

**MINUTES OF THE  
WASATCH COUNTY COUNCIL  
JUNE 20, 2018**

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 Greg McPhie  
Kendall Crittenden  
Danny Goode  
Mark Nelson  
Spencer Park  
Mike Petersen  
Steve Farrell

OTHERS PRESENT: On list attached to a supplemental file.

PRAYER: Councilman Mark Nelson

PLEDGE OF ALLEGIANCE: Led by Councilman Danny Goode and repeated by everyone.

Chair Greg McPhie called the meeting to order at 4:00 p.m. and then welcomed those present and called the first agenda item.

**OPEN AND PUBLIC MEETING AFFIDAVIT**

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

**PUBLIC ISSUES FOR FUTURE MEETINGS**

Chair Greg McPhie asked if there was any public issues for future meetings. Tim Titus, Wasatch County resident, addressed the Wasatch County Council and indicated that they live in the Eagle View Estates Subdivision which is off of 1200 South between 1200 South and 2400 East. The kids in that subdivision are required to walk to Old Mill Elementary and Timpanogos Middle School and we would like a solution to help get our kids get across 1200 South. There are twelve families that have kids in the neighborhood that attend either one of those schools. Mike Davis, the Wasatch County Manager, indicated that there are plans for that area but still is a couple of years out. We need to look into our engineering and come up with some possibilities that are there. Let's get the engineer's input on the matter and then we can put it on for a discussion or a work meeting.

## **ADMINISTRATIVE ITEMS FOR FUTURE AGENDAS**

Chair Greg McPhie asked if there was any Administrative Items for future Agendas and there was none.

## **LEGISLATIVE ITEMS FOR FUTURE AGENDAS**

Chair Greg McPhie asked if there was any Legislative Items for Future Agendas. Councilman Mike Petersen indicated that last week we had a good discussion on many things and just wanted to apologize to Councilman Mark Nelson that when he had the floor last week and was stating his opinion on something I blurted out a few things which was out of line so I apologize for that. Councilman Mark Nelson accepted the apology and thanked Councilman Mike Petersen.

## **APPROVAL OF THE MINUTES FOR MAY 10, 2018 AND JUNE 6, 2018**

Some of the Wasatch County Council did not get their minutes in their packets so they indicated that probably the approval should be continued to the next Wasatch County Council Agenda on July 11, 2018. **Councilman Kendall Crittenden made a motion to continue the mines for May 20, 2018 and June 6, 2018 until the July 11, 2018 Wasatch County Council Agenda. Councilman Danny Goode seconded the motion and the motion carries with the following vote:**

**AYE: Chair Greg McPhie**

**AYE: Kendall Crittenden**

**AYE: Danny Goode**

**AYE: Mark Nelson**

**AYE; Spencer Park**

**AYE: Mike Petersen**

**AYE: Steve Farrell**

**NAY: None.**

## **COUNCIL**

### **DISCUSSION/CONSIDERATION FOR COWBOY POETRY REQUEST - Councilman Mark Nelson.**

Councilman Mark Nelson indicated that this event is important to Wasatch County and this would be a good time to talk about its future so I have asked people involved with Cowboy Poetry to talk to us about what is taking place with that event for the future.

Mary Kelly, producer of the gathering, addressed the Wasatch County Council and indicated that she and her husband have been associated with this event for the past twenty-four years. Mary indicated that they have an exciting group of entertainers lined up for this year that will cater to the young crowd as well as some that will cater to the older group. Mary also indicated that a new ticketing company has been retained because the old ticketing company had gone out of business. This year we are not giving as much reduction in ticket pricing. There are a lot of sponsorships coming back this year and we lost one of the larger ones which was Zion's Bank. Also advertising is the biggest thing which consists of western magazines, radio, media, internet and \$50,000 spent for advertising in these areas. Also Cowboy Poetry works very hard with the schools.

Ryan Starks, Director of Tourism for Wasatch County, addressed the Wasatch County Council and indicated that let us do Cowboy Poetry for one more year. With regard to economic benefits of Cowboy Poetry last year Cowboy Poetry sold 1,120 hotel room nights and the travel expenses amounted to almost \$1.3 million and when those two are added it amounts to a total benefit of \$1.4 dollars of an impact to Wasatch County. In Wasatch County there is a total of 982 rooms. These are the tangible benefits of Cowboy Poetry.

Ryan Starks then talked about the intangible ripple benefits of Cowboy Poetry and also there are tangible affects associated with Cowboy Poetry.

Tom Fowler, dealing with the financial part of Cowboy Poetry, addressed the Wasatch County Council and indicated that Cowboy Poetry made about \$1591.00 last year. Also to get the type of entertainers that we would like to get is going to cost more money which will hopefully revive this whole Cowboy Poetry Gathering. Tom indicated that this year we are asking for a contribution of \$10,000.00 from Wasatch County as well as that amount from Heber City and Midway City has already contributed their \$10,000.

Mike Davis, the Wasatch County Manager, indicated that Wasatch County has already put \$5,000.00 into the economic development budget and if the Wasatch County Council okays another \$5,000.00 contribution that will be made to the economic development people to be used for the Cowboy Poetry Gathering.

Rick Johnson, out of Wasatch County supporter of Cowboy Poetry addressed the Wasatch County Council and indicated that in his barn right now practicing for this event there are one hundred riders. Rick Johnson indicated that Cowboy Poetry has become one of the biggest event for Cowboy Mounted Shooting in the West. Also about seventy percent of the riders for this event are coming in from others parts of the State of Utah and other areas. The draw for this event is the added money that comes in to the Cowboy Poetry Event.

**Councilman Steve Farrell made a motion that we ask the Wasatch County Manager to look and see where we can come up with an additional \$5,000 because indirectly Wasatch County makes a profit off from this event and get a return. Also give the additional \$5,000 to the economic development and let them earmark the funds for what they will be used for with regard to Cowboy Poetry. Councilman Mark Nelson seconded that motion and the motion carries with the following vote:**

**AYE: Danny Goode  
AYE: Mark Nelson  
AYE: Spencer Park  
AYE: Mike Petersen  
AYE: Steve Farrell  
AYE: Chair Greg McPhie**

**NAY: Kendall Crittenden**

Councilman Mark Nelson also commented that we need a more defined strategy document about how this event is going to evolve because this event is a great fit for Wasatch County because it promotes the western way of life. Also to become more aggressive in the evolution and the business plan.

Councilman Kendall Crittenden indicated that there is a lot of pressure being put on the Wasatch County Council with regard to the double taxation idea. Mike Davis, the Wasatch County Manager, indicated that when these funds are used it would be helpful if they were being earmarked for publicity or things outside of Wasatch County which puts Wasatch County in a better position to utilize those funds.

Councilman Danny Goode agrees with everything that Councilman Mark Nelson has said with regard to the transition from old to new and to have a more strategic plan written out.

**ORDINANCE NO. 18-07 AMENDING TITLE 14 OF THE WASATCH COUNTY CODE REGARDING MODULAR HOMES. (THIRD READING)**

Doug Smith, the Wasatch County Planner, addressed the Wasatch County and indicated that this matter is ready to be approved all that was lacking was the number.

**Councilman Mike Petersen made a motion that we amend Title 14 with Ordinance No. 18-07 as it is written. Councilman Spencer Goode seconded the motion and the motion carries with the following vote:**

**AYE: Chair Greg McPhie**  
**AYE: Kendall Crittenden**  
**AYE: Danny Goode**  
**AYE: Mark Nelson**  
**AYE: Spencer Park**  
**AYE: Mike Petersen**  
**AYE: Steve Farrell**  
**NAY: None.**

**DISCUSSION/CONSIDERATION REGARDING A CONCEPT PROPOSAL FOR A ROUND-ABOUT ON RIVER ROAD WHERE THE MEMORIAL HILL ACCESS ENTERS ONTO RIVER ROAD.**

Chair Greg McPhie indicated that this matter is just a follow-up again and did not have it listed to vote on whether to submit a letter that we generally agree although some details need to be worked out. Also a letter that indicates that Wasatch County generally agrees with the concept and the details will be worked out between Midway's Engineer and the Wasatch County Manager and Engineer. Councilman Steve Farrell indicated that why the Council doesn't approve the concept subject to the review of the final engineering.

Wes Johnson, the Midway City Engineer, addressed the Wasatch County Council and indicated that Midway City wants to comply. Also if Wasatch County has any concerns that Wasatch County wants to make sure that they are addressed please list them so that they can be taken care of in the form of a letter would be helpful.

Mike Davis, the Wasatch County Manager, indicated that the last time that Midway City and Wasatch County met there was some feasibility questions and weren't against the concept. Also the way Mike Davis understood the matter was that Wasatch County was going to get some information pertaining to that and nothing has been received. Also we didn't have any dimensions, elevations and know nothing about the concept. Also the Public Works Director Brandon Cluff and myself have looked at it and right now we are not sure that a round-about will work. Councilman Mike Petersen indicated that the motion was to get the Wasatch County Engineer with the Midway City Engineer and just make sure that things can be worked out so between the two of them so we can iron out any issues that might arise.

**Councilman Mark Nelson made a motion that the Wasatch County Engineer and the Midway City Engineer get together and have them make sure that things can be worked out so that any of the issues that might arise can be addressed. Councilman Danny Goode seconded the motion.**

**AYE: Danny Goode**  
**AYE: Mark Nelson**  
**AYE: Spencer Park**  
**AYE: Mike Petersen**  
**AYE: Steve Farrell**  
**AYE: Chair Greg McPhie**  
**AYE: Kendall Crittenden**

**NAY: None.**

Chair Greg McPhie indicated that the letter will come from Mike Davis' office and sent to Midway City regarding the issues on this concept proposal. Councilman Kendall Crittenden indicated that you will list anything that has been identified which is a concern. Mike Davis also indicated that there is nothing to identify. I just need to see if it is feasible. Wes Johnson, the Midway City Engineer, addressed the Wasatch County Council and indicated that he will give Mike Davis a call and we can both sit down and take care of the matter

**DISCUSSION/POSSIBLE DECISION ON DECLARATION AND PRESERVATION OF PUBLIC ROADS FOR GUARDSMAN PASS ROAD. PINE CANYON ROAD AND OTHER ROADS AND ACCESS IN BRIGHTON ESTATES BONANZA FLATS AREA.**

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that the Wasatch County Council asked me and the Wasatch County Attorney to investigate into this matter. Last week myself, the Wasatch County Attorney, one of the deputies, and Brandon Cluff, the Public Works Director, went up to Brighton Estates and went over these roads and measured the roads. The first issue is the Wasatch County Roads which would be the Guard Road that goes up to Empire Pass and then the Pine Canyon Road that goes down this way. Also it was proposed from Wendy Fisher representing Park City that Park City would allow a twenty-four foot asphalt with ten foot shoulders. Most of the asphalt widths averaged in the thirty foot range and some as wide as thirty-five and some as narrow as seventeen. Also Wasatch County is working with UDOT and UDOT has gone into the archives and pulled some really good information out on these roads. These were the Wasatch County Roads.

Mike Davis also indicated that the other roads that were looked at were Culvert Meadow, Harragh's Driveway, Bonanza Ridge Road, Big Sky Drive and Jeep Hill. Those roads were looked at and the purpose in looking at these roads was to try and determine if we see a potential use for these roads. Also there were two other roads that were gated and locked and very little use and hard to say that there was any public use on these two roads. Mike Davis indicated that there are three roads here the Bonanza Ridge Road, Big Sky and Jeep Hill and continue to pursue for public use and public use affidavits will need to be given and can't be private property owner use affidavits. The Brighton Estates Property Owners have offered to help with this matter.

Councilman Danny Goode indicated that communication with Park City can go a long ways and asking Park City Council and Wasatch County Council to have a joint meeting or maybe having Wasatch County's manager and Park City's Manager and some of each of the Council Members to get together and drive the property and talk through the issues and see if something can't be worked out.

Mike Davis, the Wasatch County Manager, indicated that we can have a joint meeting but there have been stake holder meetings and those have been attended by us but have not wanted to discuss the roads and that was at their request not wanting to discuss the roads. Councilman Danny Goode indicated that he talked with a couple of the Park City Council members and they were okay with the idea of getting together to talk about this issue. Mike Davis indicated that would be a great idea and that would be best coming from the Wasatch County Council to have a joint meeting. Councilman Mike Petersen indicated lets do a formal request from the Wasatch County Council possibly the Chairman. Chairman Greg McPhie indicated that he will have Mike Davis' secretary help in preparing a letter or an e-mail to the Park City Council.

Celeste Johnson, Midway City's Mayor, addressed the Wasatch County Council and indicated that this possibly could affect Midway City's watershed and would like somebody on this joint meeting to address Midway City's concerns. Councilman Steve Farrell from the Midway Irrigation Company has the expertise to talk about Midway City's water concerns and will be in attendance at this joint meeting.

Councilman Kendall Crittenden indicated that we need to clarify on the dedication of public roads for Guardsman Pass, Pine Canyon and other roads and other roads have been identified as Bonanza Ridge, Big Sky Drive and Jeep Hill and the other two are private and will have to be handled separately.

**Councilman Steve Farrell made a motion to ask the Wasatch County Manager, Mike Davis, and the Wasatch County Attorney, Scott Sweat to explore the option on the declaration of the roads and the names of the roads are listed in above. Councilman Danny Goode seconded the motion.**

**AYE: Chair Greg McPhie**

**AYE: Danny Goode**

**AYE: Mark Nelson**

**AYE: Spencer Park**

**AYE: Mike Petersen**

**AYE; Steve Farrell**

**AYE: Kendall Crittenden**

**NAY: None.**

Rick Johnson, Brighton Estates property owner, addressed the Wasatch County Council and indicated that his concern is that the Park City Council will be discussing this matter tomorrow. Also Culvert Road is negotiable and where the Wasatch County Council is heading is a great solution. The Park City Mayor Heinrich Deters indicated that there will be no vote tomorrow. Wendy Fisher, from the open lands, addressed the Wasatch County Council and indicated that she does not represent Park City but we are the organization that has been working on the conservation easement and would like to be asked to be a part of these discussions as well. Also we have done all the work for the resource inventory and talk about the water shed and have done a lot of studies and also done water quality assessments. Wendy wanted to thank the Wasatch County Manager in getting back to me and giving me things because that is what we have been asking for, for eleven months and really want to a part of that discussion between Park City and Wasatch County.

### **COUNCIL/BOARD REPORTS**

Councilman Mike Petersen indicated that last week the IHC Hospital Expansion Grand Opening was held and it was great. Also Jim Carter who was a representative for 40 Dam Acres out in the Strawberry area passed away and Jim was always here when the Strawberry matters were discussed.

Councilman Kendall Crittenden indicated that there was the State Road 248 Access Management meeting yesterday. There is now a new map which identifies where the various accesses are. Also attended the Heber Bypass Study, and the downtown planning project meeting and there are five groups basically that are working on doing some studies and looking at some things and talking to the different stake holders and different things to be done to enhance Main Street for more viability. The next meeting to discuss that is July 11, 2018.

Chair Greg McPhie indicated that the CUP gave Mike Davis a plaque for the years of service and good work that he has done on the CUP, Central Utah Project Board which was a great honor for him to be given that recognition. Also the CUP will be scheduling time to come visit with the Wasatch County Council to keep their mill levy with regard to taxing the same so the CUP will have to go through the truth and taxation process.

### **MANAGER'S REPORT**

#### **DISCUSSION AND POSSIBLE RECOMMENDATION ON APPOINTMENTS TO THE JSPA PLANNING COMMISSION.**

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that there are three open positions on the JSPA Planning Commission. One of the Planning Commissioners was Ivin Broman who passed away and then Doug Rosecrans who moved away. Mike Davis indicated that his recommendation would be to appoint Mark Hendricks and Brad

Lyle. Mike Davis indicated to Councilman Spencer Park that he didn't send the information about these individuals ahead of time as Councilman Park had wanted to be done. Brad Lyle to take the position of Doug Rosecrans whose term would expire 2020 and Mark Hendricks to take the open position of Ivin Broman whose term would expire at the end of this year. Mark Hendricks is on the Wasatch County Planning Commission so he would be on both Planning Commissions. Mike Davis indicated that there is still one open position. Chair Greg McPhie asked if there is a need for a closed session for any reason and the Wasatch County Council indicated that there was not a need for a closed session. Pam Patrick, Wasatch County Citizen indicated that they need to put up a donation box and Mike Davis indicated that they have one.

**Councilman Steve Farrell made a motion that we take the Manager's recommendation and appoint Brad Lyle and Mark Hendricks to the JSPA Planning Commission. Councilman Danny Goode seconded the motion and the motion carries with the following vote:**

**AYE: Chair Greg McPhie**

**AYE: Kendall Crittenden**

**AYE: Danny Goode**

**AYE: Mark Nelson**

**AYE: Spencer Park**

**AYE: Mike Petersen**

**AYE: Steve Farrell**

**NAY: None.**

Mike Kosakowski, Wasatch County resident, addressed the Wasatch County Council and indicated that he only recalls one advertisement for one opening. Councilman Danny Goode looked the matter up on his computer and the language indicated the advertisement indicated that there was openings in the plural form.

## **DUP MUSEUM**

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that the DUP women are trying to raise money in different ways to pay for the utilities on the DUP Museum Building. Mike Davis then indicated that we need to pay the utilities for these women because the women are older and can't be doing these things to raise money to pay the utilities because a payment of this qualified under the Transient Room Tax money on the way that the money can be used. The utilities are in the \$5-6,000 a year range. The Wasatch County Council felt good about the proposal and instructed Mike Davis, the Wasatch County Manager, to take care of the matter.

**Councilman Danny Goode made a motion to leave our regular session and go into Closed Session to discussion potential litigation and personnel. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:**

**AYE: Chair Greg McPhie  
AYE: Kendall Crittenden  
AYE: Danny Goode  
AYE: Mark Nelson  
AYE: Spencer Park  
AYE: Mike Petersen  
AYE: Steve Farrell**

**NAY: None.**

**Councilman Spencer Park made a motion to come out of Closed Session and go back into regular session. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:**

**AYE: Chair Greg McPhie  
AYE: Kendall Crittenden  
AYE: Danny Goode  
AYE: Mark Nelson  
AYE: Spencer Park  
AYE: Mike Petersen  
AYE: Steve Farrell**

**NAY: None.**

#### **REGULAR SESSION**

**Councilman Danny Goode made a motion to adjourn. Councilman Steve Farrell seconded the motion and the motion carries with the following vote:**

**AYE: Chair Greg McPhie  
AYE: Kendall Crittenden  
AYE: Danny Goode  
AYE: Mark Nelson  
AYE: Spencer Park  
AYE: Mike Petersen  
AYE: Steve Farrell**

**NAY: None.**

Meeting adjourned at 7:30 p.m.



  
GREG MCPHIE/CHAIRMAN

  
BRENT TITCOMB/CLERK/AUDITOR