

Minutes
Wasatch County Council
January 23, 2019

The Wasatch County Council met in regular session at 3:00 p.m. at the Wasatch County Administration Building, Heber City, Utah and the following business was transacted.

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

OTHERS PRESENT: On list attached to a supplemental file.

PRAYER: Councilman Jeff Wade

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

Council Chair Danny Goode called the meeting to order at 3:00 p.m. and welcomed those present and called for agenda items.

All agenda and documents need to be handed in Friday before the next meeting.

MANAGER REPORT

DISCUSSION AND POSSIBLE ACTION ON LOAN TO HEBER VALLEY RAILROAD.

Mike Davis Wasatch County Manager addressed the Wasatch County Council regarding a loan to Heber Valley Railroad. Tom Jacobsen one of the Directors for Heber Valley Railroad advised there are 19 pieces of equipment to be purchased in British Columbia, these cars are essential to Heber Valley Railroad. There will be 3 payments, the first payment is due now of \$750,000 Heber Valley Railroad has put down \$50,000 2nd payment can be up to \$750,000 for moving equipment, and the 3rd payment is in two years.

Council Chair Danny Goode wanted on recorded Mark Nelson Executive Director for Heber Valley Railroad had recused himself for the discussion and left the room before the discussion began and has been out of the room since then.

Councilman Spencer Park made a motion to authorize Manager to approve loan for \$1.5 million dollars to Heber Valley Railroad for purchase of new train cars and transportation. Councilman Jeff Wade seconded the motion and the motion carries with the following vote:

AYE: Jeff Wade
AYE: Steve Farrell
AYE: Danny Goode
AYE: Kendall Crittenden
AYE: Marilyn Crittenden
AYE: Spencer Park

NAY: None.

PRESENTATION ON TOURISM AND ECONOMIC DEVELOPMENT.

Ryan Starks came to present the steward ship report, to the new council members. This report included how we structured to include input from the Wasatch County Council, Heber City Council, Midway City, and three Private Business Owners. Ryan wanted to thank Steve Farrell. He had been on the board for many years, and was the one that started the program.

Council

Council Chair Danny Goode requested we go to item #3.

DISCUSSION AND POTENTIAL ACTION ON A PROPERTY TAX ISSUE WITH DAN & CONNIE MASCARO.

Mrs. Mascaro is asking for an extension on taxes that appear to be going on tax sale this year, in the Solider Creek Estates.

Councilman Steve Farrell made a motion we approve the extension on property # 00-0001-9435 owned by the Mascaro Land & Livestock Company. Extension to taxes until August 1, 2019. Councilman Kendall Crittenden seconded the motion.

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

NAY: None

DISCUSSION AND APPROVAL ON INVOICE FOR KEN BROWN WESTERN COUNTY ALLIANCE PUBLIC LANDS.

Councilman Steve Farrell made a motion to discontinue payment to the Western County Alliance Public lands. Councilman Mark Nelson seconded the motion and the motion carries with the following vote:

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

NAY: None

DISCUSSION AND APPROVAL OF TAX ISSUE WITH JIM AND VALORIE KELSON.

What Kelson's are asking the 14.07 acres be on green belt and defer all \$35,000 on rollback and all interest and penalties.

Councilman Steve Farrell made a motion to go ahead and eliminate the roll back tax parcel with all interest and penalties accrued to date. Instruct the Assessor's office to work with them on application on property and collect on the roll back remaining portion on the lot .69 of an acre. Councilman Jeff Wade seconded the motion and the motion carries with the following vote:

AYE: Jeff Wade
AYE: Steve Farrell
AYE: Danny Goode
AYE: Kendall Crittenden
AYE: Marilyn Crittenden
AYE: Spencer Park

Recused: Mark Nelson

DISCUSSION ON PROPOSED DRAFT ORDINANCE FOR OPEN LAND BOARD.

Councilman Steve Farrell is going to talk with the planning commission and get on their agenda. This agenda item has been moved to Feb. 6th 2019. No motion was made.

DISCUSSION / APPROVAL OF AGREEMENT WITH WASATCH COUNTY AND BLUE BENCH LANDFILL.

Councilman Kendall Crittenden made a motion to approve Resolution 19-03 approving and authorizing execution of inter-local cooperation agreement with Duchesne County establish inter-local entity to operate Blue Bench Landfill. Chairman has approval to sign that after Duchesne County has approved it also. Councilman Steve Farrell second the motion and the motion carries with the following vote:

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

NAY: None

DISCUSSION/POSSIBLE APPROVAL FOR STR HELPER PROGRAM FOR WASATCH ASSESSOR'S OFFICE.

Last week we had a demonstration by the STR Helper program to be used for the County Assessor's Office to help identify other uses for residential and help identify overnight short term rentals. Cost of the program is \$15,000.

Councilman Steve Farrell made a motion to approve the Assessor to go ahead with that program, Councilman Steve Farrell thinks it would help the Assessor's office and their duties and be aiding the fairness equating of the tax system. Councilman Kendall Crittenden seconded the motion.

Councilman Jeff Wade asked how we enforce it. It was discussed that the ordinance will have to be looked at and possible updates made.

Motion carries with the following vote:

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

DISCUSSION/CONSIDERATION ON THE EAGLE VIEW/PICTOMERY.

Councilman Chair Danny Goode requested Wasatch County Manager research other counties regarding this program and bring it back under Manager Report, and if needs to be put on a Regular Council Meeting we can look at doing that.

DISCUSSION/CONSIDERATION ON COUNTY COUNCIL POSITION LETTER OR OFFICIAL PROTEST LETTERS CONCERNING HEBER CITY'S ZEBB, LLC AND BEEHIVE STORAGE ANNEXATION REQUEST.

Councilman Kendall Crittenden made a motion to approve Wasatch County Council to send the position letter and authorize County Council Chair Danny Goode to sign and the letter be sent to Mayor Potter and Heber City Council and Heber City Manager. Councilman Jeff Wade seconded the motion and the motion carries with the following vote:

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

Manager Report

DISCUSSION/POSSIBLE ACTION ON CONTRACTS FOR WATERSHED MANAGEMENT PLAN.

We want to hire a consultant to do some of the work we have it up for what we want to authorize, there's no money in the budget at this time, and we would have to take it out of reserves, tax reserves which is fine. I need authorization from the County Council.

Council Spencer Park made a motion to go ahead and approve County Manager to spend up to \$30,000 for Watershed Management Study and any other future expenditures to come back for approval. Councilman Steve Farrell seconded the motion and the motion carries with the following vote:

AYE: Jeff Wade
AYE: Steve Farrell
AYE: Danny Goode
AYE: Kendal Crittenden
AYE: Marilyn Crittenden
AYE: Mark Nelson
AYE: Spencer Park

Council Board Reports

Councilman Mark Nelson wanted to inform the council the proposed roundabout has not made any progress since they came to the council six months ago, it's not dead it's just not made any progress. Councilman Farrell said wasn't it the conditional of the developer? Councilman Nelson said yes, it is the developer not moving.

Council Mark Nelson also wanted to mention the new council has not had the opportunity to interact with Ron Winterton, do you want him to come by? Just a thought.

Councilman Kendal Crittenden wanted to know irrigation company meeting do we need to do anything official?

Affordable housing code update put on hold until legislative session ends. Also, we are, going to get ahold of the liaison in Park City what the bill is and where it's at.

Councilman Chair Danny Goode advised another leak in the library with the pipes over the holiday in the back office, we are heading for a disaster Councilman Chair Goode asked Kristen to do a list of when breaks accrued and where they were in the last year and a half to two years.

PUBLIC HEARING
JANUARY 23, 2019

DEBRA WEST AND WILLIS CLYDE ARE REQUESTING A REZONE OF APPROXIMATELY 150 ACRES FROM PRESERVATION 160-ACR LOTS (p-160) TO MOUNTAIN 20 ACRE LOTS (M) LOCATED EAST OF THE GREENER HILLS SUBDIVISION TO THE LITTLE POLE ROAD AREA AT APPROXIMATELY 585 SOUTH LINE POLE ROAD AND MORE SPECIFICALLY IN SECTION 1, TOWNSHIP 4 SOUTH, RANGE 5 EAST.

Austin with the Planning Commission advised no change to the zoning or title 16 should be made to the General Plan. We want to present to you of what the General Plan states it's adopted by the Council and not the Planning.

Councilman Steve Farrell made a motion we deny the request based on the fact it does follow the general plan and we do have a Claus I transition that both these 80 acres lots can have one acre homes on it, these lots was purchased with in the last 10 years and they knew what they was buying when they bought it. Changes would be going against the general plan. Councilwoman Marilyn Crittenden second the motion, and the motion carries with the following vote:

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

NAY: None

MARK GARZA, REPRESENTATIVE FOR CARDINAL FUNDING LLC, IS REQUESTING PRELIMINARY PLAT AND SITE PLAN APPROVAL FOR WASATCH EXISTING WASATCH COMMONS APARTMENT COMPLEX CONSISTING OF 348 ERUs/UNITS ON 114,46 ACRES LOCATED AT APPROXIMATELY 3600 NORTH HIGHWAY 40 IN SECTIONS 19 AND 20 OF TOWNSHIP 3 SOUTH, RANGE 5 EAST IN THE NORTH VILLAGE OVERLAY ZONE (NVOZ). ** THIS ITEM IS NOT READY FOR A COUNTY COUNCIL DECISION AT THIS TIME, AND WILL BE CONTINUED TO A DATE CERTAIN AT THE HEARING. **

Councilman Spencer Park mad a motion to continue Mark Garza with Cardinal Funding February 20th. Councilman Jeff Wade seconded the motion, and the motion carries with the following vote:

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

NAY: None

DOUGLAS OGILVY, REPRESENTATIVE FOR REDUS PARK CITY LLC, IS REQUESTING ANNEXATION OF PROPERTY INTO THE JSPA (JORDANELLE SPECIALLY PLANNED AREA). THE PROPERTY IS CURRENTLY INCLUDED IN THE JSPA PLANS, BUT ALL OR PART OF THE PROPERTY WAS NOT INCLUDED IN THE JSPAPLANS, AND HAS NO ENTITLEMENTS UNDER THE JSPA CODE. THE SITE CONTAINS 10.11 ACRES OF UNDEVELOPED PROPERTY. THE PROPERTY IS LOCATED SOUTH AND EAST OF THE JORDANELLE FIRE STATION. THE SOUTH PROPERTY HAS FRONTAGE ON THE FRONTAGE ROAD AS WELL AS ALPINE AVENUE AND IS LOCATED IN SECTION 24, TOWNSHIP 2 SOUTH, RANGE 4 EAST. BECAUSE THE REQUEST IS AN AMENDMENT TO THE JSPA MAP WHICH IS ALSO PART OF THE COUNTYWIDE LAND USE CODE, BOTH THE JSPA PLANNING COMMISSION AND THE COUNTYWIDE PALNNING COMMISSION HAVE MADE RECOMMENDATIONS TO THE COUNTY COUNCIL.

Applicant was unable to be to this meeting and was asked to be moved to Feb. 6th, 2019. He has issues to be resolved.

Councilman Kendal Crittenden made a motion to continue to Feb. 6th meeting, before the motion he asked if they could do # 3 and #4 together, Councilman Chair Danny Goode said let's do them separate. Councilman Park seconded the motion, and the motion carries with the following vote:

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

NAY: None

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

NAY: None

Meeting adjourned at 7:30 p.m.



DANNY GOODE/COUNCILMAN CHAIR



BRENT TITCOMB/CLERK/AUDITOR