

**MINUTES OF THE
SPECIAL WASATCH COUNTY COUNCIL MEETING
JULY 13, 2016**

The Wasatch County Council met in regular session at 4:00 p.m. at the Wasatch County Administration Building, Heber City, Utah and the following business was transacted.

PRESENT: Chair Kendall Crittenden
Danny Goode
Steve Farrell
Kipp Bangerter
Mike Kohler

EXCUSED: Councilman Greg McPhie
Councilman Mike Petersen

OTHERS PRESENT: On list attached to a supplemental file

PRAYER: Chair Kendall Crittenden
PLEDGE OF ALLEGIANCE: Led by Councilman Kipp Bangerter

Chair Kendall Crittenden called the meeting to order at 4:00 p.m. and indicated that Councilman Greg McPhie and Councilman Mike Petersen are excused. Councilman Danny Goode will be a few minutes late.

OPEN AND PUBLIC MEETING AFFIDAVIT

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

PUBLIC ISSUES FOR FUTURE MEETINGS

Chair Kendall Crittenden asked if there were any public issues that need to be discussed at a future meeting and there was none.

ADMINISTRATIVE ITEMS FOR FUTURE AGENDAS

Chair Kendall Crittenden asked if there were any administrative items for future agendas and there was none.

LEGISLATIVE ITEMS FOR FUTURE AGENDAS

Chair Kendall Crittenden asked if there were any legislative items for future agendas and there was none.

Councilman Steve Farrell made a motion to leave our regular council agenda and go into the Jordanelle Special Service District. Councilman Kipp Bangerter seconded the motion and the motion carries with the following vote:

**AYE: Steve Farrell
AYE: Kendall Crittenden
AYE: Kipp Bangerter
AYE: Mike Kohler**

NAY: None.

**MINUTES OF THE WASATCH COUNTY COUNCIL
ACTING AS THE GOVERNING BOARD OF THE
TWIN CREEKS SPECIAL SERVICE DISTRICT.
JULY 13, 2016**

Board Chair Mike Kohler called the meeting to order at 4:30 p.m. And welcomed those present and indicated that Board Member Greg McPhie and Board Member Mike Petersen are excused and Councilman Danny Goode has not arrived yet and proceeded to call the first agenda item.

PRESENT: Board Member Kendall Crittenden
 Board Member Kipp Bangerter
 Board Chair Mike Kohler
 Board Member Steve Farrell

EXCUSED: Board Member Greg McPhie
 Board Member Mike Petersen

OTHERS PRESENT: Rick Tatton, doing minutes
 Theresa Baronek-Secretary
 Ron Phillips, General Manager

UCANOGOS DEVELOPMENT AGREEMENT

Ron Phillips, the General Manager, addressed the Governing Board of the Twin Creeks Special Service District and indicated that last Thursday there was the Ucanogos Development Agreement for Phases 2 through 5 and there was a question about the water rights number. Ron also indicated that after working with Board Member Steve Farrell the number that was determined was 68.84 acre feet total for the development rather than the 73 point something whatever it was prior and would recommend that this development agreement be approved.

Board Member Steve Farrell made the motion that we approve the Ucanogos Development Agreement. Board Member Kipp Bangerter seconded the motion and the motion carries with the following vote:

**AYE: Board Member Kipp Bangerter
AYE: Board Member Steve Farrell
AYE: Board Member Kendall Crittenden
AYE: Board Chair Mike Kohler**

NAY: None.
OTHER BUSINESS

Ron Phillips, the General Manager, indicated that there is no other business.

Board Member Kipp Bangerter made a motion to leave the Governing Board of the Twin Creeks Special Service District and go back into the Regular Wasatch County Council Agenda. Board Member Kendall Crittenden seconded the motion and the motion carries with the following vote:

AYE: Board Member Kendall Crittenden

AYE: Board Member Steve Farrell

AYE: Board Member Kipp Bangerter

AYE: Board Chair Mike Kohler

NAY: None.

**CONTINUATION OF THE WASATCH COUNTY COUNCIL MEETINGS
JULY 13, 2016**

PRESENT ELECTION RESULTS-BRENT TITCOMB

Brent Titcomb, Wasatch County Clerk/Auditor, addressed the Wasatch County Council and indicated that he needs to get the Councilmen's signatures on the canvas report. The count was finished on July 7, 2016 and yesterday was the real canvas and the matter just needs to be finished today. Councilman Farrell indicated that as preparations proceed for the general election, he thought that the vote by open mail worked well but there are still people that would like to come to a polling place to vote. Brent Titcomb indicated that possibly it could be advertised that there would be voting machines here in this Wasatch County Administration Building so that there wouldn't be these mobile devices throughout the County so that people who wanted to vote that way could be accommodated. The time period for those machines to be available would be the same period of time as the early voting was. Brent also indicated that things would have to be double checked so that people didn't vote at the polling machines and also vote by sending in their ballot.

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

**DISCUSSION AND POSSIBLE ACTION ON THE MEMORANDUM OF
UNDERSTANDING FOR THE WALLSBURG WATER STUDY
BEING PERFORMED BY THE UTAH GEOLOGICAL SURVEY.**

Doug Smith, the Wasatch County Planner, addressed the Wasatch County Council and indicated that Scott Sweat, the Wasatch County Attorney, read through the Memorandum of Understanding and felt like the technical aspects of the water he wasn't capable of reviewing. Councilman Steve

Farrell indicated in his opinion the assistance would be people that have got a well that has been grandfathered in that wouldn't be recorded with the State Engineer that we want to identify. Also the only way to identify these would be that people would bring them to our attention the ones with a water right number and then try and identify those water wells that don't have a water right number or those that are not on record.

Boyd Whiting, Wallsburg resident, addressed the Wasatch County Council and indicated that with regard to identifying wells, Wallsburg City could identify who has a city water hook-up and anybody else that would live in Wallsburg is on a well just a process of elimination.

Chair Kendall Crittenden indicated that with regard to the payment of the money for the study is covered in this Memorandum of Understanding. Doug Smith also indicated that he doesn't feel that there is a problem the way it is worded in this Memorandum of Understanding with regard to the payment of funds.

Councilman Kipp Bangerter indicated that he hasn't had time to fully look at the Memorandum of Understanding because he didn't receive it. The Wasatch County Council indicated that they would like more time so the matter will be put on the agenda for the next week's Wasatch County Council's agenda for action.

**DISCUSSION AND POSSIBLE ACTION REGARDING
THE MORATORIUM IN THE WALLSBURG
PLANNING AREA ON LARGE SCALE DEVELOPMENTS.**

Doug Smith, the Wasatch County Planner, addressed the Wasatch County Council and indicated that when an advisory committee was set up in Wallsburg a six month moratorium declared for large scale developments in the Wallsburg area and obviously it has gone past those six months so that either has to be extended or say it is over. Also if it is over then we need to move forward with the Planning Commission and get something on the the Planning Commission's agenda and discuss the recommendations of the advisory committee and then have something presented to the Wasatch County Council for consideration. Councilman Steve Farrell indicated that the General Plan discussion and modifications could move forward but approve a project until we see what the water study looks like, no projects should be approved. Doug Smith indicated that the water study won't be done until next June, 2017.

Councilman Steve Farrell made a motion that we extend the moratorium on large scale subdivisions in the Wallsburg area for an additional six months while we gather additional information and review the General Plan. Councilman Mike Kohler seconded the motion and the motion carries with the following vote:

**AYE: Councilman Danny Goode
AYE: Councilman Steve Farrell
AYE: Councilman Kipp Bangerter**

AYE: Councilman Mike Kohler
AYE: Chair Kendall Crittenden

NAY: None.

Boyd Whiting, Wallsburg resident representing the City of Wallsburg, addressed the Wasatch County Council and indicated that there have been some things said in meetings that wasn't accurate and would like to counter some of the statements that were made. Boyd also indicated that if the zoning was changed with regard to the 160 acre parcels that action would take place all around Wasatch County. Also there have been hundreds of people speak out in opposition to such action and to keep the zoning as it is. Also this proposal is becoming quite a mess in Wallsburg. Also the Wasatch County Council has to be extremely careful in what action will ultimately be done. Boyd also indicated that Wallsburg is not opposed to some growth in the valley because there has to be some growth or a town will die. Wallsburg General Plan has always been to see development take place from the city out. The developer has indicated that Wallsburg City has no interest in growth is simply false because there is no basis of fact in such a statement. Boyd also indicated that Wallsburg would like to see something develop that suits the nature of Wallsburg, also desire that fits the residents of Wallsburg and the physical limitations of the City of Wallsburg/Round Valley. Boyd also thanked the Wasatch County Council for the consideration and time given to this action that is being proposed.

COUNCIL/BOARD REPORTS

Chair Crittenden indicated that he would like to compliment the Wasatch County Parks and Recreation Department for the great job that was done with the Miss Wasatch Pageant last Saturday. Chair Crittenden indicated that there was a press conference on Tuesday regarding the Latinos in Action group from the Wasatch High School, also the parenting power that works on the alcohol program, also the CC Committee which is the Community Caring Coalition. And what is being done with the Latino Community is working to help educate and get them behind and support teaching the young people the dangers and risks of using alcohol. This program is the first of its kind in the State of Utah and the group is called Parents Empowered and there was a press release held.

MANAGER'S REPORT

DISCUSSION ON EMERGENCY MANAGEMENT COMMITTEE

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that once the new Wasatch County Emergency Manager was obtained that a committee would be This committee would be what controls Wasatch County's emergency management. Jeremy Hales, the Wasatch County Emergency Manager, addressed the Wasatch County Council and

indicated that Mike Davis, the Wasatch County Manager, Todd Bonner, Sheriff of Wasatch County, Ernie Giles, Wasatch County Fire Chief, Clair Provost, EMS Director, Brandon Cluff, Public Works Director, Randall Probst, Wasatch County Health Department Director will make up the Emergency Management Committee which will oversee the decisions made with regard to money, guidance, using resources, etc. Jeremy also indicated that in our counties where they have the Emergency Management Committee there are sub committees from different municipalities involved under the main committee. The Wasatch County Council indicated that what has been suggested is fine with them. Mike Davis then indicated that Jeremy Hales will start to draw up how the organization works and get with Scott Sweat, the Wasatch County Attorney, to make sure that everything is done correctly with the code so it is represented correctly how it will function and will end up being a Resolution that the Wasatch County Council passes.

NON-CONFORMING LOTS IN WASATCH COUNTY

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that he is still getting requests from multiple people about what to do about non-conforming lots and maybe a task force could be established to come up with just a process. Non-Conforming Lots are lots that don't meet zoning requirements. Mike Davis also indicated at the present time Wasatch County doesn't have a process to take care of this matter.

Doug Smith, the Wasatch County Planner, addressed the Wasatch County Council and indicated that there is a process for an applicant to go through to see if it is a lot of record but if it is not a lot of record there is really nothing beyond that unless my decision is appealed. Doug also indicated that the applicant has to prove that the piece of ground was a lot prior to zoning. Doug also indicated that there is no process in place to take care of the issue but has the code and the code is upheld regarding the matter. Doug also indicated that possibly Councilman Steve Farrell, myself, Mike Davis, Wasatch County Attorney Scott Sweat,, Wasatch County Council Chair Kendall Crittenden, and Wasatch County Planning Commission Chair Lew Giles or one of the Planning Commission members could sit down and look at the various options that the Wasatch County Planning Staff has come up with that are out there and bring the matter back to the Wasatch County Council for their consideration. Mike Davis indicated that he would get with Doug Smith and put something together regarding this matter.

UPDATE ON PROPOSED LEGISLATIVE BILL WORKING WITH THE MOUNTAIN ACCORD

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that he was concerned and looked into the proposed bill on how it affected Wasatch County. Mike Davis also indicated that the proponents of the bill assured him that this would not affect Wasatch County.

Councilman Kipp Bangerter made a motion to leave our regular Wasatch County Council agenda and go into closed session. Councilman Danny Goode seconded the motion and the motion carries with the following vote:

AYE: Danny Goode

AYE: Steve Farrell

AYE: Kendall Crittenden

AYE: Kipp Bangerter

AYE: Mike Kohler

NAY: None.