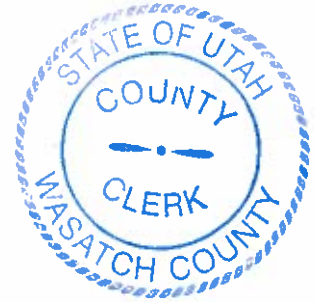


# Wasatch County's Official



## Proposition Information Pamphlet

*For the referendum that has been filed challenging Wasatch County Ordinance 23-16: Enacting the Adoption of a Development Agreement for the Heber Valley, Utah Temple Project.*

**NOTE: This Proposition Information Pamphlet contains information to help you, the voter, make a decision on the referendum petition challenging Wasatch County Ordinance 23-16: Enacting the Adoption of a Development Agreement for the Heber Valley, Utah Temple Project.**

### What's In This Pamphlet?

- *Referendum Application*
- *County's argument against the referendum*
- *Initial Fiscal & Legal Impact Statement*

More information on the referendum may be found on the Wasatch County Clerk's website: <https://wasatch.utah.gov/Clerk>.

November 15, 2023

To: Joey Granger  
Wasatch County Clerk/Auditor  
25 N Main St., Heber City, UT 84032  
Phone: (435) 657-3190  
JGranger@wasatch.utah.gov

NOV 15 2023 8:10 AM  
CLERK

Subject: Referendum Application regarding Ordinance 23-16, an Ordinance Enacting the Adoption of a Development Agreement for the Heber Valley, Utah, Temple Project

We, the undersigned residents of Wasatch County, respectfully submit this cover letter and following documents as our Referendum Application for the subject Ordinance which was voted on by the Wasatch County Council on November 8, 2023, and is attached.

We, the sponsors, are Wasatch County residents and are registered to vote, and have voted in an election in Utah within the last three years. Our names, addresses and notarized signatures are attached.

Once this Application is accepted, people gathering signatures for the Referendum petition will not be paid. Their efforts will be on a volunteer basis.

If you have any questions, please contact Lisa Bahash.

Sincerely,

Lisa Jane Bahash  
Julie Lynn Levinson  
Laurie K. Brown  
Michael D. Brown  
David Misiak  
John Rogers  
Marilyn Schlopy  
Bruce Quade

Attachment(s)

- Sponsor Statements and Notarized Signatures
- Copy of Ordinance 23-16

**Application for an Initiative or Referendum**  
Utah Code § 20A-7-202

Name of Organization

**Sponsor Statement**

I, LISA JANE BALASH affirm that I am a registered to vote in Utah  
Name of Sponsor (please type or print)

1857 L. KINGS PARK CIR  
Residence Address

[Signature]  
Sponsor's Signature

Heber City, UT 84032  
City, State, Zip

734-634-0736  
Phone Number

Notary Seal

ljbalash@gmail.com  
Email

Subscribed and affirmed before me this 14 day of November 2023

by

Kelly Fuenmayor  
Notary Public



Application for an Initiative or Referendum  
Utah Code § 20A-7-202

Name of Organization

Sponsor Statement

I, Julie Lynn Levinson affirm that I am a registered to vote in Utah  
Name of Sponsor (please type or print)

2778 E Boulter Loop  
Residence Address

[Signature]  
Sponsor's Signature

Heber City UT 84032  
City, State, Zip

562 212 8716  
Phone Number

Notary Seal

JulieLevinson@gmail.com  
Email

Subscribed and affirmed before me this 15 day of November 20 23

by Julie Lynn Levinson

[Signature]  
Notary Public



JULIE C GILES  
Notary Public  
State Of Utah  
My Commission Expires 11-22-2026  
COMMISSION NO. 728066

Application for an Initiative or Referendum  
Utah Code § 20A-7-202

Name of Organization

Sponsor Statement

I, Laurie K. Brown affirm that I am a registered to vote in Utah  
Name of Sponsor (please type or print)

286 N. Kings Peak Court  
Residence Address

Laurie Brown  
Sponsor's Signature

Heber, UT 84032  
City, State, Zip

801-580-4484  
Phone Number

Notary Seal

Laurie.K.brown@icloud.com  
Email

Subscribed and affirmed before me this 14 day of November 2023.

by

Julie C Giles  
Notary Public



JULIE C GILES  
Notary Public  
State Of Utah

My Commission Expires 11-22-2028  
COMMISSION NO. 728066

# Application for an Initiative or Referendum

Utah Code § 20A-7-202

Name of Organization

## Sponsor Statement

I, Michael D. Brown affirm that I am a registered to vote in Utah  
Name of Sponsor (please type or print)

286 N. Kings Peak Court  
Residence Address

[Signature]  
Sponsor's Signature

Heber, UT 84032  
City, State, Zip

801-815-9454  
Phone Number

Notary Seal

mbrown3603@gmail.com  
Email

Subscribed and affirmed before me this 14 day of November 2023.

by

[Signature]  
Notary Public



**JULIE C GILES**  
Notary Public  
State Of Utah  
My Commission Expires 11-22-2026  
COMMISSION NO. 728066

**Application for an Initiative or Referendum**  
Utah Code § 20A-7-202

Name of Organization

**Sponsor Statement**

I, DAVID MISIAK affirm that I am a registered to vote in Utah  
Name of Sponsor (please type or print)

1357 N. Gold Mountain Cir [Signature]  
Residence Address Sponsor's Signature

Heber City UT 84032 9083768596  
City, State, Zip Phone Number

dkmisiak@aol.com  
Email

Subscribed and affirmed before me this 14 day of November 2023

by Kelly Fuenmayor - [Signature]  
Notary Public

Notary Seal



Application for an Initiative or Referendum  
Utah Code § 20A-7-202

Name of Organization

Sponsor Statement

I, JOHN ROGERS affirm that I am a registered to vote in Utah  
Name of Sponsor (please type or print)

1860 E. KINGS PEAK CT.  
Residence Address



Sponsor's Signature

HEBER CITY, UT 84032 509 999-4794  
City, State, Zip Phone Number

Notary Seal

jrogers1517@gmail.com  
Email

Subscribed and affirmed before me this 13 day of November 2023

by

Kelly Fuenmayor  
Notary Public



# Application for an Initiative or Referendum

Utah Code § 20A-7-202

Name of Organization

## Sponsor Statement

I, Marilyn Clausen Schlapy affirm that I am a registered to vote in Utah  
Name of Sponsor (please type or print)

362 N. Ibis Lake Road Drive  
Residence Address

Marilyn Clausen Schlapy  
Sponsor's Signature

Heber City, UT 84032 435.640.9114  
City, State, Zip Phone Number

Notary Seal

marny@schlapy.com  
Email

Subscribed and affirmed before me this 15 day of Nov 2023

by

Bobbi Joan Wilkerson  
Notary Public



**Application for an Initiative or Referendum**  
Utah Code § 20A-7-202

Name of Organization

**Sponsor Statement**

I, Bruce Goad \_\_\_\_\_ affirm that I am a registered to vote in Utah  
Name of Sponsor (please type or print)

1881 E Kings Peak Cir \_\_\_\_\_  
Residence Address Sponsor's Signature

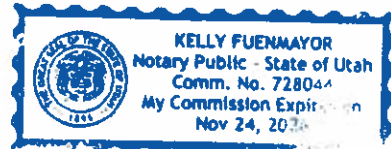
Heber City Utah 84032 847-778-4918  
City, State, Zip Phone Number

bruce.goad@protonmail.com  
Email

Subscribed and affirmed before me this 17 day of November 2023

by Kelly Fuenmayor \_\_\_\_\_  
Notary Public

Notary Seal



Wasatch County asks you to NOT sign this referendum. The Heber Valley Temple's approval received overwhelming public support. The Wasatch County Council unanimously voted to approve the project. Multiple public hearings and meetings were held considering every aspect of the project, which has been thoroughly vetted by many experts in a variety of fields. A referendum on this approval could result in unnecessary delays to a project that has already gone through a rigorous public approval process. The project was discussed in four public meetings starting in June 2023, and culminated in an approval months later in October, 2023. The council read and heard hundreds of public comments before making its decision.

As a place of worship, this project qualifies for federal and state protections for religious exercise. Wasatch County's strong desire to balance property rights of the neighbors, property rights of the applicant, and religious freedom resulted in an approval process that allowed the County to raise issues and address them in a manner that has been mutually agreeable to the county and the applicant. Some public comments against the project urged the County to infringe on religious freedom of expression and would have negatively impacted the functionality of the Heber Valley Temple.

All of the following issues (and many more) have been considered and addressed to the satisfaction of every official institution and expert involved in the approval of the project:

- Aggressive lighting protections resulting in innovative solutions and one of the most dark-sky compliant temples in the world that is also consistent with County standards.
- Water resources will be utilized in a prudent and lawful manner with little to no impact on wells or flooding.
- Traffic analysis for Center Street approved by Heber City and traffic consultants.
- Building heights mitigated by setbacks much greater than required for other projects in Wasatch County.

The Council found that the project would enhance the quality of life in Wasatch County. The approval requires abundant landscaping, architectural features, trails, and is more rigorous on design materials than other projects approved by the County. A temple is allowed in the zone, but unique aspects of the project, such as unusual parking needs, and not requiring a road between the temple and its parking lot to promote safety, led the council to approve the project legislatively.

Wasatch County stands by the approval process for the Heber Valley Temple project, and maintains that the project, as approved, will promote the general welfare.

Wasatch County  
Clerk/Auditor  
Joey Granger



**Fiscal and Legal Impact Statement**

**for**

**Application for Referendum of Wasatch County Ordinance 23-16: Enacting the Adoption of a Development Agreement for the Heber Valley, Utah Temple Project**

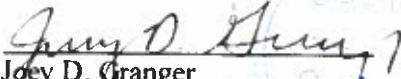
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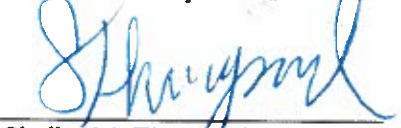
December 5, 2023

Pursuant to Utah Code §20A-7-602.5(2), the Clerk and legal counsel estimate the referendum could have the following fiscal and legal impacts:

1. No significant fiscal impact and no significant increase or decrease in taxes or debts.
2. Significant effects on a person's vested property rights:
  - a. Ordinance 23-16 adopted a development agreement. A subdivision plat and site plan were also approved. The plat and site plan aren't subject to referendum. Repealing the agreement would significantly impact owner's vested rights in the plat and site plan.
3. Significant effect on other laws and significant legal liability:
  - a. Owner is a religious institution with Religious Land Use and Institutionalized Persons Act protections. Repealing Ordinance 23-16 may infringe on these protections and may result in litigation.

Dated this 5<sup>th</sup> Day of December, 2023

  
Joey D. Granger  
Wasatch County Clerk/Auditor

  
Shelby M. Thurgood  
Wasatch Deputy County Attorney