

**MINUTES OF THE
WASATCH COUNTY COUNCIL
FEBRUARY 3, 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
Steve Farrell
Danny Goode
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, the Assistant Wasatch County Manager
Doug Smith, the Wasatch County Planner
Austin Corry, the Assistant Wasatch County Planner
Randall Probst, the Wasatch County Health Director
Rick Tatton, Court Reporter

PRAYER: Councilman Jeff Wade

PLEDGE OF ALLEGIANCE: Led by Councilman Steve Farrell and repeated by everyone

Chair Mark Nelson then called the meeting to order at 3:00 p.m. and indicated that all of the Wasatch County Council are present 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 were any legislative issues for future meetings and there was none.

ADMINISTRATIVE ISSUES FOR FUTURE MEETINGS

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

PUBLIC COMMENT

Chair Mark Nelson asked if there were any public comment that needed to be put into the record.

Dustin Grabau, the Assistant Wasatch County Manager, indicated that this is an e-mail from Nelda McAllister and she writes: "Hello my name is Nelda McAllister and a member of the newly created group called Healing Wasatch. Our purpose is to unite and heal the community of Wasatch County. We have been reflecting on the best ways to bring peace to our beautiful valley and have decided to honor the National Random Acts of Kindness Day February 17, by celebrating it in our County. I have attached our flyer with the information on it which we would love to have you all share in your Council or anywhere you deem appropriate. Wasatch Wave has kindly offered to post an ad about it in the paper. There are so many ways to do random acts of kindness such as paying for someone behind you at the drive through, leaving a positive review of local business, adding an extra tip for a server, leaving a happy note on someone's windshield, etc. We hope this can be a happy and positive day for our valley. Looking forward to doing many of these things as we believe kindness is highly in need, especially this year. So feel free to reach out to with any questions or visit our website as well. Cheers. Nelda McAllister."

Councilman Danny Goode indicated that this was sent to Heber City and Midway. Chair Mark Nelson indicated that this can be shared in our own social individual media as well in our circles of influence. We can bring that up again in our regular Council Meeting and will try and promote that.

APPROVAL OF THE MINUTES FOR JANUARY 20, 2021 MEETING

Councilwoman Marilyn Crittenden made a motion that we approve those minutes of January 20, 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: Danny Goode
AYE: Steve Farrell
AYE: Jeff Wade
AYE: Spencer Park

NAY: None.

Councilman Spencer Park made a motion to leave our regular Council Agenda and go into SSA #1. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

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

NAY: None.

SSA #1

DISCUSSION/APPROVAL OF WARRANTS

Ben Probst, the Financial Clerk, addressed the Governing Board of the SSA #1 and then showed the Governing Board the list of warrants on the screen and indicated that the largest one is a payment to the Central Utah Water which is \$1,032, 000.00 and is about a \$50,000 increase to pay for the maintenance and repair and annual increases. Ben Probst indicated that we had budgeted about \$980, 00.00 so that may need to be amended in our budget to be in compliance. Board Member Steve Farrell indicated that a corresponding increase with our bills to reflect that from the water users. Ben Probst also indicated that we have enough money to cover that increase and will be sending out bills to our irrigation companies with that increase reflected. The rest of the warrants are to the Jordanelle Special Service District for shared employee Wasatch County for overhead management. The total warrants are for \$1,036,110. 18.

Board Member Kendall Crittenden made a motion that we approve the warrant list for SSA #1 in the amount of \$1,036,110.18. Board Member Steve Farrell Spencer Park seconded the motion and the motion carries with the following vote:

AYE: Board Member Mark Nelson
AYE: Board Member Marilyn Crittenden

**AYE: Board Member Kendall Crittenden
AYE: Board Member Danny Goode
AYE: Board Member Steve Farrell
AYE: Board Member Jeff Wade
AYE: Board Member Spencer Park**

NAY: None.

Board Member Marilyn Crittenden made a motion to leave the SSA #1 and go back into the regular Wasatch County Council agenda. Board Member Spencer Park seconded the motion and the motion carries with the following vote:

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

NAY: None.

COUNCIL

WASATCH COUNTY HEALTH DEPARTMENT UPDATE

Randall Probst, the Wasatch County Health Department Director, addressed the Wasatch County Council and indicated that the last few days the numbers are trending in the right direction. The number of tests have been dropping a little bit. The vaccination clinic is going very well. Right now we are vaccinating anyone over seventy years old and older and that is under the order of priority, also long term centers and first responders. Also we are getting the vaccines out timely and when the vaccine is received it has gone out by the end of the week consistently. Also the second doses are also being received by the individuals needing that. We have many volunteers making this flow work and are still receiving new volunteers each week. The volunteers check on people who have received the vaccination to see if they get a reaction to the vaccine. Medical people who are licensed who volunteer also help with giving the vaccinations. Randall Probst also indicated that when the ages drop to receive the vaccinations that is made by the Governor so it can be state wide. Possibly by the end of this month those changes can be implemented. That also depends on the vaccine that is available. If events be able to be held this summer is a crystal ball question and don't have a good answer. Possibly by the end of May more vaccine will become available because other producers of the vaccine will come on line. Hopefully by the end of the summer there will be enough vaccine for everybody. The goal for full immunity is to get 80% and

will depend on the test rate in an area and many have said if we can get to a 70% many things will change. Also with regard to the school districts there have been some growth of cases in a couple of the schools. We have almost vaccinated all of the ones that are actively working with students which is about a 75% vaccination rate among the teachers and staff. Possibly those thresholds will be adjusted state wide as more people get vaccinated and the data will support. Also Wasatch County is still under the state order on the transmission index and Wasatch County is still high on the transmission index according to the state criteria which guides what the restriction levels are. We are certainly trending in the right direction. Just remember wash your hands, wear the masks, practice safe distancing and stay home if you are sick.

DISCUSSION ON AFFORDABLE HOUSING PLANS

Councilman Kendall Crittenden indicated that in the Interlocal meeting last week and there was a good discussion on affordable housing. Councilman Kendall Crittenden then put on the screen a report that was done by Shawn Seager from MAG and then referred to some points in his power point. Councilman Kendall Crittenden then indicated that Shawn Seager indicated that the need in Wasatch County is to build 102 affordable rental units a year. Also build 141 affordable owner-occupied units, reorganize existing housing authority. The approach to the problem is have a vision for a 20 year plan and a 5 year program capital improvement plan. The capacity for this be handled by hiring a specialized senior level staff to reorganize and manage. Also a nexus study was done which determines what the fee-in-lieu should be and it certainly needs to be raised from the \$28,000.00 which it is right now.

Councilman Kendall Crittenden then went through a detailed history of the Housing authority, its make up of members, etc. Also for the affordable housing to work well all the entities need to be involved and have their same affordable housing plan. In the past the majority of affordable housing has been built in Heber City. Heber City has contributed some inventory and the majority of the fee-in-lieu money that we have used over the years has come from projects in Wasatch County. That money has been used for down payment assistant loans and other projects such as Prestige One and Prestige Two. Possibly a little different board structure could be looked at and possibly hire staff and reorganize. The big issue for a staff would be the cost and where to house the housing authority like an office.

Councilman Kendall Crittenden then indicated that some of the MAG recommendations are:

1. Reorganize housing authority, cities and county take control.
2. Hire full time specialized senior staff like a planning director.
3. Leverage local funds with state and federal funds to build more private tax credit/public ownership units like Prestige 1 and Prestige 2 but don't limit design.
4. Bond and build housing authority rental units, use rent to retire debt.
5. Require land from new annexations and grant density on existing to get new land free, land is key to keeping housing authority rents low.
6. Don't give dollars away to rental and housing assistance. Leverage our dollars into our rentals.
7. Require affordable housing as part of any new development.

8. Consider new revenue sources TRT, resort, rental car tax statewide quality of life is driving the economics.
9. Allow accessory dwelling units and there are bills right now in the legislature concerning this subject.

Tracy Taylor, concerned resident, addressed the Wasatch County Council and indicated that to raise the fee-in-lieu should be uniform throughout the whole county. Also looking into all the developers building their units. Also there are experts with regard to this subject that could be utilized to help solve the affordable housing issue. Also when the market times are down property could be purchased at a lower rate than looking at this problem when the market times are good and the property costs more. We also need to keep the pool of property in our jurisdiction.

Council Comments:

Mike Davis, the Wasatch County Manager, indicated that when dollars are used to work with existing housing in assistance and rentals, etc., you are not increasing those numbers then and you are keeping that growth rate lower. Also to increase 200 units per year there will be an increase in taxes to support that type of growth which is a significant growth.

Councilwoman Marilyn Crittenden indicated that the impact that one thing does the effect of the entire county can be substantial. Such things could increase our population to a point that we would not be solving our problem alone. We would be solving other community problems. This topic needs to be balanced properly because there are no quick and fast solutions to this.

Chair Mark Nelson indicated that what Shawn Seager indicated in this power point is that a good fit for Wasatch County? Councilman Kendall Crittenden indicated that some of it is like the fee-in-lieu needs to be raised. Also if the developer puts in the units and affordable housing just needs to keep track of them and watch them and make sure they stay deed restricted.

Councilman Steve Farrell indicated that the Affordable Housing board ought to take this information that Shawn Seager has provided and with your experience what you have seen over the past few years sit down and make us an outline of the direction that you think we ought to be going. Right now we are just going around in circles and not doing anything with the suggestions. Let's get some direction from the experts and then let the councils from the various entities buy into that. There needs to be an outline done by somebody to start it off. We also need a long term plan too.

Doug Smith, the Wasatch County Planner, indicated that we need to have a person on board and to come up with a good person that is motivated and get the job done. You will have to come up with a good scope of what that job description would be. It probably will be multi-jurisdictional and possibly just one person as the director for the whole county. The description of one director needs to be a lot more knowledgeable and savvy than what it was in the past like going out and purchasing property, partner with the developer, and just think outside of the box. It is not just collecting a fee-in-lieu and building housing. It is working and having all kinds of options.

Chair Mark Nelson indicated that is something that we need to do as quickly as we can. Councilwoman Marilyn Crittenden agreed with what was just said. Also don't see a great housing project as being a great answer for this County or the residents of the County really wants either. The director needs to be somebody with great creativity and can listen to all the people in Wasatch County. Also the director could be paid by the fee-in-lieu. Also the fee-in-lieu needs to be raised.

Councilman Kendall Crittenden indicated that he will talk to Shawn Seager and others to see what they did with regard to one director and working up a job description. Park City did that six months ago and will contact them. Also we will need to figure out how to pay for a director such as been described. There is not enough money in the fee-in-lieu to pay for the director over a long period.

DISCUSSION/CONSIDERATION TOURISM OFFICE PRESENT MARKETING GRANT FUNDING APPLICATIONS.

Jessica Broadhead, from the Tourism Office, addressed the Wasatch County Council and presented a power point presentation and then indicated that every year our office has allocated \$50,000 to use for these marketing grants for an event organizer. In 2021 the board had \$80,000 because we ended up having \$30,000 roll over from 2020 that went unused because of the cancellation of events and things like that. This year there were sixteen applicants asking for a total of \$85,900 and we were able to award single applicant. Jessica then put the applicants on the screen. This was done with a scoring sheet. Each event was based on certain criteria. We took the amount that they were asking for and started with a base percentage. When this was done it brought us to \$72,600 and we had some money remaining. Then it was sorted by the highest scores down to the lowest score and started fully funding all of the high score events. Then we looked at if certain events needed more money and again looked at the scores and ones have more likelihood of bringing people here to spend the night and funds were kind of allocated that way just to round up to get to the full \$80,000 allocated. That made it possible that everybody almost got everything that they were asking for and a couple didn't get what they fully asked for because they didn't have the potential to bring the people in to stay overnight that the other events had. The money is to be used for marketing and a match grant. The applicants have to show that they are marketing for people outside of Wasatch County so the potential is for them to stay overnight and spend more money while they are here. The applicants have to prove that they spent this money with receipts and also show a report saying how many people attended, what the estimated overnight stays were, etc. The board then looks at these things before the grants are funded.

Chair Mark Nelson indicated that it seems to him that the applications were under subscribed a bit do you think that they were. Where everyone got what they asked for maybe the amount was a little too high or promoting of it wasn't good enough or there aren't that many events going on.

Jessica Broadhead indicated that we could always do a better job about pushing this out there to get new events to come to Heber Valley and working on that with the Wasatch County Event Center and the rec center. There is always a possibility that the events do get cancelled.

Councilman Steve Farrell indicated that this is a much better way than we used to do this. We

request some criteria and requirements before they didn't have to prove anything other than I want the event and want this much money. Jessica and the group has put together some criteria and a way of determining the benefit and put some real direction into this program so it is very good.

Councilman Steve Farrell made a motion that we approve the allocation of the funds as outlined. Councilman Danny Goode seconded the motion and the motion carries with the following electronic vote:

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

NAY: None.

COUNCIL/BOARD REPORTS

Councilman Steve Farrell indicated that we need to set up an appointment with Deer Cove to have an informational meeting with two or three Councilman at a time. Deer Cove is looking at applying for some grants to help with some transportation. Doug Smith indicated that they don't want to go public with this yet. The intent is to have a Zoom meeting with three members of the Council. Councilwoman Marilyn Crittenden said she could meet with them. Councilman Kendall Crittenden indicated that he is okay with that too. We will have Natalie from the Wasatch County Manager's Office to set that up.

Councilman Steve Farrell indicated that to see if the Council would consider putting a discussion on the Blue Sage development on a work meeting for next week because they have run into some problems regarding the RA-1 Zoning as well as Mountain Zoning. One of the areas where they want to put the lots is in the Mountain Zone and need to have some recommendations from the Council on how we want them to proceed. Is that possible? The Council indicated that they are okay with that and will work it in the work meeting and the other matters scheduled for that February work meeting.

Councilman Steve Farrell indicated that he received an e-mail from a resident regarding changing the time for meeting to a later time in the afternoon so that the working public could be involved. Chair Mark Nelson indicated that it would need to stay at 3:00 p.m. because of all of the staff that is required to support a County Council meeting. A short discussion took place and the Council asked Dustin Grabau and Mike Davis from the County Manager's Office to check with other counties to see how their Councils are doing that.

Councilman Kendall Crittenden indicated that the CCC meeting the other day the Community Caring Coalition and wants to compliment Tom Bonner from the Parks and Recreation Department his willingness to help with alcohol and drug and tobacco use. Tom Bonner is working on setting up a mentor program at the skate park because there are issues there with the crowds and environment to help deal with some of those issues.

Councilman Kendall Crittenden indicated that a grant was applied for a grant that has to do with suicide and mental wellness and stuff. We are looking at setting aside May as Mental Health Month which has been done every year for the last three or four years. There are some pretty high powered presenters coming in. There is a young man coming that tried to commit suicide by jumping off the Golden Gate Bridge and was one of the few that survived and has a pretty interesting story. Also will present that Resolution for passage dedicating May as Mental Health Month in the April 21, 2021 so that can be in place. By doing this it supports the Mental Health Department and programs that are going on in Wasatch County.

Councilwoman Marilyn Crittenden indicated that the trail that is going to be built from Vivian Park up to Deer Creek, have we decided who is going to maintain that, because when that trail is built it will be turned over to Wasatch County and which department will take care of that? We need to be prepared as quickly as we can so an organization can take place and also with funding. Also we need to make sure that it is powder coated so that the maintenance is just cut down right from the beginning so that oversight in the beginning is important.

Mike Davis, the Wasatch County Manager, indicated that currently the other part of the trail that goes from Deer Creek Dam up to Soldier Hollow is maintained by the Park and Recreation Department. Chair Mark Nelson indicated that when this part of the trail is built it will put a whole lot of pressure on the upper part of the trail that Wasatch County is currently maintaining. That trail from Deer Creek Reservoir to Soldier Hollow needs some pretty earnest, heavy maintenance work and a discussion should take place with several jurisdictions about upgrades to that trail which will cost some money. When the trail segment below the dam is connected with the trail above the dam the use is really going to increase and more parking will probably be needed as well as other things.

Councilman Steve Farrell indicated that he will put the issue on the public lands agenda. The issue needs to be put out to the various departments because they will be a big problem. Chair Mark Nelson indicated that Midway City has a plan to put a trail head right on Highway 113 on the east side of Highway 113 in that big field there. The owner has given them permission to build a trail head there. The Heber Valley Railroad hopes they can also build a whistle stop there and parking will be right there. That whole segment will be real interesting in about five years. Also there is a meeting taking place between MAG, Doug Smith, and the Railroad and there were several other parties also have started to meet to talk about that segment of the trail as well as grades that might be required to the dirt part of Soldier Hollow which is going on right now. Mike Davis indicated that we need to have these conversations and think it is a well-timed request. Doug Smith indicated that if the trails are built right they take a little bit of maintenance.

side of Highway 113 in that big field there. The owner has given them permission to build a trail head there. The Heber Valley Railroad hopes they can also built a whistle stop there and parking will be right there. That whole segment will be real interesting in about five years. Also there is a meeting taking place between MAG, Doug Smith, and the Railroad and there were several other parties also have started to meet to talk about that segment of the trail as well as grades that might be required to the dirt part of Soldier Hollow which is going on right now. Mike Davis indicated that we need to have these conversations and think it is a well-timed request. Doug Smith indicated that if the trails are built right they take a little bit of maintenance.

MANAGER'S REPORT

CONSIDERATION OF RE-APPOINTMENT TO TIMBER LAKES SPECIAL SERVICE DISTRICT BOARD.

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that there is a reconsideration of a reappointment to the Timber Lakes Special Service Board. **Reg** Andersen has reapplied and my recommendation is to reappoint him to that Board.

Councilman Steve Farrell made that we go with the County Manager's recommendation and reappoint **Reg Andersen to the Timber Lakes Board as a full time member. Councilman Danny Goode seconded the motion and the motion carries with the following electronic vote:**

AYE: Spencer Park

AYE: Jeff Wade

AYE: Steve Farrell

AYE: Danny Goode

AYE: Kendall Crittenden

AYE: Marilyn Crittenden

AYE: Chair Mark Nelson

NAY: None.

UTAH STATE UNIVERSITY SELECTING A COUNTY AGENT FOR WASATCH COUNTY

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that Alan Sulser, the present County Agent will be retiring in March so there needs to be another County Agent for Wasatch County appointed. Mike Davis indicated that he has been invited to be part of the process once some initial vetting of applicants and so forth. We need to have a couple of Council Members involved in that. The County Agent takes care of horticulture, pasture, livestock, agriculture, with any type of questions that might arise. Also runs the 4-H program for kids and the fair. Programs to provide informational subjects could be put in place that are available

LEGISLATURE UPDATE

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that the lobbyist has been working great. The main bills that Wasatch County is working on one is House Bill 82, the accessory dwelling matter, House Bill 273 which is similar to that but a much more strict that took away all the land use authority away from any cities and counties with respect to accessory dwellings and saying that an accessory dwelling is a dwelling in an existing house. Has to be within the walls of an existing dwelling. Senate Bill 44 was run on the transient room tax which gave us a concern that it was not according to federal law and that is being held right now. House Bill 98 which deals with building inspectors which deals with anyone can go out and hire a building inspector because of time constraints. Senate Bill 65 that addresses redevelopment agencies and making a redevelopment agency permanent and could affect MIDA. Also there are some agricultural bills and still discussion with zoning with agriculture. Mike Davis indicated that he will send to each of the Council an update and brief summary of the main bills that are being watched which are mainly twelve or so that affect Wasatch County.

CLOSED SESSION

The Wasatch County Council indicated that there is no need for a closed session this evening.

Councilman Kendall Crittenden made a motion to continue this meeting until 6:00 p.m. when we will hear the public hearing. Councilman Danny Goode 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.

Chair Mark Nelson indicated that the record should show that we are back in session to hear our Public Hearing and the time is 6:00 p.m. The record should further reflect that all the Council are present with the exception of Councilman Danny Goode and Councilman Spencer Park who are excused.

**PUBLIC HEARING
FEBRUARY 3, 2021**

**JAS REALTY LIMITED PARTNERSHIP GIMBEL JSPA PLAN BOOK AMENDMENT
AND MASTER PLAN.**

Austin Corry, the Assistant Wasatch County Planner, addressed the Wasatch County Council and indicated that the Gimbel property in the JSPA has requested a Zone Map Amendment and a Master Plan and Density Determination. The item has been forwarded by the JSPA Planning Commission. However, due to the legislative nature of the Zone Map Amendment, it has been determined that the project should also go through the County wide Planning Commission for a recommendation prior to Council action. A meeting has been scheduled for February 11, 2021 to be heard by the County-wide Planning Commission. Therefore, the original advertising for the February 3, 2021 Council hearing is premature. This item has been rescheduled for the February 17, 2021 Council agenda

Councilman Kendall Crittenden made a motion that we continue this public hearing item the Master Plan request for JSA Realty Limited Partnership to the February 17, 2021 Council 6:00 p.m. agenda. 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**

NAY: None.

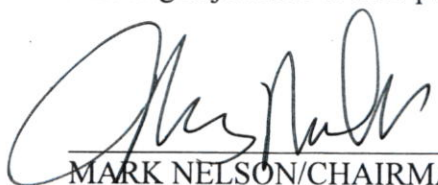
ADJOURNMENT

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

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

NAY: None.

Meeting adjourned at 6:30 p.m.


MARK NELSON/CHAIRMAN


JOEY D. GRANGER CLERK/AUDITOR

The seal is circular with a double-lined border. The outer ring contains the text "STATE OF UTAH" at the top and "WASATCH COUNTY" at the bottom. The inner circle contains the word "COUNTY" at the top and "CLERK" at the bottom, separated by a horizontal line with a central dot.