.

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Luke Searle via Zoom

AYE: Karl McMillan

NAY: None.

CONSIDERATION FOR THE ADOPTION OF RESOLUTION 24-08 POLICY 125-003. EMPLOYEE LEAVE AND RESOLUTION 24-11 POLICY 125-002 EMPLOYEE SALARIES AND BENEFITS.

Heber Lefgren, the Assistant Wasatch County Manager, addressed the Wasatch County Council and indicated that the two policies being brought to the Council through this Council item are Policy 125-002 salaries and benefits. The intent of this policy is to outline how decisions regarding employee salaries are to be made and how employee benefits are to be administered. Included in this policy is the recommendation to add two new benefits for Wasatch County employees which are tuition reimbursement and Spanish language skill pay and how those benefits will be administered.

The other one is Policy 125-003 employee leave. This policy was originally approved by Council in August 2023 but require 2 small adjustments. The first adjustment provides clarification to staff regarding the FMLA process. The second adjustment provides a definition and direction regarding voluntary resignation. For the language skill pay that would be the equivalent of a \$60 bi-weekly payment. An employee must demonstrate that they are proficient in this Spanish language. For the education reimbursement that is one where the employee outlines the process, and the employee is going to have to come beforehand outlining education strategy or plan. The director and the HR will have to demonstrate that plan has a benefit for us as an organization. When they take the class, they are required to obtain a (B) or better to get the reimbursement and the reimbursement comes at the end of the semester for those employees.

Councilman Steve Farrell asked if there is a retention period after that is done so that the employees must stay for a period. Dustin Grabau replied that is not currently part of the proposed policy. That could be added if you would like that done. Primarily this is just an employee benefit and sits outside of those other job duty related trainings and an incentive one for employees and I think it

helps us. The reason that we are suggesting it that it is an additional employee benefit that we can help with recruiting and retention and helps us develop our employees so that we can fill future gaps in our own organization.

Heber Lefgren indicated that from his experience having a requirement that they must work afterwards for a certain period becomes very difficult to enforce something after the fact if an employee leaves. Right now, this service that has been available to the Sheriff's department for the officers and averaging about two or three employees that are participating in this. Also, the County Manager has the ability to modify the program due to budgetary constraints and we will go through the process to add a budget for this and if the demand for it is higher than what the budget has the County Manager does have the authority to make policy decisions to be able to determine who gets it and who does not get it. Dustin Grabau indicated that they have to get the approval before they start so that way, we know in advance who is going to be eligible for those reimbursements. Councilman Erik Rowland indicated that he likes this in looking at it from both ways. If we have those protections in place to mitigate that as much as we can and that would be my only concern. Councilman Steve Farrell indicated that if we find we have got problems we can always rework it. Heber Lefgren replied that is correct.

Councilman Steve Farrell made a motion that we go ahead and approve Resolution 24-08 and 24-11 regarding employee leave and employee salaries and benefits as it relates to education. Councilman Kendall Crittenden seconded the motion, and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Karl McMillan

NAY: None.

Luke Searle via Zoom did not vote as his computer was on mute.

COUNCIL/BOARD REPORTS

Councilman Mark Nelson indicated that another reminder that on the 27th and 28th of September the Heber Valley Railroad is having a 125th anniversary celebration and all of you are invited to a train ride on that Saturday night and also there are a lot of free stuff during those two days including fireworks on Saturday night, line dancing lessons and practice both nights and the train rides are a \$1.25.

Councilman Erik Rowland indicated that we had a committee meeting regarding the new administration building and there is more information to come. We should keep the subcommittee going to talk about various issues regarding that. Dustin Grabau indicated that we have now some cost estimates associated with that building and we have some opportunities to figure out where you want to balance the cost of the initial construction versus any future proofing that we want to put into it. Dustin Grabau indicated that he will schedule a meeting with the subcommittee.

Councilman Kendall Crittenden indicated that he attended the meeting that was held regarding the air quality monitor station that is here in Heber City. This measures the ozone and P M 2.5 particles. We are good on both of those measurements right now.

Councilman Kendall Crittenden indicated that we had the Provo River Watershed Council meeting and the main area they talked about and looking at is the North Fields and some projects are being done. There are funding sources that are available for landowners in the North Fields to do mitigation things similar to what was done in Wallsburg and to get the farmers to realize the benefit to that and not only for the watershed but for those farming operations and so forth. They do samples quite often and on wastewater and storm water there is a ninety-five percent failure rate on retaining that in the North Fields which would indicate a failure rate in the development in the North Village area. They indicated that they have a difficult time in getting Heber City to get on board with this to help mitigate that water quality issue. That is an area that needs to be worked on.

Councilman Luke Searle via Zoom indicated that the library board is getting ready to get a spot filled and will keep you updated on that.

MANAGER'S REPORT

CONSIDERATION REPLACING ENGINEERING CONSULTANTS WITH STAFF POSITIONS.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that as of September 18th one of the County's primary contractors for engineering services will close their doors in Wasatch County. The County currently is soliciting for replacement engineering reviews and inspection services. One option at a potentially lower cost is to hire additional in-house staff and contract for fewer services in excess of staff capacity. It is proposed that the County Council authorize two additional engineering staff members, a review engineer and an engineering inspector. It is not the intent of the engineering department to immediately hire both positions. But depending on the applications for engineering services, and the availability of qualified applicants, at least one position may be filled by the end of this year. Due to the services already being provided by consultants, we do not expect a net impact on the budget because of this change. We are working through a temporary solution to bridge the gap, but we are hoping that by the October 2, 2024, meeting we will bring a recommendation to you

for a consulting firm. Most of the engineering firms available in Wasatch County do work in the unincorporated County and obviously they can't inspect their own products, and we need to hire multiple firms that they made need to inspect each other or we have an in-house capacity or some other solution. By having these in-house staff allow us to deliver the same level of service with a lower cost than if we were to continue outsource these positions. We still feel like we will need to have a consultant, but it is likely to be in an excess capacity role. We will have a pre-bid meeting next week or maybe the week after and then we will do interviews and then bring you a recommendation. Chair Spencer Park indicated that the only concern he sees to a downside is if 2025 year is another 2008 year. Dustin Grabau indicated that is always a risk and it is not a fun thing to go through a reduction in force. We inspect all infrastructure in any development and the special service districts to the water and wastewater, but Wasatch County coordinates the natural gas, storm drain, road infrastructure and end up doing a lot of coordination between the gas company, the power company, the water company and all of those.

Councilman Steve Farrell indicated that it is a good idea we just need to be careful to not let the department outgrow itself. It would be cheaper and more efficient to do it in-house. Councilman Luke Searle via Zoom asked where their offices will be. Dustin Grabau indicated that there is office space that has become available in the public works building.

Councilman Steve Farrell made a motion to approve the position count and keep the Wasatch County Council in the loop as you seek to fill those positions. Councilman Karl McMillan seconded the motion, and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE: Erik Rowland

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Luke Searle via Zoom

AYE: Karl McMillan

NAY: None.

OLYMPIC MEETING

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that he has a meeting tomorrow with the Utah Olympic Organizing Committee and a couple of the Council are invited to that and there is room for another one to attend. Soldier Hollow has had a standing committee dealing with their issues and that is largely the people who have been invited. There is not an urgency with some of these issues because we have ten years to prepare and just starting the planning process.

Councilman Steve Farrell indicated that it might be of benefit for Wasatch County to have our own committee made up of the municipalities, County, public works to outline what impacts it is going to have on the citizens of Wasatch County and being able to find ways of mitigating the impacts. Dustin Grabau replied that who is going is Councilman Mark Nelson, Councilman Steve Farrell, Doug Smith, Wasatch County Planner. and myself are a part of that standing committee. Councilman Erik Rowland indicated that he can't attend this meeting tomorrow but would like to attend other meetings. Dustin Grabau indicated that he will keep the Council updates on what things are discussed.

WORK MEETING ON SEPTEMBER 11, 2024

Councilman Kendall Crittenden made a motion that we cancel the work meeting on September 11, 2024. Councilman Karl McMillan seconded the motion, and the motion carries with the following vote:

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

NAY: None.

Dustin Grabau indicated that there is a need for a closed session for Personnel, Litigation, Property Acquisition

Councilman Kendall Crittenden made a motion to leave our regular session and go into Closed Session to discuss Personnel, Litigation, Property Acquisition. Councilman Mark Nelson seconded the motion, and the motion carries with the following vote:

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

NAY: None.

**MINUTES OF THE
WASATCH COUNTY COUNCIL
CLOSED SESSION
SEPTEMBER 4, 2024**

Chair Spencer Park indicated that the record should show that the Wasatch County Council is meeting in Closed Session to discuss Personnel, Litigation, Property Acquisition and are meeting in the Wasatch County Council Chambers located in the Wasatch County Administration Building located at 25 North Main, Heber City, Utah 84032.

LITIGATION

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

EXCUSED: Councilman Luke Searle

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

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council in Closed Session for litigation and indicated that:

PROPERTY ACQUISITION

PRESENT: Chair Spencer Park
Councilman Mark Nelson
Councilman Erik Rowland
Councilman Steve Farrell

Councilman Kendall Crittenden
Councilman Karl McMillan

EXCUSED: Councilman Luke Searle

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

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council in Closed Session to discuss Property Acquisition and indicated that:

PERSONNEL

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

The Wasatch County Council then discussed Personnel in Closed Session which no minutes were taken.

ADJOURNMENT

Councilman Kendall Crittenden made a motion to leave the Closed Session and go back into regular session and then to adjourn Councilman Mark Nelson seconded the motion and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE; Erik Rowland

AYE: Kendall Crittenden

AYE: Karl McMillan

AYE: Steve Farrell

NAY: None.

Meeting adjourned at 5:30 p.m.



SPENCER PARK/CHAIRMAN



JOEY D. GRANGER/ CLERK/AUDITOR

