

**MINUTES OF THE
WASATCH COUNTY COUNCIL
JANUARY 20, 2021**

The Wasatch County Council met electronically in regular session at 3:00 p.m. And the following business was transacted.

PRESENT: Chair Mark Nelson
Marilyn Crittenden
Kendall Crittenden
Danny Goode
Steve Farrell
Jeff Wade
Spencer Park

OTHERS PRESENT: No one else present in the Council Chambers except Wendy McKnight from the Clerk's Office running the electronic equipment.

OTHERS PRESENT
THROUGH ZOOM: Mike Davis, the Wasatch County Manager
Dustin Grabau, Assistant County Manager
Randall Probst, Wasatch County Health Director
Scott Sweat, the Wasatch County Attorney
Jon Woodard, Assistant Wasatch County attorney
Austin Corry, Assistant Wasatch County Planner
Doug Smith, the Wasatch County Manager
Rick Tatton, Court Reporter

PRAYER: Councilman Spencer Park

PLEDGE OF ALLEGIANCE: Led by Councilman Jeff Wade and repeated by everyone.

Chair Mark Nelson then called the meeting to order at 3:00 p.m. and indicated that all the County Council is present. Councilman Danny Goode will be a few minutes late and then proceeded to call the first agenda item.

OPEN AND PUBLIC MEETING AFFIDAVIT

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

LEGISLATIVE ISSUES FOR FUTURE MEETINGS

Chair Mark Nelson asked if there are were any legislative issues for future meetings and there was none.

ADMINISTRATION ISSUES FOR FUTURE MEETINGS

Chair Mark Nelson asked if there are any administrative issues for future meetings and there was none.

PUBLIC COMMENT

Chair Mark Nelson asked if there were or are any public comment that needs to be heard regarding an item at this time that is not on the agenda and there were none.

APPROVAL OF THE MINUTES FOR JANUARY 6, 2021

Councilman Steve Farrell made a motion to approve the minutes for January 6, 2021 as written. Councilman Jeff Wade seconded the motion and the motion carries with the following vote:

AYE: Chair Mark Nelson

AYE: Marilyn Crittenden

AYE: Kendall Crittenden

AYE: Steve Farrell

AYE: Jeff Wade

AYE: Spencer Park

NAY: None.

WASATCH COUNTY HEALTH DEPARTMENT UPDATE

Randall Probst, the Wasatch County Health Director, addressed the Wasatch County Council and indicated that he won't join with video today because I am actually over at the vaccination clinic so I will just join by phone today. The vaccinations are going well. The majority of the teachers and district staff have received the vaccine. There might be a few left for next week. Right now the seventy plus population are receiving the vaccine at the present time and at the present time appointments are being taken for that age group. Half of the over seventy people that live in

Wasatch County have registered for their appointments. Also most of the healthcare workers and first responders have all been vaccinated. This week second doses of the vaccine will be received so that we can start giving the second doses on that first group. People are receiving their vaccination while they are still in their car and then they wait for fifteen minutes to see if there will be any kind of a reaction to the vaccine and after that they are scheduled for their follow-up appointment which is going well.

The frustration probably is getting everybody scheduled as soon as they would like but that is limited with the doses that Wasatch County has. Randall expressed the appreciation that is shown by the community for being careful. The numbers aren't down as much as we would like them to be but the numbers have been down lower than the peaks that Wasatch County was hitting and positive ratio state wide is coming down. The long term care centers they are being vaccinated also and should all have their first dose by the end of this week as well.

Chair Mark Nelson thanked Randall Probst on behalf of all the citizens in Wasatch County for the great service that you are providing and it looks like this thing is going in the right direction and hope that it keeps going.

TYLER ALDOUS, REPRESENTATIVE FOR SKYRIDGE DEVELOPMENT, IS REQUESTING MODIFICATIONS TO THE PRELIMINARY PLAN AND MASTER PLAN FOR THE SKYRIDGE DEVELOPMENT. THE PRESENTATION IS A DISCUSSION TO INFORM THE COUNCIL OF THE PROPOSED CHANGES, ANSWER QUESTIONS AND SEE IF THERE ARE ANY CONCERNS.

Doug Smith, the Wasatch County Planner, addressed the Wasatch County Council and indicated that SkyRidge Development is requesting amendments to the Master Plan, Preliminary Plan and Development Agreement. As the first phase of the development has been built out over the past two years, it has become apparent that a few small changes would enhance the Master Planned Community and public recreation in the Jordanelle Recreation Area.

Over the course of the last 16 months, SkyRidge has met with the Planning Department, County Manager's Office and County Deputy Attorney to discuss the proposed amendments.

Therefore, based on feedback and support from County Staff, SkyRidge makes the following amendment requests to the Master Plan, Preliminary Plan and Development Agreement.

The requests are:

1. Approved Clubhouse. The current Development Agreement provides for 15,000 square feet. The amendment is to increase the clubhouse size to 20,000 square feet.
2. Approved Equestrian. The current Development Agreement provides for 18 horse stalls. The amendment is to increase to 34 horse stalls.
3. Eliminate BOR trail head and beach area conditionally required amenity because the BOR did not like it there (Bureau of Reclamation.)

4. Golf Academy Lodge. There are 18 ERU's approved in the current Preliminary Plat as RSFT town homes. The amendment is to change the ERU's to condominium lodging. Change up to 27 ERU's in condominium lodging facility in the same location. Lodging cabins adjacent to lodge will be included in the up to 27 ERU's. Permitted Use.
5. Employee Housing Current 16 AUE's in this area. Count toward AUE's required by SkyRidge affordable housing agreement. Deed restricted and is a permitted use.
6. The Welcome Center. Tennis court and pickle ball courts open to public for public recreation. Welcome center building, 1,500 square feet also a permitted use.

Doug Smith also indicated that the SkyRidge Community total ERU's will not exceed the approved 503 ERU's based on the amendments that are asked for and requested. Density will not be increased with these amendments. Doug Smith then showed on drawings what is being proposed to the Wasatch County Council.

Council Comments:

Councilwoman Marilyn Crittenden asked if this changes the ERU's at all. Doug Smith indicated that it does not. Commercial doesn't count. Will pull density from other places. Also the employee housing doesn't count towards the ERU number nor would the equestrian center expansion. They are required to meet the 503 ERU's that they were approved for. Jon Woodard, the Assistant Wasatch County Attorney indicated that there is an affordable housing agreement in place right now between this developer, Mayflower and the County and don't know if that will be a problem or not but we would need to review that and make sure that there weren't any issues. And since the County is not the only party to that so those things would need to be thought through and make sure that would work out before we granted an approval like this.

Applicant:

Jack Johnson, consultant for the applicant, presented a power point presentation and gave an update on what has been taking place in the community and in the area over the last year and a half, two years. We are constantly looking at the market plan and development plan and that is why we are asking for these amendments that deal with our amenities. We would like to put some affordable housing on the SkyRidge property itself and would be for that particular area and not for the surrounding area. Just remember that none of these amendments will go over the 503 ERU's. The first three items were more development agreement things and the last three probably go back to Master Plan and Preliminary Plan and Development Agreement changes in what eventually is going to be asked for.

Tyler Aldous, representative from SkyRidge, also presented a power point presentation and then indicated that the Golf Academy which will be a teaching training center for golf will become a big thing at the development as people have said that do these types of things countrywide. This facility will be open to the public and not included in the SkyRidge HOA. Also after meeting with staff members and received feedback and feel like there is support for these amendments.

Continued Council Comments:

Councilman Steve Farrell was concerned about the additional parking stalls that would be needed as well as the traffic concerns. Jack Johnson indicated we are way under the traffic counts to the original traffic counts on SkyRidge Road. We also have like seventy or eighty parking spaces but would be within code with that. Also underground parking for the lodge and the club house has surface parking. Shuttle parking will be provided also to help with parking. Doug Smith also indicated that the parking will have to be approved by the DRC.

Councilman Steve Farrell asked would the cabins be considered short term rentals regardless of the ownership and would fall into the transient room tax category? Jack Johnson indicated that yes that is correct with other taxes also. Doug Smith indicated that the County can't deed restrict those units for second homes will that be done through the CCR's Tyler Aldous indicated absolutely yes. This will come into play with our final site plan approval. Also we want to implements practices when it comes to affordable housing and meet all the requirements for the County Code. The affordable housing requirements with regard to architecture will be complied with also with materials. Jon Woodard indicated have you put the idea to Mayflower. Tyler Aldous indicated that he has and they are obligated to provide a spot for us. SkyRidge has an option where we can purchase a parcel within their community to do it ourselves and this is in regard to affordable housing. Also we have disclosed to the buyers of the lots where the affordable housing will be and that didn't matter to them they still bought the lots and was supportive of that. We just want to be responsive to whatever is required of us.

The record should indicated that Councilman Danny Goode just joined the Council.

DISCUSSION ON NEXT STEPS FOR THE COUNTY RESTRUCTURING PLAN AND DISCUSSION/DECISION ON HOLDING A RETREAT FOR ONGOING PLANNING.

Councilman Kendall Crittenden indicated that based on the discussion we had with regard to a County Restructuring Plan the thought came to me of holding a retreat where we did nothing else but discuss the options that we have with this County Restructuring Plan. The retreat would be where we would have the time for discussion and only talk about the one subject. Then we could hear from the different departments and their goals and plans. We need to look at our next steps on the restructuring plan because we had some ideas and questions and things that came up and possibly a retreat would be great to have. We need to look at some data. Possibly that retreat could be in our work meeting as a County Council in February. The retreat needs to be face to face and not by Zoom and possibly hold it at the Senior Citizen's Center where the Council could be spread out and not be together.

The Council then had a discussion regarding this matter and some good points came up which are: Make formal requests for some information from the Fire Department and other departments such as their budgets and plans on what is next for them and possibly hold this in a Closed Session because personnel would be discussed. Councilman Danny Goode indicated that the meeting

would have to have Zoom capabilities because the state has indicated that. Councilman Spencer Park indicated that the chairs and vice chairs of the three districts to work with Dustin Grabau such as the IHC Department, HR Department, Auditor and go through and get the documentation needed but this challenge has been going on for the last several years. Look at such things as better management, better checks and balances, and see what improvements that the districts could come up with. Also we need to look at whether to go with an administrative control board or go to an enhanced advisory board that would have some duties and obligations. Also we need to get the information in the right hands to start to answer a lot of the questions.

Councilman Jeff Wade indicated that he thinks this would be a good idea. There is a lot more that needs to be looked at so we aren't jumping to conclusions and need data to back this up. Will this save money and things such as that? We need to spend a little more time in figuring where to go with this.

Councilwoman Marilyn Crittenden indicated that she didn't have a problem with doing that either. This is a good strategy before we move forward with something. We just need to be prepared when we go into that meeting. Contact the municipalities and see the questions that they may have had. We need to make this a unified effort and feel like the best thing for Wasatch County is being done. There are a lot of loose ends that need to be tied up before a decision is made. The most important thing to me about this restructuring is that do it in such a way that we are ready and prepared for the future and the growth that we are going to have. The growth is here and pressing at the doors and we just need to make sure that we are in the right place to be able to move forward into all that growth and the discussions that we have had tonight are just the tip of the iceberg as get together and look at all these different things and probably the first thing is to look at an Administrative Control Board and an advisory board and finding that balance would be our first starting point. We need to decide what created the need for the change.

Councilman Steve Farrell indicated that is a good idea. The fire department needs to be involved in the decision on whether they want to combine services so if a change is made they need to be in favor of the changes. The first question we need to answer is are we convinced that an Administrative Control Board is the best way to go as it relates to the Fire and we need to answer that question and get moving on. The districts are up in arms and don't know how to plan. The bottom line is that the Council has to make a decision. I think if we are going to delegate the authority we ought to give them all the authority necessary to run the organization and just keep back what we were required to do as it relates to bonding and taxation and not try to micro-manage them. Also I can set up a meeting with Ernie Giles and Dustin Grabau and myself to figure out what information we need to get answers for. Chair Mark Nelson indicated that he would be happy to join with you if you think that it is necessary.

Chair Mark Nelson indicated that creating an administrative control board and defining exactly what their role is and bringing it under the County and that needs to be looked at carefully. Those things may be mutually exclusive. It might not make sense to do both of those things especially at the same time. The fire district and parks and recreation already have an advisory board which has proven to be real affective and real helpful. It sounds like the consensus of the Council is that we

do need to investigate this in some format and need to do it soon and need to do some research prior to doing it and get the relevant data in front of us which could take some time to do that. I am of the opinion that a retreat would be good and all the Council would be in person in the same room and not by Zoom. Also I think that the Administrative Control Board is a great idea in getting all of that other input and giving them the authority. The discussion to have right now does this make sense to have an Administrative Control Board and what the steps of the rest of it and if there is any more restructuring and what that means.

Dustin Grabau indicated that he thinks that the process where the Council needs to go is where we come up with ideas, present them, feedback is given, and this will take more than just a couple of weeks of digging in. Also what does the Council envision for the governance of these entities which would affect how we would provide that analysis? The Council has to decide how is the best way to generate that input and the power behind that input.

Councilman Danny Goode indicated that in having more input is usually into some of their broad decisions. We have been trying to get more input from the public and from the other entities in the County and the Administrative Control Board sounds like a very good way to do that so that the County is not making decisions without considering all the other impacts because that happens in time.

Councilman Kendall Crittenden indicated that he put this item down for discussion and a decision on holding a retreat. If we could be ready for some parts of the discussion in February I would like to see at the February work meeting and give us time as our only agenda item so that we can take the time we need and get started on it. The next steps is that we need to get direction to these different groups and if we need access to some of their information and that we get the information that we need and there is no dragging on getting that information. We need to be able to gather what we need. I would be willing to sit down with Dustin Grabau and know exactly what is needed to answer the questions that were put out to the Council.

Mike Davis, the Wasatch County Manager, indicated that we have scheduled for the work meeting in February a joint meeting with Summit County on items already and have been agreed to. Councilman Kendall Crittenden indicated that this discussion could be held after that meeting.

Chair Mark Nelson said it sounds to me like we are planning to have this as an agenda item probably after our discussion with Park City on February 10, 2021 and is everybody in agreement with that? Councilman Kendall Crittenden indicated that let's see what we can pull together between now and then. Dustin Grabau indicated that he certainly could put together estimates of the costs and would be nice if I could just sit down with Ernie Giles and his staff and say what does it cost to do A, B, C and D. Can I have copies of the contracts for those things so that we know what service that we currently have so that I can hand that to Don Wood and what would it cost us to do this? If the Council is expecting that we will know what the 2021 budget request is for each of those entities I don't know that we can do that by three weeks from now. Also what is the attorney's office currently doing for their legal support and do we want them to have more? We have to decide what does better mean to the Council.

COUNCIL BOARD REPORTS

Councilman Steve Farrell indicated that yesterday we had our regional planning meeting and we talked about trails and there was a good representation from Heber City and the City Planner from Midway was there. The conclusion was that we are set up to meet once a quarter on the third Tuesday at 9:00 a.m. and because there are so many things coming up that needs to be discussed so for a while we are going to meeting every month on the third Tuesday at 9:00 p.m. The discussion yesterday was on the trail and the master trail planner and the grand rider.

Councilman Steve Farrell indicated that we need to set up an Interlocal meeting as soon as possible. With regard to Affordable Housing it seemed that we need to get together and work with our entities and come up with a way that we are going to move forward on this affordable housing. Heber City is now on board in doing something jointly and doing a housing ordinance. I don't know where we are on at that but need to get moving on that and try to solidify this affordable housing and try and get some action moving there.

Chair Mark Nelson indicated that it is Wasatch County's turn to hold the Interlocal meeting. Councilman Steve Farrell indicated that we could hold the Interlocal meeting on the fourth Wednesday of January and we need to get it advertised and there are enough items to put on the agenda and can ask the entities for information as well. Have the entities contact Natalie, the Wasatch County Manager's secretary if they have items that they would like to.

Councilman Danny Goode indicated that one of the library board members had to resign because of a move to Colorado and right now going through the process of interviewing new candidates and will get that recommendation to Mike Davis within the next month or two.

Councilman Kendall Crittenden indicated that a post card was sent to the County with regard to irrigation shares. Also I will vote the water shares owned by Wasatch County which are 59 and the other entities will need their own representation. Contact Max Covey on the SSD's.

Councilman Kendall Crittenden indicated that there was an e-mail from a fourteen year old young man, Cooper Hansen, requesting a change in procedure at the recreation center. Councilman Jeff Wade indicated that he was going to bring the matter up in the advisory board meeting tomorrow and would bring that up with Tom Bonner, the Parks and Recreation Director, tomorrow.

Chair Mark Nelson asked Mike Davis to look into having in person meetings and consider the physical distancing issues, plastic screen issues and where are we going to put everyone where could we do it and how could we do it and when could we do it with no particular date in mind or beginning time in mind. Councilman Steve Farrell isn't that limited to the Governor's order. The Council is more effective when we have in person meetings.

MANAGER'S REPORT

RECOMMENDATION FOR TIMBER LAKES SPECIAL SERVICE DISTRICT PART TIME MEMBER.

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that there is a board vacancy on the Timber Lakes Special Service District. We have an application for a reappointment of Michael Wheelwright. He serves in the part time resident position because the Timber Lakes Special Service District Board is made up of part time positions and full time resident positions. This was a part time position and he has been serving there for twelve years and be my recommendation that we reappoint him to that position.

Councilman Steve Farrell indicated that being the representative of the Council on the Timber Lakes Board I would make a motion and recommend Mike Davis's recommendation to appoint Michael Wheelwright to that part time position. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

AYE: Chair Mark Nelson

AYE: Marilyn Crittenden

AYE: Kendall Crittenden

AYE: Danny Goode

AYE: Steve Farrell

AYE: Jeff Wade

AYE: Spencer Park

NAY: None.

LEGISLATIVE SESSION UPDATE

Mike Davis, the Wasatch County Manager, indicated that the legislative session started yesterday. Shelly Teuscher is working for us and already is sending me information about bills. There is one bill that came up today. It is Senate Bill 104 and it is authorizing an animal control tax levy for counties. Which would make it possible for a county to levy a particular tax for animal control. We will try to find out some more information on it but certainly has potential impacts or opportunity for the County so we will look into it. I will send all the Council an e-mail with more information on the bill.

Councilman Steve Farrell indicated that he has a need for a Closed Session regarding potential litigation.

Councilman Jeff Wade made a motion to leave our regular session and go into Closed Session to discuss potential litigation. Councilwoman Marilyn Crittenden seconded the motion and

the motion carries with the following vote:

AYE: Chair Mark Nelson

AYE: Marilyn Crittenden

AYE: Kendall Crittenden

AYE: Danny Goode

AYE: Steve Farrell

AYE: Jeff Wade

AYE: Spencer Park

NAY: None.

Councilman Jeff Wade made a motion to go out of Closed Session and take a brief recess and then come back to handle the Public Hearing at 6:00 p.m. Councilman Spencer Park seconded the motion and the motion carries with the following vote:

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

NAY: None.

The record should show that the time is 6:00 p.m. and the Wasatch County Council is again in session to discuss the Public Hearing. Councilman Danny Goode is excused from this Public Hearing.

**PUBLIC HEARING
JANUARY 20, 2021**

DISCUSSION THAT WASATCH COUNTY IS ELIGIBLE TO APPLY FOR THE UTAH DEPARTMENT OF WORKFORCE SERVICES FOR FUNDING UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT CDBG PROGRAM.

Councilman Kendall Crittenden indicated that the purpose of the Public Hearing is to provide citizens with pertinent information about the Community Development Block Grant program and to allow for discussion, possible applications. We are not talking about any particular application tonight just that there is some possibility of the options that are out there. We will talk about some of the eligible type activities, program requirements and expected funding.

CDBG program can be used to fund a broad range of activities but not limited to construction of public works and public facilities, water and sewer lines, fire stations, acquisition of real property, provision of public services such as food banks or homeless shelters. In the past Wasatch County has applied and has been awarded CDBG grants for courthouse rehabilitation, public safety building, two fire trucks, garbage trucks for a couple of years in a row. Housing trust, housing authority, property for senior housing (the Prestige One Senior Housing Project which is just behind there by the library that property was purchased with a CDBG Grant). Last year our senior citizens center was awarded a grant to help them recover part of the cost of a new meals on wheels delivery truck which hopefully we will have within the next week or two.

In the event that Wasatch County chooses to apply for CBDG funding a second public hearing will

be held at a later time to discuss any specific project that might be approved. This year the CDBG funding is the small cities program. Wasatch and Summit County are together in the CDBG Grant program. Utah County, who is also a partner with us in MAG, is now large enough to become an entitlement county so they get their own funding. The CDBG funding that we get is shared. Applications are made for desired projects in Summit and Wasatch County.

This year for the 2021 funding year we have just under \$600,000 available to be spent so here in the next month or two we will be reviewing projects that are applied for and the determination is based on the rating or ranking policies that our committee has set up, the CDBG committee has set up and those projects will be awarded points and then projects will be awarded based on the viability of the project, etc. That is what we are doing and at this time we can open up the public hearing to hear any members of the public who would like to talk about this Community Development Block Grant program and any potential applications that we might be looking at. Councilman Steve Farrell asked is it \$600,000 be spent between Summit and Wasatch County? Councilman Kendall Crittenden yes we will be looking at the rating arrangement committee which is made up of myself and the Mayor of Kamas, Mayor of Wallsburg and a County Councilman from Summit County and we will look at the applications. There are four based on the rating and ranking policies and will send those to any of you that would like to see them the different categories that those projects are scored. Based on how they score we award those projects. Councilman Steve Farrell asked if the project in Summit County were more critical and scored higher than Wasatch County would all the money be used in Summit County: Councilman Kendall Crittenden yes that is correct. We are together on that \$600,000.

Chair Mark Nelson then opened the public hearing up for public comment.

Ashley Fish, the Wasatch County Senior Citizen Director, addressed the Wasatch County Council and indicated that we are wanting to purchase a new bus to replace a very old. It is nearly twenty years old. The cost is and we got three bids and the cost of the lowest bid was \$64,800. We have gotten a commitment from the Senior Citizens Inc. not for Profit Corporation to commit \$25,000 toward the purchase of that. Then coupled with the sale of the old bus we determined would be probably about \$11,000 or so. The grant then that we would be looking at would be about \$28,800.

Chair Mark Nelson then closed the public comment period.

Councilman Kendall Crittenden indicated so that will be one of the potential projects we will be looking at. Now if there are other people or others who might become aware of it that would desire to apply and make application for a grant on this CDBG Program would be eligible to apply. Then based on scoring and so forth if that suggested project is eligible we will have a second public hearing to discuss the project in more specifics.

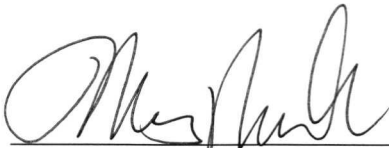
Chair Mark Nelson then closed the public hearing.

Councilman Kendall Crittenden made a motion to adjourn. Councilman Steve Farrell seconded the motion and the motion carries with the following electronic vote:

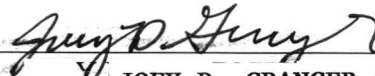
AYE: Chair Mark Nelson
AYE: Marilyn Crittenden
AYE: Kendall Crittenden
AYE: Steve Farrell
AYE: Jeff Wade
AYE: Spencer Park

NAY: None.

Meeting adjourned at 6:30 p.m.



MARK NELSON/CHAIRMAN



JOEY D. GRANGER CLERK/AUDITOR