

**MINUTES OF THE
WASATCH COUNTY COUNCIL
DECEMBER 20, 2023**

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
Steve Farrell
Kendall Crittenden
Luke Searle
Karl McMillan

EXCUSED: Councilman Erik Rowland

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

PRAYER: Councilman Steve Farrell

PLEDGE OF ALLEGIANCE: Let by Chair Spencer Park and repeated by everyone.

Chair Spencer Park called the meeting to order at 4:00 p.m. on Wednesday December 20, 2023 and indicated that all the Wasatch County Council are present except Councilman Erik Rowland who is excused. The record should also show that the Wasatch County Council is meeting in the Wasatch County Council Chambers located in the Wasatch County Administrative Building at 25 North Main, Heber City, Utah 84032. 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.

Councilman Steve Farrell made a motion to leave our regular agenda and go into SSA#1 Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Luke Searle

AYE: Karl McMillan

NAY: None.

SSA#1

APPROVAL OF THE WARRANTS

Board Chair Steve Farrell indicated that the SSA1 Governing Board is meeting to consider the approval of the warrants for SSA &1 and a review of the budget. Ben Probst, Financial Clerk for SSA1 addressed the Governing Board of the SSA1 and indicated that the warrants are in the amount of \$3,393.36.

Board Member Kendall Crittenden made a motion to approve the warrants in the amount of \$3,393.36. Board Member Karl McMillan seconded the motion and the motion carries with the following vote:

AYE: Board Chair Steve Farrell

AYE: Board Member Spencer Park

AYE: Board Member Mark Nelson

AYE: Board Member Kendall Crittenden

AYE: Board Member Luke Searle

AYE: Board Member Karl McMillan

NAY: None.

BUDGET FOR 2024

Ben Probst, the Financial Clerk, addressed the Governing Board of SSA1 and indicated that it has increased a little bit over the 2023 budget because the Central Utah Water repayment costs have gone up a little bit so that has been adjusted which was an increase of about \$70,000.00 for the prior year. Board Chair Steve Farrell replied that the cost of the water going up is our share of the replacement cost that we have a schedule with the district which will go up every year in phases.

Ben Probst, the Financial Clerk, indicated that a public hearing is scheduled for this evening at 6:00 p.m.

FRAUD-RISK-ASSESSMENT QUESTIONNAIRE

Ben Probst, Financial Clerk, addressed the Governing Board of the SSA1 and indicated that this is the annual thing that goes to the Utah State Auditors' office and we have to submit this. I calculated this to be about 350 points and 395 is our risk which is basically in the low category. That has to be done annually and submit it to the State. It doesn't need to be approved but just discussed annually by the board. Board Chair Steve Farrell replied that we have to accept the process.

Board Member Spencer Park made a motion that we accept the progress. Board Member Mark Nelson seconded the motion and the motion carries with the following vote:

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

NAY: None.

Board Member Mark Nelson made a motion to go out of the Governing Board of SSA1 and back into our regular agenda. Board Member Kendall Crittenden seconded the motion and the motion carries with the following vote:

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

NAY: None.

COUNCIL

LEGISLATIVE ISSUES FOR FUTURE MEETINGS

Chair Spencer Park asked if there was any legislative issues for future meetings. Councilman Mark Nelson indicated that he would like to see an item on the third meeting in January. The Heber

Valley Railroad is going to make a presentation to the Council.

ADMINISTRATIVE ISSUES FOR FUTURE MEETINGS

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

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Chair Spencer Park then asked if there is any public comment on matters not on the agenda. Jim Townsend, resident of Swiss Mountain Estates addressed the Wasatch County Council and thanked them for considering our snow plowing of the roads in passing the snow plowing ordinance. I hope that we can continue to make some progress in the future with some other ways that we can then get some snow plowing done in our community. Councilman Steve Farrell replied that we approved it with the understanding that you could come back and change it. Jim Townsend replied that he e-mailed the Assistant County Attorney Shelby Thurgood with some suggestions and haven't heard back yet. We would like to have further discussions regarding the issue.

APPROVAL OF THE MINUTES FOR OCTOBER 18, 2023, NOVEMBER 1, 2023, NOVEMBER 8, 2023, NOVEMBER 29, 2023 AND DECEMBER 6, 2023.

APPROVAL OF OCTOBER 18, 2023 MINUTES

Councilman Kendall Crittenden indicated that on October 18, 2023 on page 1 which is a spelling you would know. It is Chief Sever. It is in there twice where he came and introduced himself. Down in the next paragraph under Chairman Park it is solid waste and not solid weight. Page 3 Spencer Park made a motion to approve the owner request with the RA-5 extending to section like but not any higher and that should not be hire. Page 5 and this is the one that is really important. We were talking about the library vehicles and it says right at the bottom of that paragraph under Heber it says our policy is to replace the vehicle when it reaches \$85,000. You have got a dollar sign and think that meant 85,000 thousand miles didn't it the replacement. Then in the next sentence 75,000 miles. Page 6 and this is the critical one. Heber Lefgren, library fund 2023 one point five million general fund twenty-five percent cola and I am sure they would live to see a 25 percent cola and sure they would love to see a 25 percent cola and it should be 2.5.

Councilman Luke Searle made a motion to approve the minutes for October 18, 2023 as written with those changes as noted. Councilman Steve Farrell seconded the motion and the motion carries with the following vote:

**AYE: Chair Spencer Park
AYE: Mark Nelson**

AYE: Steve Farrell
AYE: Kendall Crittenden
AYE: Luke Searle
AYE: Karl McMillan

NAY: None.

APPROVAL OF NOVEMBER 1, 2023 MINUTES

Councilman Kendall Crittenden indicated that on page 3 and this isn't a correction but a question and in the front on items not on the agenda and talked about passing an ordinance Title 14, 16 and I think it is the SB174 that we are talking about tonight isn't it. Engineering application requirement and I just wondered did we do anything with that. He said that in an effort to do it fair and right I would like you to consider this opening up again. Councilman Steve Farrell said that I thought we went through and made the changes that were brought up in that public hearing back in June and Tom replied there were several changes made so it wasn't so restrictive. I am not sure where that ended up if we considered those comments. Isn't it SB174 that has to do with that? Councilman Steve Farrell replied the process in the hearings. Councilman Kendall Crittenden replied with SB174 it deals with 14 and 16 and I am not sure I read that and I vaguely remember exactly what Tom's issue was with it. If we considered it. Tom Bonner indicated that two weeks ago Council passed an ordinance amending Titles 14 and 16 of the code to move erosion control engineering standards in Title 14 so it doesn't have to do with SB174. And clarifying engineering application requirements and the reason I would like the Council to reconsider that is that back in June of 2022. Councilman Steve Farrell indicated it is Paul Berg that said that and we passed that and it wasn't Tom Bonner. It was a water shed ordinance that we were working on and we passed it and noted the items that we took at the public hearing was included in the new ordinance. Councilman Kendall Crittenden indicated that the correction we need to make then it was Paul Berg and not Tom Bonner.

On page 5 and it is regarding Jamar how is it spelled? Dustin Grabau indicated that it is Jamar. Councilman Steve Farrell replied that it depends on the day how you spell it.

Councilman Kendall Crittenden made a motion that we approve the minutes for November 1, 2023 as written with the corrections as noted. Councilman Karl McMillan seconded the motion and the motion carries with the following vote:

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

NAY: None.

APPROVAL OF THE MINUTES FOR NOVEMBER 8, 2023 AND NOVEMBER 29, 2023.

Councilman Kendall Crittenden made a motion that we approve the minutes for November 8, 2023 and November 29 as written Councilman Steve Farrell seconded that motion and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Kendall Crittenden

AYE: Luke Searle

AYE: Karl McMillan

AYE: Mark Nelson

AYE: Steve Farrell

NAY: None.

APPROVAL OF THE MINUTES FOR DECEMBER 6, 2023

Councilman Kendall Crittenden indicated that this is just a question again. On page 1 and 2 and Councilman Luke Searle brought it up and we talked about having the legislators come to visit and have a discussion and Councilman Luke Searle suggested that maybe have them come and whether we do it in the Interlocal meeting on January 10, 2024 or whether we have them come on January 4, 2024 at a separate meeting and we needed to make a decision on what we wanted to do on that. I think it would be great to have them at the Interlocal on January 10, 2024 and whether we want them separate or try and get them here separate. Chair Spencer Park indicated that they haven't already been invited for January 10, 2024. Dustin Grabau replied that we will try to get them after the session to meet with them. Councilman Steve Farrell asked is the Interlocal on January 10, 2024. Why don't we have them come on January 10, 2024 and come to the Council meeting and then attend the Interlocal after that. Councilman Luke Searle replied that we could send them an invitation for that. Councilman Steve Farrell then we would have some specific questions during the Council meeting and then have them again on the Interlocal. Dustin Grabau I will take care of the matter.

Councilman Kendall Crittenden made a motion to approve the minutes for December 6, 2023 as written with the comments that we just made. Councilman Karl McMillan seconded the motion and the motion carries with the following vote:

AYE; Chair Spencer Park

AYE: Mark Nelson

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Luke Searle

AYE: Karl McMillan
NAY: None.

COUNCIL AGENDA

DISCUSSION /CONSIDERATION RESOLUTION #23-22 ADOPTING THE 2024 MEETING SCHEDULE.

Councilman Steve Farrell made a motion that we adopt Resolution 23-22 adopting the 2024 meeting schedule as presented. Councilman Luke Searle seconded the motion and the motion carries with the following vote:

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

NAY: None.

APPROVAL OF REMAINING PRIMARY APPLICATIONS AND ASSESSOR'S ADJUSTMENT

Joey Granger, the Wasatch County Clerk/Auditor addressed the Wasatch County Council and indicated that the first item that I have for you was just a brief note of what changes had been made in the tax system so far through the end of BOE. We still do have the primary exemptions on the extension that we allowed for people that had come in between the end of BOE and November 30th that are not accounted for in this. There are 78 of those that have been found and approved and still need to be adjusted. So like I said this is just a quick. I did not drill down into and do any deep dives so I don't know if we just want to revisit that again with that interactive presentation that Kate has been working on. Based off from what looked at in the BOE that number is pretty right on. With that being said the main point of today was to make sure that you knew of the primary appeals that we were working on. I do have a listing of them and I didn't get them attached because we still had some in the process that there were 78 that as of today are approved to be changed through the accessory pre-approval process. I don't know if you want to wait and see those as well or if you want to approve those today.

Then I have three accessory adjustments and they are what we call the erroneous assessments so the first one on here shows that we have an additional acre on this parcel that does not exist so that is what this adjustment is for.

Then the other two are parcels that should have been deleted. Most of the time we catch these in tax sale clean up but I decided as we were finding them that we go ahead and catch them in the year that we see them. Those are those three items.

Councilman Steve Farrell replied they would have been segregated or subdivided. Joey Granger replied that for those they need to be adjusted to zero value, the taxes abated at this time so we can delete them.

I have one more issue and this is more of an administrative thing. When we missed something in the tax rolls. For instance I have IHC and they had submitted their exemption, their annual exemption, so every year they have to file an annual exemption form for continuance basically for whatever parcels are being used that qualify for exemptions. We had missed with the reassessment of the higher value of the commercial properties and things like that we had missed one of their buildings which got as full value even though they had applied for the partial exemption for one of their buildings. I just wanted to bring that to your attention that those items don't necessarily have to go through BOE from my understanding because it was just something that we missed. It does need to be processed through BOE because if we are making a change outside of the tax roll. Councilman Steve Farrell replied that if it affects the tax roll it needs to go through BOE. Joey indicated that I guess it needs to be presented and there really isn't an appeal process I guess is what I am saying. Councilman Steve Farrell said it is to be treated as an erroneous assessment but if it is affecting the tax roll it needs to come to the Board of Equalization because they are the ones that is going to change it after May 22nd. Joey indicated that with the primary appeals that we have pre-approved would you like me to attach them as a listing or we are okay to add them as an adjustment for today. Councilman Steve Farrell replied I think we would be all right if we added them as an adjustment to this. Joey Granger replied that I did send to Dustin Grabau the IHC exemption that was sent to us on time and qualified for that exemption so that we have record of that as well so we can add that to the meeting minutes. For my part of it I have the three assessor adjustments, the property exemption for IHC, the 78 primary appeals from the extension.

Councilman Steve Farrell made a motion that we approve the adjustment and amendment to the tax roll as presented by the Wasatch County Clerk. Councilman Karl McMillan seconded that motion and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Luke Searle

AYE: Karl McMillan

NAY: None.

Councilman Steve Farrell indicated that we have an issue that we have some property that is on Green Belt that is going to be coming off and we did the 2022 appraisal and we found that in some

of the range land where we didn't have a lot of sales we based it on the sales that we had and it came up quite high. As result of the Board of the Equalization and the new sales that came on for 2023 we found a more reasonable value and went ahead and made the adjustment to the values of the property. But on Green Belt nobody looks at the market value until the tax notices come out or they come off Green Belt. We would like to be able to go back and change those properties on the large tracts that is on grazed land that didn't go through the appeal process as an erroneous assessment when they roll back changing the market value for 2022 to the same value as they had. This is going to help us down the road, a Green Belt roll back is five years and many of them won't stay on Green Belt much longer than that and won't be affected but those that come off in the next five years that one year is going to cause a problem in the calculation of the roll back tax. That is not part of the tax roll because that money is distributed to the taxing entity.

Joey Granger replied that it doesn't change the taxable value. Councilman Steve Farrell replied that it doesn't change the tax roll back. Joey Granger replied that the issue that I see on my side is that we can't go back and make that change on the market value even though it doesn't change the tax roll. It is going to be hard administratively to track that. Councilman Steve Farrell replied that I would like the Council to consider allowing the assessor to make that change in the computation of the roll back for the 2022 tax year on the property that is located in the south county and some in the Lake Creek area, Provo Canyon in that area.

Joey Granger asked do we have a listing of the parcels. Councilman Steve Farrell replied that are for roll back. Joey Granger replied that we are not addressing that. Councilman Kendall Crittenden indicated that didn't qualify it for Green Belt because they are not using it for Green Belt. Joey Granger replied that in four years there wouldn't be an issue at that point. My concern is that I have with that is we have somebody outside of those areas at that time get a roll back and so they should be given the same consideration.

Councilman Steve Farrell replied that we identify the sections of the County that the assessor feels that the value is over stated. Joey Granger replied that I would prefer we get a parcel listing that it would affect that would be much easier for all of us to stay on track with what happens in that time frame. Councilman Steve Farrell replied that I think we authorize the assessor to authorize to do it and as they do it they can present the values and we can ratify it in the Council meeting if we can approach to solve the problem and this is the only way to solve the problem. Joey Granger replied that we would need a printed copy indicating that these are the approved areas would be fine. Councilman Kendall Crittenden replied that they won't be identified until they are either taken off from Green Belt from lack of use or until they are sold. Joey Granger replied that it could potentially change somebody's use of their property if they are waiting for the five years if they are unaware of it. Those are my concerns with it.

Councilman Steve Farrell replied that we have got to weigh the benefit of the taxpayer and find a way to solve this issue.

Councilman Steve Farrell made a motion that we authorize the County Assessor to identify the areas that where the grazed land values is over stated in value for tax year 2022 and use

the values that was established in 2023 for that tax year in the purpose of calculating roll back tax on the property on Green Belt, the area is south county, the Provo Canyon area and some areas in the Lake Creek area. Councilman Karl McMillan seconded the motion and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Luke Searle

AYE; Karl McMillan

NAY: None.

CONSIDERATION OF ADOPTION OF A RESOLUTION #23-23 OF THE COUNTY COUNCIL OF WASATCH COUNTY, UTAH (THE COUNTY) AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO MASTER LEASE AGREEMENT BY AND BETWEEN THE COUNTY AND THE MUNICIPAL BUILDING AUTHORITY OF WASATCH COUNTY, UTAH, (THE AUTHORITY) A GROUND LEASE AGREEMENT, OR AMENDMENT THERETO AND A BOND PURCHASE AGREEMENT; AUTHORIZING THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS LEASE REVENUE BONDS, SERIES 2024, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$24,000,000 AND RELATED MATTERS.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that this resolution would do is start the process to look at issuing revenue bonds to cover the cost of the construction of the Wasatch County Courthouse expansion project. The number has grown pretty significantly since our original estimate back in 2021 and we knew that number was not going to hold given the cost changes over time. This new number reflects some significant changes not just inflationary costs but some layout design adjustments some of which were initiated by Wasatch County to account for future growth and some were initiated by the State Court System. The intent is that the proportionate share of the cost of the construction of this be borne by the State District Court System. We do not have a formal agreement with them yet on the details of it though. What this resolution would do is set the upper of how much we could not exceed in order to issue debt and that is what the parameters resolution is but we could always adopt less than this amount. Only that I don't see the County proceeding to build the project unless it made financial sense for us to do what we could only cover our portion and the State would cover theirs. The existing courthouse has all been paid off. What we have with them is an agreement over the O and M costs of the existing facility. What we would need is a firm commitment of what their contribution is towards the ongoing payment of the debt service of their portion of this building. We don't have a firm commitment from them on the proportionate of this and still negotiating that with them so it is still a work in progress. They did request the addition

and just trying to work through the specifics of how the cost breaks down between the two entities. Councilman Steve Farrell replied that all we are doing is setting the parameters and it is not the actual bonding document.

Mark Andersen, via Zoom, from Zion's Bank, indicated that what this is is the County's consent for the building authority to start moving forward with the adoption of the parameters resolution. The County has one outstanding municipal building authority bond right now that pledges the courts as well as some other County properties as collateral. So this will be cross collateralized with the existing bond that is outstanding. Basically it is County Council's consent from the building authority to move forward with the proposed financing. They will be entering into a new lease agreement to guarantee the repayment of the bonds.

Councilman Steve Farrell made a motion that we adopt Resolution 23-23 of the County Council of Wasatch County, authorizing and approving the execution of a first Amendment to Master Lease Agreement between the County and the Municipal Building Authority not to exceed twenty four million dollars. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

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

NAY: None.

Councilman Luke McMillan made a motion to go into the Municipal Building Authority. Councilman Luke Searle seconded the motion and the motion carries with the following vote:

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

NAY: None.

MUNICIPAL BUILDING AUTHORITY

CONSIDERATION OF ADOPTION OF A RESOLUTION #23-24 OF THE MUNICIPAL BUILDING AUTHORITY OF WASATCH COUNTY, UTAH (THE AUTHORITY) AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$24,000,000 AGGREGATE PRINCIPAL AMOUNT OF LEASE REVENUE BONDS, SERIES 2024 PROVIDING FOR THE POSTING OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED, PROVIDING FOR THE RUNNING OF A CONTEST PERIOD, AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION , AND RELATED MATTERS.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that this is a separate resolution. In this resolution you are acting as the Municipal Building Authority basically is the companion piece to the other one. They are separate resolutions so one is #23-23 and the other one is #23-24.

Mark Andersen, via Zoom from the Zion Bank, made a couple of comments. This is the adoption of the parameters resolution by the Building Authority which sets the maximum borrowing at twenty-four million, maximum term of twenty-one years. The maximum interest rate is six and a half percent which is a lot higher than what we expected the final rate to be. A maximum of a two percent discount if it is sold as a market transaction. Also schedules a public hearing on January 17, 2024 at 6:00 p.m. to allow the public to come in to make comments for or against the issuance of the bonds. It authorized some designated officials, specifically the president and the vice-chair of the Municipal Building Authority as well as the County Manager to make decisions regarding the final terms of the bonds provided that they are within the parameters within this resolution.

Councilman Karl McMillan made a motion for the adoption of the Resolution #23-24 the Municipal Building Authority of Wasatch County, authorizing the issuance and sale of not more than \$24,000,000 aggregate principal amount of Lease Revenue Bonds. Councilman Mark Nelson seconded the motion and the motion carries with the following vote:

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

NAY: None.

Councilman Mark Nelson made a motion to come out of the Municipal Building Authority and go back into our regular Council agenda. Councilman Steve Farrell seconded the motion and the motion carries with the following vote:

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

NAY: None.

COUNCIL AGENDA CONTINUED

MIDA UPDATE

Mike Davis, the MIDA Coordinator, addressed the Wasatch County Council and indicated that we had a couple of plat amendments up on the apartments for MIDA in the board meeting. That is the only thing that affects turning the apartments in the condominiums on three of the four buildings and still looking at selling that building to MIDA and they are working through that for the Workforce Housing of the three of the four buildings. The one building has the current seventeen units of Workforce Housing will be sold to MIDA. MIDA will turn the whole building into Workforce Housing of forty-two units in the one building. I think that is building "D" the smallest one on the far west side. They have priorities for County workers, emergency service workers but the first priority are those County or whatever that are veterans and they have the highest priority because MIDA is a veteran oriented deal. Currently Extell owns Pioche.

Councilman Steve Farrell replied that it is in the process but hasn't been approved all the way yet. Mike Davis replied that everything has been approved and still working through it to get into MIDA's name. Councilman Steve Farrell replied that the board hasn't approved it yet. Also MIDA has moved into Utah County. They were approached by a group that bought Sundance and created a project area in Utah County and they are going to build a wellness center for disabled and it is not associated with this project here and associated with the Veteran's Hospital in Salt Lake but they just entered into an agreement with the owner to help with the project. The entity has been doing these types of things for quite a few years apparently and so turning this whole thing into that. Actually the projects that they are doing and there will also be a tax increment but most of the cost of the whole improvement will be borne by the developer. It is not going to generate enough increment to pay for it and there will be zero cost to the disabled veterans. It sounds like a pretty neat deal.

Councilman Steve Farrell indicated that Extell and Ontario has entered into Summit County. Summit County is not in the project area so none of the money will be used in that area and all

located in Wasatch County where the PID money is being used. Mike Davis replied that it was important when we did our agreements with the County it was very specific that the money generated within our County can only use on projects within our County. Just like the unincorporated dollars can't go into Hideout and Hideout dollars don't come into the unincorporated areas and very specific where those dollars go.

COUNCIL/BOARD REPORTS

Councilman Kendall Crittenden replied that with that issue we had with Mike Kohler on the realignment of the bypass as it comes around by the high school. The other issue we talked about and Mike Kohler has met with the necessary individual and will meet with us. Mike Kohler and I will also be involved and I don't know who else sometime in the next couple of weeks to talk about it. The individual is supportive of what we are looking at.

Councilman Luke Searle replied that we will be having some music at the library tomorrow at 6:30 p.m. It will be the local sounds of blues featuring Christian Tattrus.

MANAGER'S REPORT

BRIEFING ON THE WASATCH COUNTY FY 2023 9 MONTH FINANCIAL REPORT

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that this originally was presented to you at our first meeting in December. This is for 2023. A lot of these are based on the assumptions that we used going into the 2024 budget and so we provided you a copy of that then and think we are happy to answer any specific questions you have. The general format is the same as what we have been doing for the last year and there are footnotes if there are significant deviations, these footnotes provide explanations for what those deviations are and broken down by major sections of general fund expenditures you can see what those differences are. We get all of our data or most of it from the data two months after the fact so we won't until February that we receive all the numbers for this month. So in March we are hoping to give you the fourth quarter and would be unaudited year end up date this is what we have ended up on the year when we basically get to the first quarter of next year so we are kind of a quarter behind as we report these to you and we just want to make sure that you are aware of what is going on financially in the County and once we get to the second quarter of next year we will give you the first quarter of 2024. The Council had no questions regarding this financial report.

CONSIDERATION OF REAPPOINTING MEMBERS OF THE JSPA PLANNING COMMISSION.

Dustin Grabau, the Wasatch County Manager addressed the Wasatch County Council and indicated that the Jordanelle Specially Planning Area JSPA has terms that are expiring and need

to be reappointed. The applications and recommendations break down as follows: Peter Meuzelaar for reappointment as a regular member, Craig Hahn for reappointment as a regular member, Robert Holmes for reappointment as a regular member, Mark Hendricks for reappointment as an associate member.

Councilman Mark Nelson made a motion to approve those members as have been stated and recommendation by the County Manager. Doug Smith, via Zoom indicated that we need a recreational representative on the board which we can't seem to find one. Councilman Steve Farrell seconded the motion and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE; Luke Searle

AYE: Karl McMillan

NAY: None.

Chair Spencer Park indicated that there is a need for a Closed Session for litigation and personnel.

Councilman Mark Nelson made a motion that we go into Closed Session for litigation and personnel. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

AYE: Mark Nelson

AYE: Chair Spencer Park

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Luke Searle

AYE: Karl McMillan

NAY: None.

**MINUTES OF THE
WASATCH COUNTY COUNCIL
CLOSED SESSION
DECEMBER 20, 2023**

Chair Spencer Park indicated that the Council is now in Closed Session to consider Litigation and personnel. The record should show that we are in the Wasatch County Council Chambers located in the Wasatch County Administrative Building located at 25 North Main, Heber City, Utah 84032.

LITIGATION

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

EXCUSED: Councilman Erik Rowland

STAFF; Dustin Grabau, the Wasatch County Manager
Austin Corry, the Assistant Wasatch County Planner.
Doug Smith, the Wasatch County Planner
Wendy McKnight, from the Clerk's Office
Scott Sweat, the Wasatch County Attorney
Jon Woodard, the Assistant Wasatch County Attorney

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

PERSONNEL

PRESENT: Chair Spencer Park
Kendall Crittenden
Luke Searle
Karl McMillan
Steve Farrell

Mark Nelson

STAFF: Dustin Grabau, the Wasatch County Manager
 Scott Sweat, the Wasatch County Attorney
 Jon Woodard, the Wasatch County Attorney

Dustin Grabau, the Wasatch County Manager, addressed the Council and Staff in Closed Session with regard to personnel and no minutes were kept because there was a discussion concerning personnel.

Councilman Steve Farrell made a motion to leave our Closed Session and go into the Public Hearings that are scheduled for this evening. Councilman Luke Searle seconded the motion and the motion carries with the following vote:

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

NAY: None.

Chair Spencer Park indicated that the record should show that the Wasatch County Council and the Governing Board of the SSA#1 are now going to hear the Public Hearings. The record should show that the Wasatch County Council and the Governing Board of the SSA#1 are meeting in the Wasatch County Council Chambers that are in the Wasatch County Administrative Building located at 25 North Main, Heber City, Utah 84032.

Chair Spencer Park indicated that we need a motion to go into SSA#1 Governing Board to hear the public hearing scheduled this evening to consider the adoption of the SSA#1 budget for 2024.

Councilman Mark Nelson made a motion to go into the Governing Board of the SSA#1. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

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

NAY: None.

**PUBLIC HEARING
DECEMBER 20, 2023**

APPROVAL OF THE 2014 BUDGET FOR SSA#1

Board Chair Steve Farrell indicated that we are now in SSA#1 to look at the budget for 2024. Also this budget is based on water sales and SSA#1 is more of a pass through organization to work with

the Bureau of Reclamation and the Central Utah and water companies here in the valley. Before we started the water board we had a full time employee and a full time department and then we started the water board and the employee left and we just never replaced him but we knowing that at some point we are going to have to have an employee. So we have got some reserve money in our budget to take care of that when it happens. Ben Probst replied that his fees are mostly in overhead management costs.

Staff:

Ben Probst, the Financial Clerk for SSA#1 addressed the Governing Board of the SSA#1 and indicated that we are budgeting possibly about \$1,360,000 which is revenue from the water sales and stuff from the various entities and we anticipate approximately \$1,270,000 to repayment for the cost of that water. Then we have got some other items there listed management fees and overhead costs to come down to about \$1,352,000 expenditures. The Governing Board indicated that they had no questions.

Public Comment:

Board Chair Steve Farrell then opened the hearing up for public comment and there was none so the public comment period was closed.

Motion:

Board Member Spencer Park made a motion that we approve the 2024 Budget for SSA#1. Board Member Kendall Crittenden seconded the motion and the motion carries with the following vote:

**AYE: Board Member Mark Nelson
AYE: Board Member Luke Searle
AYE: Board Member Karl McMillan
AYE; Board Member Spencer Park
AYE; Board Member Kendall Crittenden
AYE: Board Chair Steve Farrell**

NAY: None.

Board Member Kendall Crittenden made a motion to leave the SSA#1 Governing Board and go back into our regular agenda and to Item 2 in our public hearings for this evening. Board Member Karl McMillan seconded the motion and the motion carries with the following vote:

**AYE: Board Member Kendall Crittenden
AYE: Board Member Luke Searle
AYE; Board Member Karl McMillan**

AYE: Board Member Spencer Park
AYE: Board Member Mark Nelson
AYE: Board Chair Steve Farrell

NAY: None.

JOHN ROBERT AND ALICE C. HICKEN TRUST REQUEST THE CREATION OF AN AGRICULTURAL PROTECTION AREA CONSISTING OF 23.41 ACRES OF CATTLE AND LIVESTOCK GRAZING LOCATED AT APPROXIMATELY 750 WEST 1200 NORTH ON PARCEL 00-0007-9629 IN THE AGRICULTURE 20 A-20 ZONE (PLN-AGPRO-8697.

Staff:

Nathan Rosvall, the Assistant Wasatch County Planner, addressed the Wasatch County Council and indicated that this applicant the Alice C. Hicken and John Robert Hicken Trust are requesting an Agriculture Protection Area for property located in the North Fields near 600 West and 1200 North in the Agriculture 20 A-20 Zone of Wasatch County. The property contains 23.4 acres. The proposed Agriculture Protection Area is dedicated for agricultural purposes. The land is devoted to agriculture with the entirety of the property used for livestock grazing and in the summer months, meadow hay production. The owners anticipate maintaining the existing agricultural operation. The application is made pursuant to the recently adopted County Code Section 16.29 Agricultural Protection Area which code is allowed by the State Code Section 17.41. 201. Wasatch County Code Section 16.29.04 requires the following noticing methods sending notice to all property owners within 1000 feet of the requested Agricultural Protection Area, posting notices on the Utah Public Notice Website and posting notice at five places within or near the proposed Agriculture Protection Area. Wasatch County Code Section 16.29.06 requires that the Planning Commission and the Agriculture Advisory Board shall report their analysis to the County Council which shall be analyze and evaluate the effects of the creation of the proposed area on the County's planning policies and objectives. Analyze and evaluate the proposal by applying the criteria contained in Section 16. 29.08. Recommend any modifications to the land be included in the proposed Agriculture Protection Area. Analyze and evaluate any objections to the proposal and include a recommendation to the County legislative body to either accept and modify or reject the proposal. At the time of this report, no objections have been received in response to the notices sent.

Nathan Rosvall then went through the proposed findings:

1. The request is to create an Agriculture Protection Area to maintain the agricultural use and the rural environment.
2. The subject property is located near 500 West 1200 North in the Agricultural A-20 Zone of Wasatch County North Fields.
3. Total acreage of the Agricultural Protection Area is 23.41 acres.

4. The current use of the property proposed for protection status is greater than 50 percent of the land is devoted to agriculture including livestock grazing, and in the summer months growing meadow hay for production.
5. The existing use is compliant with the purpose and intent of the A-20 code and the goals of the General Plan for the area.
6. Rock Creek runs through the property.
7. Commonly found soils in the North fields are, Fluventic Haploborol, this soil is common for tall grasses; Kovich, this soil occurs on broad valley floors and is a slow permeable soil; Logan, this soil is common for meadow hay and pasture.
8. Wasatch County Code Section 16.29.08 outlines the evaluation criteria for granting the Agriculture Protection Area, and the proposal is consistent with the evaluation criteria of the code and the current agricultural uses on the property satisfy the evaluation criteria for the preservation status.
9. Surrounding properties are zoned A-20 and are used for similar agricultural pursuits.
10. No objections have been received in response to the notices sent or signs posted on the property.
11. If the Agricultural Protection Area is approved, the approval will be in effect until its 20th calendar review year.

Nathan Rosvall also indicated that the proposed modifications are that in Section 16.29.06 allows for the review of the proposal with the options that include accepting the proposal rejecting the proposal or modifying the proposal. As a modification of the proposal and recommendation to the County Council staff recommends that the applicant be required to maintain historic irrigation channels and that the irrigation company would have the right to maintain and clean the canal to ensure downstream flows.

Public Comment:

Chair Spencer Park then opened the public hearing for public comment: Ben Probst indicated he was excited to see this on the agenda because the property was his grandfathers and it is staying in the family and love to see no more development on that. Chair Spencer Park then closed the public comment period.

Applicant:

Alice C. Hicken, one of the applicants, addressed the Wasatch County Council and indicated that she just wanted to thank the Council for granting this for us. We appreciate all that you do as a County Council in helping to preserve a little bit of the rural look in the valley and by doing this will help. Councilman Steve Farrell indicated that this property has been in agriculture for the last 150 years. John Robert Hicken, the other applicant, replied that he agrees with what his wife has said. We thank you for doing this for us.

Motion:

Councilman Karl McMillan made a motion that we accept the Agricultural Protection Area consisting of 23.41 acres of the John Robert and Alice C. Hicken Trust. Councilman Luke Searle seconded the motion and the motion carries with the following vote:

AYE: Board Chair Spencer Park

AYE: Steve Farrell

AYE: Luke Searle

AYE: Mark Nelson

AYE: Kendall Crittenden

AYE: Karl McMillan

NAY: None.

CONSIDERATION OF A PROPOSED AMENDMENT TO WASATCH COUNTY CODE CHAPTER 16.33 PARKING STANDARDS, AS IT RELATES TO SHARED PARKING STUDIES AND ON-GOING MONITORING OF PROJECTS WHEN PARKING REDUCTIONS ARE GRANTED.

Staff:

Austin Corry, the Assistant Wasatch County Planner, addressed the Wasatch County Council and indicated that this amendment was staff initiated but you likely understand the project that precipitated it and expressions from you as a Council on some things that you wanted to see modified in the code. The main thing that this does is that it clarifies when somebody is going to ask for a parking reduction that it needs to be prepared by a transportation planner, architect or engineer. Not anybody can produce them. A licensed professional needs to do that.

Aside from that shift there are a couple of other changes. Number one that any of the requests need to come with data supporting what they believe their request should be. The other thing that is drafted in here is that right now under the code it allows you to ask for shared parking and it also asks for you to just say we think we need less parking because of the type of the use that we are doing. I modified that to clarify that in the case of shared parking they have to show and demonstrate that they are really dissimilar uses but it also places some understanding of the limits to what the reduction is and it is not an open ended reduction that occurs. The other is if they want to ask for a parking reduction that they have to propose what their transportation demand management strategies are and there is a list of them in the proposed code of what we feel would be some appropriate things to consider.

Councilman Kendall Crittenden asked where you anticipate we might see this thing being used. Austin Corry replied primarily in the JSPA is where I see everything.

Councilman Luke Searle asked how they go about doing that showing like that the dissimilar uses for shared parking. Austin Corry replied that there is data out there. There are plenty of agencies

that track parking. Councilman Luke Searle asked is it at your discretion as staff that data is valid. Austin Corry replied that now with them having to produce a report that is prepared by a licensed professional would be utilizing data that is reliable. Ultimately it actually wouldn't be our discretion but would be still coming from you as a Council but you would understand where the data came from rather than I believe that in the past it generally has been that we don't think we will need the shared parking and so they are asking you. So at least at this point we should be able to cite sources as to what is being used. Councilman Steve Farrell replied that we had the problem up in the Jordanelle on that one where they did their own parking study.

Public Comment:

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

Motion:

Councilman Kendall Crittenden made a motion that we approve the amendments to the Wasatch County Code Chapter 16.33 general parking standards as it relates to shared parking studies and ongoing monitoring of their project when parking reductions are granted. Councilman Karl McMillan seconded the motion and the motion carries with the following vote:

AYE: Chair Spencer Park

AYE: Mark Nelson

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Luke Searle

AYE: Karl McMillan

NAY: None.

CONSIDERATION OF A PROPOSED AMENDMENT TO WASATCH COUNTY CODE TITLES 2, 14 AND 16 IN ORDER TO ADDRESS THE APPLICABLE LAND USE AUTHORITY, APPEAL AUTHORITY, AND OTHER SUBDIVISION PROCESS ITEMS IN RESPONSE TO THE UTAH STATE LEGISLATURES SENATE BILL 174 AND OTHER BILLS FROM THE 2023 LEGISLATIVE SESSION.

Staff;

Austin Corry, the Assistant Wasatch County Planner presented a power point presentation and then addressed the Wasatch County Council and indicated that I will admit an amendment of fifty pages is kind of hard to absorb. If it makes you feel any better it was much harder to write. There has been a significant amount of time. Jon Woodard from the attorney's office has committed quite a bit of time in helping with this as well. I appreciate his help. I will cover a couple of quick

summary slides and then I will put it up for questions. The first is just helping you understand what SB174 is. That was a senate bill passed earlier this year. It was forty-two pages and a little over a thousand lines of text. It did more than just the land use authority things but in terms of what we had to address we primarily complied with most of everything that they are dictating. There are other jurisdictions that are scrambling much worse than we are. Some changes to the modern income housing requirements and we are already compiling with the changes that they made so there wasn't an issue there. There is one small tweak that you will notice in the proposed code just to strike language that we have about requiring internal connection if you are doing an AEU which is an internal dwelling unit. Two years ago the state mandated that we have to allow internal accessory dwelling units. I think most jurisdictions probably had the same provision that we had that said that sure we will allow them and wrote some standards and one of those standards being that there has to be an ability to get in between the two units interior. The state code is precluding us from having that provision now.

The main one and what is really requiring the significant work on our part is modifying the process that is allowed for single family dwellings, two family dwellings or town home and we have to be compliant with that by February 1, 2024. It added in some time lines for review, shot clock per se. Preliminary subdivisions have to be done within fifteen business days' final subdivisions a review cycle has to be done within twenty business days. As a County we are already complying with that just by our own internal process we have been matching what the building department has been doing or maybe not with the same amount work it has been mandated but we are generally completing DRC reviews in fourteen calendar days. So we are significantly under. I am pretty confident that we won't have a compliance issue there. Then you can see some of those other things. You have seen these flow charts already so I won't go into a crazy amount of detail. We wrote the code to follow what we discussed with you as a Council prior to the Planning Commission actions. We did present that and mentioned that the SB174 doesn't allow you as a Council to act on the preliminary subdivisions so those would now be handled by the Planning Commission. Final plan SB174 does the same thing striking the Planning Commission from being able. The code establishes a new land use authority called the Administrative Land Use Committee. That would be the Council Chair, the Planning Commission Chair and the JSPA Chair or a designee. That is who would make that committee. Not to drag things on too long but I do think that what we have found here is a pretty decent compromise between trying to help you as the legislative body and big decision makers still be involved and understand what regulations are doing to a process while still respecting the need to grant approvals quickly is what the State is specifically looking for. I don't feel like we have been a bad player in that regard in any way but a lot of times when legislation gets passed it is addressed the bad players. Our own County code does similar things. One of the things that I think is a good compromise here is that we have found a way to word but for these consent items that really there aren't issues for we have got a process where the chair of that land use committee would be able to just consent and approve those without the need of public hearings. Public hearings would come for items where there is high public interest or where an applicant is not wanting to work through the DRC process.

Austin Corry also indicated that he did write and I am sure that you saw in the staff report there is about a page that summarizes everything that really the proposal is doing. Just to highlight a few

of those. It does establish that there is a panel of engineering experts listed as an appeal option for civil improvement plants on subdivisions.

Something that you will notice in there that we didn't discuss last time and that is this makes a change to the appeal authority. So it removes our Board of Adjustment and instead moves us to the use of an appeal's hearing officer. That is probably the second most major change that is being made here so I wanted to make sure I pointed that out to you. A large part of that is to try and help expedite the appeal's process. Right now with the board members that we have, we have time lines that we have to act on appeals and often times we are pushing those time lines just trying to get a quorum and figure out when people can meet. Moving to the appeal's hearing officer route means that we only have one schedule to really try to work around at that time.

Councilman Luke Searle asked so does that eliminate the Board of the Adjustment. Austin Corry replied that it does. Councilman Kendall Crittenden asked that is only for this type of subdivision right. Austin Corry replied that this is a move that is County wide. That is why I wanted to bring that up. So this would address the things with this panel of engineering experts that is required by SB174 we have written in there that the applicant can use the appeal's hearing officer route. We are trying to find ways to get people expedited decisions. The appeals hearing officer would be for all land use applications. We would no longer have a Board of Adjustment. Councilman Luke Searle replied that I know that Heber City made that adjustment process and was nervous about how that would work well. Austin Corry also indicated that we would dissolve the Board of Adjustments. What is drafted in the language spells out some qualifications the hearing officer would have to have. They have to have some strong understanding of land use approvals and preferably some legal background as well. So it wouldn't be this broad open ended that anybody can apply type of thing. That would be something that you would likely go through with this process. We do have one of our Board of Adjustment members actually just applied to try and move to the Planning Commission and if he did that would leave us with a vacant position that we are having in getting quorums of Board of Adjustment members which is primarily the main reason we are trying to make this change.

Councilman Luke Searle replied that the big issue with them is that they just don't meet regularly. It is hard to keep a quorum and keep people educated and operating at a level that we want them to be. Austin Corry replied that they forget even from meeting to meeting they forget some of the procedures. I could be wrong on this but memory serving me I think that we have had two meetings this year. One had two items on it and one had one item on it. So it is not a regular board like our Planning Commission. Certainly that is open for discussion these are ideas that we are putting this proposal out there that we are making a recommendation to you of what we think would be a productive way to move forward. It makes the necessary adjustments to the land use responsibilities required by SB174. It establishes the Administrative Land Use Committee. It makes some adjustments to the fee schedule as well. Plat amendments are something that we deal with quite a bit. We have two categories of plat amendments minors and regulars. The regulars are the ones that you see. There are lots and lots of minors that get processed and they are almost always consent items so we dropped the fee on those. Timber Lakes lot combinations and things like that.

Austin Corry also indicated that the Planning Commission heard this item and they had a bit of a discussion and asked a few questions during it and ultimately have made a recommendation to you as a Council that you approve it as drafted and they didn't make any changes. There are findings and no conditions obviously but they recommended findings and they adopted the ones in the staff report and they are here on your screen as well.

Councilman Luke Searle asked that all of this is due to SB174. Austin Corry replied that some of it is and the changes to the land use authority that was precipitated by SB174 because of the way that the code works and a number of different items touching how that process works. If we are in those sections we thought it was a good opportunity to address some of these other things that we have seen over the years. I went through the bullet list and those are the things that weren't just the land use authority that you have heard from me already about.

Councilman Steve Farrell asked is there any way that we could put the DRC comments or requirements on the website so when we respond back to a developer that you need to do this? Somebody can look at it and see how long they have had request. Somehow you are getting blamed for taking a lot of time when you are not the one that is causing the delay. Austin Corry replied that is a very regular occurrence.

Councilman Steve Farrell said when one of the Senators or somebody ask you can say just look at this. This what we mailed back and this is what we requested from them and no response for two or three weeks. Austin Corry replied that is probably branching more into an IT question than a me question. I do know that the on line system that we have logs much of that activity and how to get that out and display it is something that I have been told is in the works and I don't know what the time line is for producing that. I agree with you.

Dustin Grabau, the County Manager replied that we have talking about increasing transparency on that particularly because sometimes people with an ownership interest in a project doesn't have direct access to the log ins and haven't had access to it so we have talked about ways of making sure that we are sharing that. We have produced those reports on specific cases in the past and we have that ability as well. Austin Corry replied that right now that is taking staff time though to produce the report to go in and see the triggers where that is and I do think that the data is there and just getting something written that will compile it automatically. Dustin Grabau replied that what we are hoping to do is publish a dashboard that wouldn't do individual projects but provide overall average numbers.

Councilman Steve Farrell replied to have something to shift the burden back to the developer. The ball is in my court and not their court and you can't be criticized. Austin Corry replied that we have data admittedly even if we came up with a dashboard I am sure that we still will hear the same comments.

Councilman Steve Farrell replied that even having the data and being able to show somebody that if they go to a Senator or say that they have been sitting on my project for six weeks and why

because five weeks ago you were asked to respond to this and it took you five weeks to get back to me. Also myself, Councilman Kendall Crittenden and Danny Goode went down and met with Senator Adams and he indicated that he has got a friend that has a development in Jordanelle and you won't let him move and come to find out we came back and he is not moving because he doesn't have any water but we corrected that.

Austin Corry replied that another one I hear quite frequently is by the time it ends up in a public hearing they will stand up and say that I have been working on this project for four years which sounds like a long time but if you were to go back and look at that date the total time that it actually has been in the County review or something has been weeks from that point.

Councilman Steve Farrell replied that some of the companies that you work with use those as a scape goat for not getting the work done. Austin Corry replied that he appreciates the desire to relieve some of our burden. Councilman Steve Farrell replied that I think this approach with Senate Bill 174 is probably the best options that we have got. Councilman Kendall Crittenden replied and to clean up the other stuff too while we are doing it. Weren't you asking though not to be personal but just put it out there that is what is required to move forward and anybody could look at it and know this is what I have got to do, isn't this what you were asking for. Councilman Steve Farrell replied that what I was asking and the developer was asked to do this. Councilman Kendall Crittenden replied but not personalize it to the individual developments or were you thinking that. Councilman Steve Farrell replied that I think you need to personalize it for each individual development so they can identify with it. Dustin Grabau replied with specific projects that reach out and we will provide this information.

Austin Corry then went through the proposed findings:

1. The Utah State Legislature enacted Senate Bill 174 earlier this year 2023.
2. SB174 requires the County to, by February 1, 2024, modify local land use regulations to, among other things, eliminate any provisions that require certain single-family residential developments from being subject to review by the legislative body acting as a land use authority.
3. The County has previously shown an interest in protecting public transparency and interests.
4. The County has weighed the public benefit for other land use authority provisions and appeal authorities in consideration of transparency, fiscal responsibility, and efficiency.
5. The Wasatch County Council, as the legislative body, has broad discretion for amendments to the Wasatch County Code.

Public Comment

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

Motion:

Councilman Karl McMillan made a motion that we accept the proposed amendment to the

Wasatch County Code Titles 2, 14 and 16 in response to the Utah Legislative Senate Bill 174 and other cleanup for the document in question with the findings as presented. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

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

NAY: None.

Jon Woodard, the Assistant Wasatch County Attorney, addressed the Wasatch County Council and indicated that we should put something on the record thanking the Board of Adjustment for the years of service that some of them have done if you were inclined to. Chair Spencer Park indicated that is much warranted. Dustin Grabau replied that he will take care of that. Councilman Steve Farrell replied that we will have Dustin Grabau write a letter and we will read that in a public meeting. Austin Corry replied that written into that ordinance was an effective date of February 1, 2024 and right now you did not dissolve them tonight.

ADJOURNMENT

Councilman Mark Nelson made a motion that we adjourn. Councilman Steve Farrell seconded the motion and the motion carries with the following vote:

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

NAY: None.

Meeting adjourned at 8:00 p.m.


SPENCER PARK/CHAIRMAN


JOEY D. GRANGER/CLERK/AUDITOR

