

**MINUTES OF THE
WASATCH COUNTY COUNCIL
NOVEMBER 1, 2023**

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

PRESENT: Chair Spencer Park
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
Wendy McKnight, from the Clerk's office
Mike Davis, the MIDA Coordinator
Scott Sweat, Wasatch County Attorney
Kate Becker from the Clerk's office
Jeremy Hales, Emergency Director

PRAYER: Remarks and prayer by 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 November 1, 2023. The record should also show that the Wasatch 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.

THE OPEN AND PUBLIC MEETING AFFIDAVIT

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

LEGISLATIVE ISSUES FOR FUTURE MEETINGS

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

ADMINISTRATIVE ISSUES FOR FUTURE MEETINGS

Dustin Grabau, the Wasatch County Manager, replied he has two related items. The first is that we had talked previously about adopting amendments to our snow plowing and road maintenance ordinance. We have the amendments ready to go and would that be all right if we bring that before the Council next week. That would not include the component of the road maintenance aspect which honestly the snow plowing is the more relevant at this time of the year and gives a little more time to work through the maintenance through the spring. We would like to bring that before for our first reading and that would be an ordinance to amend the code. Also one of the options before the Council is to abandon portions of the roads in the Swiss Alpine area. We will hold the snowplow next week and the Council wants us to proceed with the abandonment process.

Councilman Steve Farrell asked are we accomplishing anything with this and is the problem going to be solved with Swiss Mountain Estates. Dustin Grabau, replied that the most viable path to them maintaining those roads is through the ordinance adoption process and that would require them to agree whatever standards you as a Council would adopt for that. The advantage to the abandonment process is that it more clearly removes the County as being involved in any disputes over what can or can't be done over those roads and doesn't directly grant any permissions. There are some benefits in removing us as one of the complicating factors and doesn't solve the other complicating factors. I think the ordinance amendment process is the more clearly successful way for it to work if they agree to abide by those standards. The way the code was written only fits a very narrow set of circumstances that Swiss Mountain estates currently doesn't qualify for and that is what the code amendment that we would bringing to you next for our first reading to more generally apply the snow plowing maintenance.

The road maintenance is significantly more complicated that that is why we would like more time to consider it. Potentially, our plan is to bring to the Council the snow plowing ordinance next week and then work with the Council on the road maintenance amendments at a future date. Councilman Steve Farrell said that he would like to see the snow plowing ordinance before we move forward with the abandonment. Dustin Grabau replied that we won't proceed with any noticing or anything until we discuss the snow plowing. Councilman Steve Farrell asked why there is a time frame of the abandoning. Dustin Grabau replied that public noticing requires four weeks. We don't have to do it before the first of the year. It is if we wanted to explore the abandonment as a path for resolving the road maintenance there is lead time for it is all. We have time for that.

Councilman Luke Searle indicated that he has been in communication with Rocky Mountain University of Health Professions which started in Utah County a little less than twenty years ago and they are sort of expanding. They have pro bono clinics in Utah County and are interested in providing some services in Wasatch County. I would like to see if they could come to a Council

meeting and present just a short presentation about what they do and could offer in Wasatch County. Possibly they could come in the first work meeting in December or in January.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Chair Spencer Park asked if there is any public comment on matters not on the agenda.

Paul Berg indicated that two weeks ago Council passed an ordinance amending Titles 14 and 16 of the Wasatch County Code to move erosion control engineering standards in Title 14 and clarifying engineering application requirement. The reason that I would like the Council to reconsider this that back in June of 2022 this was somewhat a controversial items. Many property owners came and protested it and now it comes back to the Council and the Planning Commission sixteen months later it was scheduled on Thursday. The fall break began with the Planning Commission meeting and the Wednesday of fall break which left many owners, developers and consultants out of town. In an effort to do it fair and right I would ask you to consider just opening this up again. Councilman Steve Farrell replied that I thought we went through and made the changes that was brought up in that public hearing back in June. **Paul Berg** replied that there was several changes made. That made it so it wasn't so restrictive. I think it would be good to bring the matter up again to look at it.

Jaco and Judy owners of property in the Black Ridge had a question that they would like to discuss with the Wasatch County Council regarding taxes because the property taxes went up and raising the property taxes again in 2024 and they both indicated that they both have a problem with that. You need to assess what property taxes you are getting before talking about raising them next year.

Approval of the minutes and there was none to approve at the present time.

COUNCIL

PRESENTATION ON WASATCH COUNTY SMITHSONIAN CROSSROADS EXHIBIT.

Juan Lee from the Wasatch County Library addressed the Wasatch County Council and indicated that the Wasatch County Library, in collaboration with Utah Humanities, is proud to bring Crossroads Change in Rural America, a Museum on Main Street exhibit from the Smithsonian Institution Traveling Exhibition Service to the Heber Valley Crossroads. It provokes fresh thinking and sparks conversations about the future and sustainability of rural communities. This exhibit offers an opportunity for communities to look at their own paths over the past century to highlight the changes that affected their fortunes and explore how they have adapted and think about what's next.

A local companion exhibit celebrating our homegrown heritage past, present and future has been

produced by a team of Wasatch High School students enrolled in the Center for Advanced Professional Studies program. This exhibit features audiovisual interviews with longtime residents of Wasatch County as well as newcomers and younger generations about life and change in Wasatch County. I would hope to see you on this coming Saturday November 4 at 11:00 A.M. is the ribbon cutting ceremony to take place. Elected officials from different communities in Wasatch County are invited. The exhibit will be open for two months until January 12, 2033.

DISCUSSION/APPROVAL OF APPEALS FOR BOE.

Kay, from the clerk's office, addressed the Council and related some things that are happening in the BOE. We have heard an additional 222 appeals as of Friday last week and a lot of them were stipulated from East Park. We have until Thursday to get with the State Tax Commission to file our extension. We are still open for primary and secondary and have until November 30, 2023. We are getting close to 1900 appeals so far. Councilman Steve Farrell replied that East Park is a big area to look at property taxes. Kay replied that there is another section out of State Park and their mailing address is East Park and their serial number is OGA and have not corrected those and they are a platted subdivision and not coded in the assessor's office under the specific serial number. Dustin Grabau replied that every entity tax rate is adjusted by their previous year's collection rate and our collection rate will drop because of these adjustments that will have an impact on next year's tax rate.

Councilman Steve Farrell made a motion that we approve the Board of Equalization Adjustments has been presented. Councilman Karl McMillan seconded that 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.

A DISCUSSION AND POTENTIAL CONSIDERATION TO ENTER INTO A TWO-YEAR AGREEMENT WITH HAGERTY CONSULTING INC., IN THE AMOUNT OF \$212,410 TO UPDATE THE COUNTY'S COMPREHENSIVE EMERGENCY MANAGEMENT PLAN CEMO.

Jeremy Hales, the Wasatch County Emergency Director, addressed the Wasatch County Council

and indicated that we have been working very hard to update and to look at our emergency operations plan and we have worked with some of our partners in emergency management and have recommended to the Emergency Management Board that this Council asked me to work with which is all of our directors including the county manager, sheriff, and all of our department heads here concerned with emergency response. Our last update occurred in 2013 and with the growth and everything that Wasatch County is experiencing it would be best if we look at having a contractor build our plan and help us with a plan that is tailored to Wasatch County instead of taking chunks of different plans and putting them in for ours. I asked for bids to be submitted and the bid that I would suggest that we take is from the Hagerty Consulting Inc., in the amount of \$212,410 to update the County's Comprehensive Emergency Management Plan (CEMO). We made a scoring criteria and we came up with the amount of \$212,410 and would recommend that we enter into a contract with Hagerty Consulting and the \$212, 410 will be over the next two years. There is a grant to offset that by \$75 421 for the first year and budgeted for \$37,861 for the proposed budget.

Councilman Luke Searle asked that you have the funding for the \$75,000.00 and have that grant now. Jeremy replied that is correct and possibly could have another grant funding for the next year.

Councilman Mark Nelson made a motion to approve the \$212,410 for the funding regarding the County's Comprehensive Emergency management Plan (CEMO) for a two year agreement Councilman Luke Searle 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.

MIDA UPDATE

Mike Davis, the MIDA Coordinator, addressed the Wasatch County Council and indicated that we did meet last Friday but it was just brief and there weren't really any major issues and talked about the signage at Stillwater, some business licensing issues, sent them to the clerk's office and some corrected certificates of occupancy on the Peoche Apartments and those are basically being done and then there is some concern about some property taxes on the JMARA Parcel that MIDA has acquired and they were just brief discussions and lots more that have to come after them to get more information about them.

COUNCIL/BOARD REPORTS

Councilman Kendall Crittenden presented a survey on mental health what parents have said and their children have said are concerns for both of them concerning mental health concerns. There also is a state hot line that can be called and can receive help from a mobile outreach person like if they have difficulty in school, etc. and there is a toll free number that anybody can call and get connected and get some help for some of the things that is being put on this survey.

There will be a clothing drive and there are boxes all over and one at the health department and some of the grocery stores but if you have coats or gloves or hats or any type of winter clothing you can put it in those boxes. This is a great program.

Also there will be training for County officials for SB 174 compliant training for county officials which is a Zoom meeting to help us understand a little better SB 174.

Councilman Steve Farrell indicated that on the Heber Valley Special Service District our manager has resigned and will take a new job which is Dennis Gun and in the process of setting a job description up which is effective for November 1, 2023.

INTRODUCTION AND INITIAL OVERVIEW OF THE 2024 TENTATIVE BUDGET FOR THE COUNCIL.

Heber Lefgren, the Assistant Wasatch County Manager, addressed the Wasatch County Council and indicated that today is a meeting to introduce the tentative budget. We will introduce to you the budget in order to give you some time to review it and our expectation is we will come back next week for a more robust discussion. Heber Lefgren then went briefly through the tentative budget. The 2024 tentative budget is for twenty-three funds which equals about \$75 million dollars. Fifty-four percent of that is associated with the General Fund. The General Fund Budget is \$39.9 million dollars and it is balanced. As requested and discussed in one of our previous meetings this recommendation does not require the truth in tax increase in property tax through truth in taxation for the General Fund portion. The way that we were able to go about funding is that we had deeper conversations with the sheriff's office and realized that we could offset some of his expenses through some of the other funds and so there are transfers from some of the other funds into the General Fund to help pay for those services. Primarily we had the TRT Fund which will be paying for seventy percent of the search and rescue expenses and that seventy percent represents the services that we provide to non-Wasatch County residents for the search and rescue. We have some funds that we were able to transfer over from the 911 Fund to pay for the increased cost of dispatch services and between those two things we have been able to find those funds to be able to make it so we don't have to go through the truth in taxation. The total increase in the General Fund balance equals to about \$3.3 million dollars which is less than the increase that we

went through between the 2022 budget and the 2023 budget. All funds will result in additional three full time positions added which one position for a public information officer to help us with our communication to our residents, one librarian and then one system administrator and we will talk more about that next week. There also is a budget summary and highlights which provides an over view of everything that is within the documents. The all funds schedule is on Page 10. Page 12 provides a list of all positions to be authorized by the Council in the adopted budget as for where those positions sit and are accounted for and page 16 provides a more detailed report of the General Fund budget to include the prior years the 2022 actuals and the 2023 budget amount are most up to date for the 2023 budget and the tentative 2024 budget. Page 18 through the majority of the rest of the document goes in and takes that information and condenses it down even further by department and after the General Fund later on it looks at each fund in greater detail for the remaining of the documents. Last two pages discusses key policy decisions that we utilized the budget document and information that is requested in order for us to obtain the budget recognition award. I will answer even more detailed questions last week.

Councilman Mark Nelson replied that between 2022 actuals, estimated 2023 and tentative 2024 because we have a balanced budget the expenses are growing equivalent to the revenue. Dustin Grabau indicated that we are experiencing rapid growth and trying to match our services to that growth so that this budget represents a balanced General Fund balance and it does still contains a truth in taxation for the library fund because they aren't the beneficiaries of many of the other growing revenue sources that the General Fund benefits from and still think it is a priority for us to adequately fund to preserve the high level of quality that we enjoy at the library.

Councilman Mark Nelson asked how much has the Wasatch County budget increased by a percentage in those three years. Heber Lefgren indicated that he can have that ready for next week a summary of how it has grown over the course of the last couple of years.

Councilman Erik Rowland indicated that he liked the application of the County Logo throughout this presentation.

Councilman Steve Farrell indicated that we have already adopted this as a tentative budget right. Heber Lefgren replied that we have not adopted or voted on it and we don't have to vote on it because it is a working document and not something that is being applied and so have not voted adopting it nor do we need to. You can do that if you wanted to.

BOUNDARY COMMISSION CONTINUATION

Dustin Grabau, indicated that for those who are on the Boundary Commission to meet on Monday and that is not happening on Monday and it has been rescheduled to December 4 so don't come Monday night.

Dustin Grabau also indicated that there is a need for a closed session to discuss personnel and litigation.

Councilman Kendall Crittenden made a motion to leave our regular session and go into closed session for personnel and pending litigation. Councilman Steve Farrell 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

AYE: Luke Searle

NAY: None.

The record should show that the Wasatch County Council is now in closed session to discuss personnel and pending litigation.

**MINUTES OF THE
WASATCH COUNTY COUNCIL
NOVEMBER 1, 2023
CLOSED SESSION**

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

ALSO PRESENT: Dustin Grabau, Wasatch County Manager
Scott Sweat, the Wasatch County Sheriff
Heber Lefgren, Assistant Wasatch County Manager

The record should also show that the Council is meeting in closed session in the Wasatch County Council Chambers located in the Wasatch County Administrative Building located at 25 North Main, Heber City, Utah 84032.

PENDING LITIGATION

The Council then discussed pending litigation in closed session and minutes were taken.

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

ALSO PRESENT: Dustin Grabau, Wasatch County Manager
Heber Lefgren, Assistant Wasatch County Manager
Scott Sweat, Wasatch County Attorney

PERSONNEL

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

The Council then discussed personnel in closed session and no minutes were kept of that discussion.

Councilman Karl McMillan made a motion to leave our 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; Kendall Crittenden
AYE: Steve Farrell
AYE: Erik Rowland
AYE: Mark Nelson
AYE: Luke Searle

NAY: None.

ADJOURNMENT

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

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

NAY: None.

Meeting adjourned at 6:30 p.m.


SPENCER PARK/CHAIRMAN


JOEY D. GRANGER, CLERK/AUDITOR

