

MINUTES OF THE
WASATCH COUNTY COUNCIL
FEBRUARY 20, 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: Chair Danny Goode
Kendall Crittenden
Marilyn Crittenden
Mark Nelson
Spencer Park
Jeff Wade
Steve Farrell

OTHERS PRESENT: On list attached to supplemental file

PRAYER: Kendall Crittenden

PLEDGE OF ALLEDIANCE: led by Councilwoman Marilyn Crittenden

OPEN AND PUBLIC MEETING AFFIDAVIT

The open and public meeting affidavit was made part of the record.

CALL FOR AGENDA ITEMS

Councilman Danny Goode requested we go out of regular meeting and in to Wasatch County Council as Governing Board for SSA-1

COUNCIL

Councilman Danny Goode: We are back into Council please let's skip item #1 waiting to hear from Mike Kohler on that one. Oh and just a note we will be having a Public Hearing at 6:00 p.m. but it's just to reschedule the item is that correct. If you are waiting for the public item we will not be having any discussion on taking action on it, just officially moving it to another date.
Councilman Mark Nelson: Danny Mr. Chairman Mike informed me that he thought he would be here at 5:00 p.m.
Councilman Danny Goode: Okay.
Councilman Steve Farrell: If we're still here.
Councilman Danny Goode: It's a floating arrival time because he told me 4:30 p.m.

DISCUSSION AND FIRST READING ON PROPOSED DRAFT ORDINANCE FOR OPEN LAND BOARD-
STEVE FARRELL

Councilman Danny Goode: Item #2 Mr. Farrell. Councilman Steve Farrell: We've been working on the ordinance for the Open Land Board and Jon has put together a draft and we've had to put some changes on the Inter Local Agreement. Which we want in the original Local agreement. Ref. making Municipal identify the clear open space and have a map and we got into this we identify appear targeting properties we may not be eligible for federal money we wanted to take some of it out and clear it up. Jon Woodard: What I did compare the version I sent out Friday afternoon, with the version with the latest changes. Councilman Kendall Crittenden: Is that the one we got today? Councilman Marilyn Crittenden: The ones in our boxes. Jon Woodard: This has a few new changes. Councilman Danny Goode: They handed these out before the meeting. Jon Woodard: I'll walk you through these to make sure you fill comfortable, as we go through fill free to ask questions as we go along. Councilman Spencer Park: I have a question while he's finishing setting up, I know we never really got to it when I was on Open Lands Board, I know they always talked about Utah Open Lands or Summit Service Conservation District hold the easement is there a reason why or too big of a hurdle or too much of a head ache for us to create our own Wasatch Conservation Board it wouldn't be control by this board. Councilman Steve Farrell: We could do it we would have to apply for a 5 dc. Councilman Spencer Park: Would it be worth it? Councilman Steve Farrell: We probably could, something we should look into. Councilwoman Marilyn Crittenden: If I recall I think it means we would have to have employees to help manage it. Councilman Danny Goode: So is that like creating a special service district or local district. Councilman Steve Farrell: No it would be a county conservation district. Councilman Spencer Park: No taxing, no profiting, I know we've had issue maintained rd. with some of these others long term at least in our maintained non easement. Councilman Steve Farrell: We could go that route or we could just make sure we put an easement we have everything covered. This is a little type of easement then we looked at like on Bonanza flat. This is still a working easement. Councilman Kendall Crittenden: Their just basically holding it the easement part, they don't have any other control on it do they? Councilman Steve Farrell: We'll make sure it meets criteria meeting the standard. Councilman Spencer Park: They obviously charge something for it. Councilman Steve Farrell: Yes. Councilman Spencer Park: Could we do it and possible save? Councilwoman Marilyn Crittenden: I think we would have to look pretty close to make sure it would save us money when you have to create employees, to be able to manage it. Councilman Steven Farrell: We'd have to look at both the advantage and disadvantages. Councilman Spencer Park: It was more of a curious question. Councilman Steve Farrell: but it is a possibility. Councilman Danny Goode: Jon, before you get started we have a copy of the Interlocal agreement and the ordinance potential, does one refer to another? Jon: Yes, Councilman Danny Goode: So which one is it. Jon: So the ordinance contemplates that the County and both the municipalities Heber City and Midway entered into the Interlocal agreement. One thing that Steve and I had discussed was the possibility of conditionally adopting the Ordinance today with condition being the other two municipalities would enter into the Inter local agreement. Councilman Kendall Crittenden: Should it only include Wasatch County, Heber City, and Midway? There might be some other jurisdiction that come up with Open Space. Jon: I agree, the rules are set up so you could do that you would probably need to change the organization of the board of the Wasatch Open Lands Board. I think that would involve an amendment to the Interlocal agreement. I don't think that would be too hard to do, It would be difficult at this point to do that because we

don't know who might join. Councilman Kendall Crittenden: My next question is if there not a signer to the agreement can they still take advantage with their property within their jurisdiction this thing? They could be paying on the bond. Jon: Yes, they could what they would do is partition the Council of Wasatch Open lands Board to consider different property. They won't get the same level of deference the Heber City and Midway City wouldn't get because they're not a part of the Interlocal Agreement, but they certainly could be considered.

Councilman Steve Farrell: That's one of the reasons the county had two representatives on it to recommend the other towns not necessary the city's but towns most of them have large enough zoning, open space is not an issue to them. Councilman Kendall Crittenden: But it might be in the future where there paying equal on the bond they ought to be represented.

Councilman Steve Farrell: They are by the Council. Jon: Right, any other questions before I go through some of the changes? Councilman Steve Farrell: Are you going to go through the Ordinance first? Jon: I was going to go through ordinance first, I could go to the Interlocal agreement first but there's really only one change or two, one that I just did, both of which reflect the Ordinance. (See, attached) as well I realized when I read through it this afternoon both the Ordinance and Interlocal agreement, but it doesn't say who appoints the two citizens at large. I spoke to Steve and his understanding was those would be appointed by the Council. I also think in the event if one of the Cities were wanting to get in those would be perfect seats to give up for one of those cities if that make's sense. I'm just going to charge ahead if anyone has comments or questions just let me know. This next change gets rid of the comprehensive work plan this was design to make the Interlocal Agreement and guidelines that are outlined there allows us to move forward immediate instead of adopting a comprehensive work plan and then then moving forward. Councilwoman Marilyn Crittenden: So what we have before us doesn't have the changes. Jon: Right. Councilman Steve Farrell: We want this Ordinance to be the work plan. Councilwoman Marilyn Crittenden: Yes. Councilman Kendall Crittenden: So you're going to change that thing. Jon: And I also notice my lettering was off there so I changed it from B to C, we got rid of the language of talking of applying to the district court, we didn't fill it was necessary and also Wasatch Open Land Bonds itself won't have the ability to have a budget or to purchase property anything they do will go through the County or another municipality I think that lower chances any litigation against them this was Scott's

recommendation we wanted to make clear some of the definitions defer from other definitions throughout our code, we wanted to make sure these definitions only apply to this section of the code. Councilman Marilyn Crittenden: So you're just giving definition there? Of conservation easement. Jon: The conservation easement is directly taken straight from state code, there's a section of code that conservation easement. I thought it would be very valuable to keep our language consistent with the State code language, the only thing different is change from Open Space instead to Open Land that would allow us to use this definition of Open Space and have that apply to the definition of conservation easement which I think value is keeping consistent, I understand there's value in showing that our general plan contemplates protecting open space's one of the phrases that our general plan uses preserving open space high value critical land so I inserted that phrase into the definition of Open Space so it's clear that when we are talking about Open Space, we are talking about what the general plan directs us to preserve and by making Open Space the same phrase that's used with conservation easement it makes it so conservation easement is tied into the general plan language. Councilman Danny

Goode: So that could cover something with the sewer farms? Councilman Steve Farrell: No, I think it would be more for the valley corridor or something like that, I don't think we would be restricted what to use Jon: When you look up the definition Open Space Agriculture, Forrest Land, Undeveloped Scientific land, Undeveloped Wet Land, Public Parks, Preserve Wilde Life, Habitat and Corridor. It would be a stretch to say sewer farms fit into anyone of those.

Councilman Danny Goode: Could it stretch to say maybe a water shed or something like that it's not necessary Open Space but it's important. I don't have it, it's an example. I'm wondering how far we can stretch the definition. Councilman Steve Farrell: I think that would cover.

Councilman Danny Goode: You think water would. Councilman Spencer Park: Watersheds probably be Open Space anyway large track equipment that are open. Councilman Danny Goode: Yes, It could be. Councilwoman Marilyn Crittenden: And if they are identified as a water shed they have protection by that definition. Do they not? Councilman Steve Farrell: Not in all cases. Councilwoman Marilyn Crittenden: Not in all cases. Jon: So this isn't a change in the selection process for the funds that the County utilizing which are contemplating being the bond revenue, but there could be other revenue as well. The County Council is the last word on whether or not we purchase the land. But in order to come through this pipe line of this code it would need to go through Wasatch Open Lands Board first, in order for us to do that. I try to faze that so if we wanted to utilize another micronize. We would have that door open we did want to trap ourselves in this is the only way we could open lands, but this is the only way utilize bond revenue, so we have criteria for what Council can consider.

Councilman Danny Goode: Wait did you get an answer to your comment on #2? Who actually does the payment? Jon: I'm still concern about that the Wasatch Open Lands Board does not have a budget, so it has to be somebody else problem the County it could be one of the City's that could help front the cost, that's a good thing to think about it probably be the County's staff ends up doing this I'm concerned this will be an additional burden that an addition on already strained staff, if that makes sense it does talk about ability of us using bond money to help with for processing cost, that would work when we are purchasing the property or finalizing application it doesn't work at the front end or the back end after that bond revenue has come in yet or after it has been spent.

Councilwoman Marilyn Crittenden: So what you're telling us we don't have this addressed very well here or plan on this. Jon: I am concerned on this yes, I think the offices that are probably best equipped well with handling this are the Attorney's Office and Doug's Office. I don't see us being able to handle this without additional support somehow.

Councilman Danny Goode: What do you in vision Steve? Cause it sounds like it's the Council decision if we release the funds for that particular parcel. Councilman Steve Farrell: It is. Councilman Danny Goode: The County Executive is the financial Officer, it flows down, and then however the other officer would deem it to be paid. Is there another step I'm missing? Councilman Steve Farrell: I don't know there needs to be another step in there.

Councilman Danny Goode: The Financial Officer accentually writes the check. Councilman Kendall Crittenden: After the Council approves it. Jon: So Wasatch Open Lands Board they receive a notice of interest they take a look of notice interest, they receive and decide who's worthy of an application to get a full application, the full application has to be processed by someone with expertise into putting together and processing these applications that comes to the Wasatch Open Lands Board.

Councilman Kendall Crittenden: For evaluation. Jon: This is application actually the ideal is looking for professional. Councilman Kendall Crittenden: So the application goes to another. Councilman

Steve Farrell: They have to go to a third party for the final application to get the appraisal is done and all the legal work done then the bid application comes back to the Open Lands Board who then passes their recommendation to the County Council. Jon: Right, so they would have a report they put together then an evaluation of the application we would hope these would come in pretty clean because you going have professional and putting together, but there is going to be cost at putting together those reports and having somebody looking out for the Open Lands Board and County Council interest that those applications are what they need to be bare cost. Councilwoman Marilyn Crittenden: second paragraph is what you're saying their looking for, everything is legal. Jon: Absolutely. Councilman Kendall Crittenden: Is there a vision be an applicant period once this is all in place. Jon: Yes, that this lays out is when the County has revenue which is probably going to be bond revenue, they're going to put out a notice on the web site inviting people to apply. Councilman Kendall Crittenden: So you're saying we would have to secure a bond. Councilman Steve Farrell: No, we are going to identify the application and then we'll know how much money, then we will gout for the bond. Jon: We'll trigger about when we're ready a group of application so people don't randomly apply when they want. Councilman Kendall Crittenden: So there will be a period of time if anybody is interested, submit your preliminary application. Jon: Absolutely, so the cost I'm concerned about on the front end is going to be, I in vision what report similar what Doug puts together. When where doing a development application, I'm not saying that Doug is going to do that sort of report, but I wouldn't expect anything less, the Wasatch Open Lands Board would consider that similar to the way the planning Commission consider an application they'd put together an recommendation that would come to the council, and again another report before the Council and you would evaluate what project you want to approve then move forward with the County staff actually purchasing the property. Councilman Kendall Crittenden: Would the applicant bare the cost of getting that property? Councilman Steve Farrell: That's what the intent is have the third party or the applicant baring the cost the majority of the cost in getting the application ready. Councilman Kendall Crittenden: I don't think the town payer bare the cost. Councilman Steve Farrell: I think the County only cost the County inquire would be the boning cost, which we could take the administration fee from the cost back of bonding. Jon: So we have different section of criteria, we have a general criteria for is a bunch of things that would be useful for the Council and Wasatch Open Lands Board to look at and consider if they want to look at for proposed property, then there's another criteria if you got more properties that have applied then funds available. A change from the last version that was sent out is something design to help to look at those areas of most interest to majority residents of Wasatch County this is design to make you don't have to jump on a four-wheeler to find the great open space. The people are actual regular in the county. Any concerns with that concept? Then there's a set of criteria here that we would use that would make the property could not be considered, one of the things I'm looking at for there is water rights, I got that from Mike's comments from previous meetings we want to make sure that if we are putting money preserving open lands that we're not preserving future dust fields, Councilwoman Marilyn Crittenden: Well I think the criteria for these third parties is they have to have the water rights. Jon: Steve pointed this out that needed to be added is conservation easements purchased with bond money can only be relinquished through anonymity domain if any money came from anonymity domain action would go back into their fund and could only be used for purchasing

their open space. Councilman Kendall Crittenden: In other words a piece of property that had been bought part of this and for some reason a public facility had to go on that property you would purchase an anonymity domain that would be put back in. Jon: It also creates an understanding of what happens with that. When you look at state code on conservation easement it makes it clear a conservation easement can't be taken by anonymity domain. You can't give them supper protection so those the quick out lines those changes any comment, question, or concerns. Councilman Danny Goode: Marilyn, Steve how are you feeling about it? You both representatives on Open Land Board. Councilman Steve Farrell: Yes. Councilman Marilyn Crittenden: The only thing I'm concerned about is the issue of managing is still finding someone managing the monies that's the only thing I'm still concerned about, that we are covered on how to make payments, how to manage it after we approve that it should be able to be a quick direction for a check to be cut, I just want to make sure. Councilman Steve Farrell, Well we have 90 days because we have to go out for a bond issue. Councilman Kendall Crittenden: Where will the bond is it would be the county applying for the bond? Councilman Steve Farrell: It would be the County going for the bond. Councilman Kendall Crittenden: So what Danny Said seem to make sense, through the county funds and financial officer. Councilman Danny Goode: I wonder if there's going to be some other monies from Midway bond separate that we're going to put together it's just a matter of coordination, Mike do you see any potential problems there? Mike Davis: I don't, we have supervise liberally. Councilwoman Marilyn Crittenden: All the time. Councilman Kendall Crittenden: Bond money would go in its own account and then go out. Councilman Danny Goode: Any other Councilmember have any comments or questions before we go into Interlocal. Mike Davis: Is there a section on maintenance? Jon: If you look at the definition here of what a conservation easement is it needs to be perpetuity Councilwoman Marilyn Crittenden: Doug do you see any concerns here? Doug: (Could not hear). Councilman Steve Farrell: Some of that would fall to the third party whoever holds the conservation easement to have to take the responsibility to maintain it and make sure it is being maintained and operated like it was set up to be. Councilman Marilyn Crittenden: Good question. Councilman Kendall Crittenden: Well most of these are working forms, they're going to keep them up because there using them, they're making money off them. Councilwoman Marilyn Crittenden: So that probably be in our criteria, when we're working with third parties that's like the check? That's a question we need to have where on some kind of list. This is an agreement in the conservation agreement. Councilman Steve Farrell: Then follow Spencer's idea the County would be responsible. Councilman Spencer Park: We would need to have the employees anyway to administer sums and the same employee working 501 C whoever we deem that employee, maybe we can team up with Midway cause there going to have the same issue. Mike Davis: Can I ask a question, does it contemplate any acts of nature like a flood ruins the property, who's responsible? Councilman Steve Farrell: Well the property will get help with the feed title but if it's some individual uses it we're not going to own the property. Councilman Marilyn Crittenden: Yeah, that's the biggest difference we won't own it. Councilman Steve Farrell: We own the development rights. Mike Davis: But if you ever seen a farmland, it gets wiped out. Farmers say we can't put this back in cause of the flood. The County has a conservation easement of flood. Councilman Danny Goode: It's Open Space Mike. Councilwoman Marilyn Crittenden: I think that's the third party and the reason we're using the third party because they've seen it so many times, there's

questions we need to make sure as agreements get drawn up with the third party if there's concern's probably have a list of things these are our concerns to make sure in these third party agreements because they do these conservation easement all the time. I'm guessing there going to have them looked at. Mike Davis: It's coming up flood season that's what's on my mind. Councilman Steve Farrell: As I think here for the last 30-40 years of a parcel that has been ruined by the flood that couldn't be mitigated. Councilman Kendall Crittenden: Assuming it didn't have the easement on it what would the property owner do? Overtime he would restore it. Mike Davis: I guess what question thought was there's going to be a requirement when entering an agreement of maintaining a certain point but the act of nature taken away of course that person. Council Steve Farrell: That would probably need to be addressed in the conservation easement with property owner. Councilwoman Marilyn Crittenden: Might be a good thing in our By Laws while were checking these kind of questions just be in there so when we're for the third party agreement we've checked it to make these things are in there. Councilman Steve Farrell: I'm sure that's happened some place we need to learn how they handled it. Councilwoman Marilyn Crittenden: Whole long short of it we don't own the property. The person still owns the property and they would have to handle it whether they had a conservation or not. Councilman Danny Goode: Jon do you have anything else. Jon: I can go over it if you want it has the same changes as the ordinance so same changes getting rid of the comprehensive work plan instead make the inter local agreement serves as the work plan two board members are citizens at large are appointed by the County Council. Councilwoman Marilyn Crittenden: Those are the only two changes and you struck at the map issues. Jon: Right, that's right the County initialing its bonds can't be directed by one of the municipalities to purchase any particular land, their given a priority interest, but if we take away the discretion we're taking away what we're not allowed to give up in spending bond revenue issued by the County. Instead having Open Space map their concerns whether or not that would work, what I did instead of plugged in the criteria that came from code of the IRS Conservation purpose are and that should help facility the financing these projects by these non-profits specialize in preserving open space and that should make sure the recommendation getting from the municipalities would be eligible for these conservation easements it especially allows them to look at other criteria too but makes them to have to look at this criteria too. I think those are the only changes the original version that the council adopted back in October 2017, I did pulled out the deadline this was October 27, 2017 and I bumped it up to July 2019. (Councilman Danny Goode) Thank you Jon for all your hard work on this and Thank You Open Land Board that's volunteered and the Council been representing that and Spencer you put a lot of effort and work into what we've done, is there any action that the council would like to take today on this item? Councilman Steve Farrell: I would like to make a motion that we treat this as a first reading and have a second reading on the next regular meeting. Councilman Danny Goode: Is this for the Ordinance only? Not the Interlocal? Councilman Steve Farrell: Ordinance only. Councilwoman Marilyn Crittenden: I second the motion. Councilman Danny Goode: Do we have # on that Ordinance yet? Councilman Kendall Crittenden: What about the Interlocal Agreement or did we already passed it. Councilman Steve Farrell: We already passed it. Councilman Kendall Crittenden: Do we need to re-do it with the changes? Councilman Steve Farrell: Yes, we probably need to, we probably need to put this on as first reading Interlocal as well, and can we treat both as one document Interlocal they interact with one and other. Councilman Kendall

Crittenden: There wasn't many changes. Councilman Steve Farrell: Ordinance only.
 Councilwoman Marilyn Crittenden: I second that. Councilman Danny Goode: Do we have a # on that ordinance yet? Councilman Kendall Crittenden: what about the inter local or did we already pass it? Councilman Steve Farrell: We already passed it. Councilman Kendall Crittenden: Do we need to re-do it with the changes? Councilman Steve Farrell: Yes, we probably need to. We need to put this on as 1st reading inter local as well. We can treat both as one document inter local, because they interact as one. Councilman Kendall Crittenden: There wasn't many changes with the inter local? Scott: Sorry what? Council Steve Farrell: Can we treat this inter local and ordinance as one correspondence document. Scott: You can do one ordinance. Councilman Steve Farrell: One ordinance with the Inter local agreement. Councilman Kendall Crittenden: So make this a first reading and set the second for a reading on March 6th. Councilman Steve Farrell: Yes Councilman Kendall Crittenden: Second the motion. Councilman Danny Goode: Wait a minute. I think we had a 2nd motion already. Councilwoman Marilyn Crittenden: That's ok. Councilman Danny Goode: Can you restate your motion and I think it's 19-01. Councilman Steve Farrell: I would like to treat ordinance 19-01 that we just reviewed, and treat it as the first reading, and have the second reading & possible final approval on March 6th. Councilman Danny Goode: And we consider the Inter local agreement as part of this Ordinance? Councilman Steve Farrell: Yes. Councilman Danny Goode: and your second still stands? Councilwoman Marilyn Crittenden: Yes. Councilman Danny Goode:

So we have a motion Council member Farrell and a second from Council Member Marilyn Crittenden. Any discussion on the motion if not all in favor.

- AYE: Kendall Crittenden**
- AYE: Marilyn Crittenden**
- AYE: Mark Nelson**
- AYE: Spenser Park**
- AYE: Jeff Wade**
- AYE: Steve Farrell**
- AYE: Danny Goode**

NAY: None

(CDG) To everyone's surprise, my caller has arrived earlier than anticipated. We'll move up in the Agenda #1 so this is House Bill 257. We've been discussing, hourly on what it does and does not do. The discussion to definitive clarification to Mike Kohler & Mike Davis Mike Kohler is our Lobbyist and Mike Davis is our Rep for UACT so the state legislator gets one unified position from the council. Not that we've had any positions at all, we've been pretty neutral so far correct? Just so we are clear and that the staff is clear on what direction we are taking. So where are we now Mike? (Mike Kohler). The bill was held again a couple of amendments were brought in. One would have taken a lot of the process out of would be to initiate or anybody tried to initiate now to change back to commission. There are several steps, it's going to change that & I don't know why they stopped it. Representative Duninggun some idea & we didn't have time to talk, so we'll find out more about that tomorrow. No matter what happens, the process will be less strenuous to change back that being said, there was also another

amendment Representative Wilde from Morgan, put in that exempt all 4th class counties out of it. That seemed to have some resistance on it, all though they didn't even vote on it. So I think the real issue today, is whether or not you want exemption, they'll give it to us if you ask for it, the discussion whether about the types of government has probably talked about it at different times. What this will do if it passes even with exemption you could start the process as commissioner or council by a simple vote at any time. It will force you to have to vote immediately, if you're not exempt. Whether or not you do it. Councilman Danny Goode: So really it's my idea to go for exemption, because it really didn't give us an option to maintain our form of government. If we don't ask for the exemption. Mike Kohler: If you had a vote and it was rejected, you could keep it. Councilman Danny Goode: So you have to go to a vote as the bill reads? Mike Kohler: The exemptions the way to go Councilwoman Marilyn Crittenden: What types of dates. Mike Kohler: They haven't changed dates July Councilwoman Marilyn Crittenden: They kept July. Councilman Kendall Crittenden: Where there's the one section talked about Nov in 2018 that's passed. Mike Kohler: The votes I read were in July and I would recommend just getting exemption, and not worry about it. Mike Davis: The vote is in July but later on in the bill it says only consideration on the vote is the commission or expand of commission. So if you go to the vote, you don't get to choose any other form, It wipes out any other form of non-commission government in 4 through 6 class, it wasn't part of the first part it was clear down. Mike Kohler: You're correct, the other amendment that was never adopted would have covered that. Councilman Kendall Crittenden: Well the July vote is just for us to initiate the process or put the committee together. Mike Davis: You don't have to do that, but if you don't do it default saying you'll have it on the ballot. Councilman Kendall Crittenden: And that's in Nov Councilwoman Marilyn Crittenden: My question I've asked this question, I've done fair amount of research. Mike Kohler: Republican Lyman Councilwoman Marilyn Crittenden: Adam Troop told me what did you understand was the motivation in this bill in the first place? Mike Kohler: If you listen to the committee, Rep Lyman talks about efforts in the Red Rock Communities outside interferences or political action. Be it papers, flyers, other things to persuade them to get it, to force the change to another type of government. Similar to what we have. Assuming by that (and I don't know that I agree with them) needing outsiders to change land use by this policy. Councilman Kendall Crittenden: So this would hold off. Mike Kohler: Mike is right in the 5th and 6th, this would totally limit them no matter what I've seen on any adoption or attempted amended them to stay on the 3 men commission. Councilwoman Marilyn Crittenden: Has there been any discussion about the fact that a little heavy handed from the state, to make some kind of. Mike Kohler: You need to go back and listen to the committee there was quite a bit of talk about that, but indeed they do it all the time. Councilwoman Marilyn Crittenden: Yeah I know, that's what they said. Councilman Danny Goode: What I didn't like about the bill, it forced us to have a vote on either three or five. Mike Kohler: Immediately. Councilman Danny Goode: It didn't give us an option to have a vote on council form of Government. We have verses un- elected. Mike Kohler: Mayor form. Councilman Danny Goode: Mayor form they didn't give us all these options you will go to commission it will be three or five and our public told us they want this form of Government. Now it's been a # of years, but they didn't even give us the option to do that. Mike Kohler: Before it's over, if you don't ask for it, expect to get exempt there at least three that have never changed. I didn't realize this but if you heard the committee Grand County & Morgan County,

don't have one accepted by Government standard right now, we do. So they already started considering the process. We don't have to. Councilman Kendall Crittenden: Like this form? Mike Kohler: They have a different form. Councilman Danny Goode: But are they looking for commission or are they looking for council. Mike Kohler: They didn't say, and I didn't ask. Councilman Kendall Crittenden: Grand has the same form as we do. Mike Kohler: Somethings different because it's not in form. (CKC) 7 member and an appointed administer, as I looked it up. Mike Davis: They have 5 commissioners, their administrator does not have executive. Councilman Danny Goode: Not executive. Mike Kohler: I didn't look into it because the form is requiring them because it's not in statute now. Whatever they're using is requiring them to consider an option Councilwoman Marilyn Crittenden: How likely is this to even get to the Floor? Mike Kohler: I thought it was a joke in the first place based on what he started to do. It had a little bit more legs then I thought, when I got to the UAC meeting. UCA Split on it, they didn't take a read, but after today's hearing I think it's going to pass in some for likely the smaller groups. Councilwoman Marilyn Crittenden: Who is class 4? Mike Kohler: I don't know that there's like eight of them. Do you know that Mike? Councilwoman Marilyn Crittenden: Class four counties who else. Mike Davis: Don't know. Mike Kohler: But if you just ask for exempt its out and done and you guys can worry about it some other point in time. Councilman Spencer Park: So do you think we will get the exemption if we ask for it? Mike Kohler: Oh yes. Councilwoman Marilyn Crittenden: Yes, I've talked to them. Councilwoman Marilyn Crittenden: As I've talked to them there is no question if we ask for exemption, we'll get it. Councilman Danny Goode: So what we want to do today, is just take action. Solidify our position so we are speaking with one voice, Mike Kohler: Just an official position so we can take back to the group that's all. Councilman Danny Goode: So we can do that in a form of a motion if that's what the council decides to give direction to our staff to ask for an exemption. Councilman Spencer Park: Besides an exemption is there anything else that would be wise for us to ask? Mike Kohler: Exemption gets you out of it, so whatever else they do doesn't matter. Councilman Kendall Crittenden: We still have a choice to do it if we want to? Mike Kohler: You can initiate a vote anytime. Mike Davis: Council that's the best method Councilman Kendall Crittenden: To ask for exemption Mike Davis: Yes. Councilman Danny Goode: All right council, unless there is anything else. Mike Kohler: Not from me. Councilman Danny Goode: Anything else from the council? If not then a motion will be in order.

Councilwoman Marilyn Crittenden: I'll make the motion we remain with the government.
Mike Kohler: have the motion ask for the exemption Councilwoman Marilyn Crittenden:
Motion ask for the exemption. Councilman Danny Goode: We have a motion from council
member M Crittenden to ask for exemption for Wasatch County House Bill 257 does that still
stand, and we have a Second by Council Member Spencer Park. Any questions on the motion?
If not we will proceed to vote:

AYE: Kendall Crittenden
AYE: Marilyn Crittenden
AYE: Mark Nelson
AYE: Spencer Park
AYE: Jeff Wade

AYE: Steve Farrell

AYE: Danny Goode

NAY: None

Mike Kohler: Ok I'll tell them tomorrow. Councilman Danny Goode: We have a good team. I appreciate you for staying on top of this. Councilwoman Marilyn Crittenden: I would like to make one other comment with the research I have done with the other forms of Government, I think it's important to recognize the difference between them. The commissioner of government I would have some kind of concern. No separation, no checks or balances as a commissioner has both legislative and administrative powers. All in one package. That doesn't necessarily fit in my view of that, I think the form we do have is a good form, but it does put a great deal of responsibility upon us as Council Members to make sure that we are doing checks and balances that are very important topic to always keep our minds. We are keeping that balance, we are part time & Administrative powers are full time. We need to make sure we are attentive enough to keep those checks and balances with both sides. Councilman Kendall Crittenden: All but six counties have a three member commission there all set up that way. Councilman Danny Goode: I think you right, the one thing we need to do is approach UAC about recognizing our form of government. We try to go to their meetings to attend but nothing is set up for our form of Government. Councilwoman Marilyn Crittenden: I see what you're saying. Councilman Danny Goode: that's what the majority of the state is they have a hard time accounting for difference not only in offering training, but in presenting legislative benefit. Councilwoman Marilyn Crittenden: That's a great point. Councilman Danny Goode: I don't know where to start with Adam, any other discussion with this item, if not we will move to item #3.

DISCUSSION/CONSIDERATION 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 INTO THE JSPA BOUNDARY, BUT ALL OR PART OF THE PROPERTY WAS NOT INCLUDED IN THE JSPA PLANS, AND HAS NO ENTITLEMENT 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 AMMENDMENT TO THE JSPA MAP WHICH IS ALSO PART OF THE COUNTYWIDE LAND USE CODE, BOTH THE JSPA PLANNING COMMISSION AND THE COUNTYWIDE PLANNING COMMISSION HAVE MADE RECOMMENDATIONS TO THE COUNTY COUNCIL.

DOUG: Ok, this item was in front of Feb 6th, and continued to this date. There was a lot of discussion on the application if you recall there's two items here that go together this item is requesting annexation into the JSPA next item a rezone to the zoning that fits into the JSPA so on Jan 6th meeting motion by Councilman Crittenden to continue to the Feb 20th meeting, did I say Jan 6th? I meant Feb 6th to the Feb 20th meeting to see what other properties fit the same condition and if they were part of the bond and/or are making bond payments. Then second by

Councilmember Marilyn Crittenden both items have had the public hearing portion closed the next item which is the rezone was motioned by Councilman Parks to continue to this date also. This is a chart out of the JSPA plan book. It shows the property within the boundary not necessarily part of the JSPA (See map). So you can see the grey ones I've put a star by each one that is not annexed into JSPA. The top one is the East Park Subdivision. So that is a platted subdivision done back in the 80's, 70's or even in the 60's. There are about 90 lots in there, as I talked to JSSD today they said most people there are paying in their bond, fees, water reservation, water treatment plan not park of the SSD upon blue ledge paying both bond, sewer, and Water. Transact water & Land paying nothing Atlantic Financial. Stillwater vested former code. Councilman Steve Farrell: How was the 39 ERU'S? Doug: You asked the last time and I fumbled through it. Maybe Ron has some guidance. Maybe they said here's what we want to pay on the bond we anticipate what we're doing with our property. (CKC)Isn't that how the other decided. Doug: The others had a neighborhood plan and there is a plan in the JSPA plan book town core, neighborhood general. Whatever it is, they have a density on it. Councilman Kendall Crittenden: Based where they are. Councilman Danny Goode: So is this necessary for this applicant have a neighborhood plan so they fall in line like all the neighborhood did, so they can determine ERU's. Councilman Steve Farrell: I don't think so, they have to have a plan preliminary plan, before moving forward into JSPA. Councilwoman Marilyn Crittenden: That should be a criteria for helping them annex. Councilman Danny Goode: They had to define a number of ERU's they could get. Doug: They did a very high level master plan in conjunction with JSPA which was precursor the JSPA in 2001. This group opted to stay out of the JSPA, they wanted use JBOZ, subsequently we've adopted the JSPA code you can't use the JBOZ in the JSPA area, you have to use the JSPA code so they basically said you can't do anything. Councilman Jeff Wade: So they did it after they said they wanted to stay in the JBOZ. Councilman Danny Good: This is a new property owner now. Doug: The property was foreclosed on. Councilman Spencer Park: So if we establish density 39 units make fits strengths. Doug: Next step is master plan, con strength, analysis and density determination, we don't know if the 39 works or not. Councilman Spencer Park: So even if they say 39 is fine or we bring them with annexation they still only get what they can fit? Councilman Kendall Crittenden: And they wouldn't go above the 39. Councilman Steve Farrell: But, there maximum would be 39. Doug: We're calling that a target density, just like the other neighborhoods. Councilman Danny Goode: So it potential maximum not granted maximum, is that understood for the applicant? Anything else for Doug on this guys, I mean Council? Is anyone prepared to make an actual motion? Councilman Kendall Crittenden: Were still on item three right.

Councilman Steve Farrell: I'll make the motion we aloe REDUS Park City, LLC. The 10.11 acres to annex into the JSPA boundaries as proposed the maximum 39 ERU's that's been allocated through bond maximum 39 ERU's. Second by Councilwoman Marilyn Crittenden. Councilman Danny Goode: We have a motion by Councilman Steve Farrell and a second by Councilwoman Marilyn Crittenden, any discussion on the motion, if not will proceed to vote Mr. Crittenden:

**AYE: Kendall Crittenden
AYE: Marilyn Crittenden
AYE: Mark Nelson**

AYE: Spencer Park

AYE: Jeff Wade

AYE: Steve Farrell

NAY: Danny Goode

Councilman Danny Goode: Six to One it passes.

DISCUSSION/CONSIDERATION DOUGLAS OGILVY, REPRESENTATIVE FOR REDUS PARK CITY LLC, IS REQUESTING A REZONE OF 10.1 ACRES IN THE JORDANELLE SPECIALLY PLANNED AREA (JSPA) TO RESIDENTIAL SINGLE FAMILY (6 ACRES) AND NEIGHBORHOOD COMMERCIAL (4 ACRES). 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 COUNTYWIDE LAND USE CODE, BOTH THE JSPA PLANNING COMMISSION AND THE COUNTYWIDE PLANNING COMMISSION HAVE MADE RECOMMENDATION TO THE COUNTY COUNCIL.

Doug: Do you want me to go through the presentation on this? I'm happy too, in the essence it's the same property, it to the east and south of the fire station, to the east of Hwy 40 six acres to the north single family residential four acres to the south for neighborhood commercial, 10.1 acre property shows as unplanned and open space under JSPA and shows residential and mixed use under the JBOZ so it has designation under the JBOZ, like I said they intended to use that, but our code doesn't allow it. Fourth built property within the boundary of the JSPA area shown before it was excluded from the JSPA area shown before was excluded from the JSPA plans and the plan book except for a portion of the property being shown as open space, because property was excluded from the plans, staff recommends property should be annex into the JSPA and Zoning would need to be addressed under the land use and develop code including the JSPA to allow for the property be developed. As I mentioned the process master plan density determination, con-strength analysis and then they would need to come in for preliminary plat and final plat and sight plan for what they intend to do with the property, JSPA code states property owners will not be allowed to use JBOZ in the area of JSPA. A commercial site plan was approved in 2003 under JBOZ for the south property that plan has expired. A 137 letters were sent out to neighboring property owners regarding proposed rezone the Fox Bay condo's 13+ acres to the immediate east, this is the neighborhood plan, and applicants participated in the JSPA code have a neighborhood plan on their property, they would have to get designation and density established on the property. This is what the JBOZ is showing neighborhood mixed used neighborhood, this is what the proposed zoning is. Neighborhood intent is for small scale residential use, convenience stores, and restaurants, neighborhood services, offices, resort features. Residential family is six units per acre, it can be attached or town houses, commercial site plan. I mentioned it expired in 2003. Councilman Kendall Crittenden: Did it have any slope analysis at that time? Doug: No this one would have went or was it an idea through the whole DRC process back in 2003. Councilman Kendall

Crittenden: So they might come in with the same idea new owners so don't know. Doug: Possible I think the new JSPA code would require some buffering a longer frontage road instead of large parking area, this is kind of an idea they had for a master plan. Councilwoman Marilyn Crittenden: The current one. Doug: Yes, We talked about that potential arterial on the frontage road. East side Hwy 40 between the Mayflower Inter change and the north portal which is across from the gondola, Our traffic analysis told us there might be a potential build out for a five lane road. We wanted to reserve a right away for that. That's the discussion we had last time, we're comfortable with the 60 ft. off set from the center line of the road that they have currently. We have space to put the 100 ft. right of way in there. This went both to the JSPA Planning Commission and the Valley Planning Commission because we're amending zoning map and they both recommend the approval of the proposal annex and rezone. The property is not annex into the JSPA at this time and will need to be annex into the JSPA in accordance with the JSPA annexation process, since the 6th's meeting an application and annexation fee has been submitted it goes quite a ways back submitted for the re-zone and we realized wait a minute you got to annex into the JSPA. #3. Is part of the global application for the annexation re-zone, master plan density determination, con-strength analysis, the property should be considered for annexation. Then we would have to go through the rest of the process. #4. Property does have land use designation under the JBOZ but the code doesn't allow for use of the JBOZ in the JSPA. #5. Notices been sent to all property owners within 500 ft. #6. Staff believes the proposed land uses of residential single family and neighboring commercial are appropriate for the area. #7. Both annexing and re-zoning of the property is the decision of County Council land usage authority after receiving recommendation from the JSPA and Valley Planning Commission. #8. According to Hales Engineering traffic consultants Alpine Avenue can accommodate the increase of traffic and the condition was of a 50 ft. dedication however we discussed the and we fill with the 60 ft. decision of center road, we're comfortable with that. Councilwoman Marilyn Crittenden: I didn't see any letters in here that where against the re-zoning or annexation motion by anyone, there wasn't anybody in the Public Hearing last week. Doug: Mr. Kosakowski was here not. Councilwoman Marilyn Crittenden: He wasn't against these things. Doug: No sure what he was saying, but we had people in the audience the first time JSPA Planning Commission of Fox Bay wondering what was going on. I don't recall anyone opposed to the land use. Councilman Danny Goode: Anything else Doug? Doug: Nope. Councilman Danny Goode: Council any questions or comments for Doug if not is Council ready for action?

Councilman Mark Nelson: Mr. Chairman, I'll make a motion that we give the annexation just granted that we approve the re-zone for the REDUS Park City LLC, to residential single family six acres and the commercial four acres restate or amend my motion to remove this condition based on the 60 ft. from center existing right of way. Councilman Kendall Crittenden: second. Councilman Kendall Crittenden: So the findings yes the conditioning no. Councilman Mark Nelson: Yes. Councilman Kendall Crittenden: second still stands. Councilman Danny Goode: We have a motion by Vice Chair Nelson and a second by Councilman Kendall Crittenden.

COUNCIL BOARD REPORTS

Councilman Mark Nelson: Some of you may recall last Memorial Day weekend there was a group in Midway that put on a patriotic event and Marvin Ross representing them would like to come and present their thinking and process to improve and involve that event for the valley this Memorial Day weekend. Councilman Danny Goode: This is for the council the new members, Council member Nelson was volunteered to work with them and be our representative towards Memorial Hill, he's been doing a good job on that the last few years. Marvin Ross: I represent Wasatch Community Foundation Arts Chair on the foundation and we had what I consider very successful event last year. The purpose is to full for the event, I know the county does an event, we support that event as well we're going to incorporate the event in our publicity next year. We fill it is important on Memorial to treat that date where it was first established to remember our freedom remember who has given so much our freedom. We wanted to improve that and try to bring more attention that and also bring some more thing to benefit Memorial Hill, one of the things that has been discussed is a roundabout by the entrance to Memorial Hill and I know Midway and the developer would like some kind of monument there neither want to fund the same, we stepped in and said the proceeds from our events that we thought it would be appropriate for the first monument. We're not asking for money, we're just getting approval. Councilman Danny Goode: Where's the first monument going to be? Marvin Ross: What we're contemplating the round about that needs to still be reconstructed. Councilman Danny Goode: In the middle. Marvin Ross: That's correct. Councilman Marvin Nelson: Marvin and I meet and talked about this and I think the concept is a great idea. Councilman Steve Farrell: Have we seen the design from the final round about? Will something like this fit? Marvin Ross: From the size I've been told and the size is 30 ft. we would make this life size we've been working with an artist to come up with a conceptual drawing obviously we would pass this around to the community to make sure it's appropriate. I should add I've been contacting the Ute Council, I had a meeting with a member of the Council yesterday and he is approving of what we're trying to do and give the proper recognition to the Native Americans and their participation of bringing peace and freedom to this valley. My commitment to that gentleman we won't go forward without the Ute Council approval if we're going to have Chief Tabby we need to get their approval this is appropriate. Councilman Kendall Crittenden: What have you discussed about a plaque or identification? If I come to this valley and go around the roundabout I can't get out and walk out to the middle of this thing to find out who are these two people are. Marvin Ross: Right, there would be a plaque to go along with it to explain what it's about and the significate of this event and the significate of the valley. Councilman Danny Goode: But plaque would not be in the roundabout. Marvin Ross: We would have to work that out with the city how best to display. Councilman Mark Nelson: I think there's much work that needs to be done on that. I'm not really sure \$200,000 bronze statue sitting in the middle someone not paying attention might take it out while driving. Marvin Ross: There's a lot to be done. Councilman Danny Goode: So conceptually without knowing a price tag or anything like that, as long as the Ute Tribe agrees, I'm not comfortable if the Ute Council doesn't agree. Marvin Ross: Absolutely not if thy thumbs down we will not pursue with Captain Wall or Chief Tabby. Councilman Danny Goode: If they are in support then I'm okay with it.

Councilman Kendall Crittenden: Now referring to the event on Memorial Day what are you doing or how are you doing it, so it don't compete with the one the County has been putting on for the past several years? Marvin Ross: So our ride is in the afternoon and part of the ride they want entertainment so that will be in the afternoon also and part of the advertising is encouraging both events. Councilman Danny Goode: So Council anyone else have thoughts on this? I'm in supportive in concept I don't know a price tag. Marvin Ross: Right now we believe talking to the artist we can do it under \$100,000. Councilman Danny Goode: So not knowing the price tag. Marvin Ross: and again this is something the foundation is taking on in terms of raising money. We're not asking the County at this point making the financial work that's why we're going to the community and doing money raising event. Pam Patrick: Have you included the veterans in this. Marvin Ross: Yes, We have talked with the veterans. Pam Patrick: Just concerned. Councilman Danny Goode: Pam has been involved in our memorial celebrations over the years and very conscious of what we're doing there, continuing on what I was saying I'm in support in concept without knowing a price tag as long as the Ute tribe is in support of this. What is the feeling of the Council? Will start with Spencer. Councilman Spencer Park: I'm fine with it. Councilman Jeff Wade: I'm fine, Councilman Steve Farrell: I'm in support of this if it's physically possible to do because it's pretty tight land area up there they want use for the roundabout. Councilman Kendall Crittenden: Same concept good. Councilwoman Marilyn Crittenden: I think I always support remembering our past. I think your concept of looking at some others too, this one needs to be looked at carefully. Councilman Mark Nelson: My only comment other than being in support is that whatever representation be a roundabout, if there's a very nice bronze I would almost want it somewhere else where people could touch it or take pictures in front of it. Marvin Ross: Thank you. Councilman Danny Goode: Vice Chair anything else for board reports? Councilman Mark Nelson: No because you're here. Councilman Danny Goode: Marilyn. Councilwoman Marilyn Crittenden: I have none. Councilman Danny Goode: Mr. Crittenden: Councilman Kendall Crittenden: Just a few reminders, remember the issue conference next Wed. at 6:00 p.m. those of you that haven't been it's a great event. Interlocal meeting tomorrow night you should have got a copy of the agenda there's some important issues concerning the County, hope we have some representation speak to that or listen to it or whatever. We got the e-mail on the Lincoln Day breakfast celebration this Saturday kind of short notice, I knew it was coming up I was wondering when we would get something. In the past we bought council table they've given us a deal for \$200 which is \$25 a piece. I don't know how many are interested. I suggest if you want to go pay your \$25 and go and enjoy, there's not much of a county element to the County Republican Party Event. We get a sign in the middle of the table. Heber Valley Parkway planning party is this evening over at Heber Valley Elementary at 6:00 if I could be excused. You should have got a notice for the ribbon cutting that's for the Rocky Mountain Care Center for March 6th, I think we have all been invited to that. Mike Davis: You're supposed to RSVP. Councilman Kendall Crittenden: Yes, March 6th 2-7 p.m. ribbon cutting ceremony at 2 and the tours, anyway that's all I had. Councilman Danny Goode: Mr. Farrell. Councilman Steve Farrell: Mike I got an e mail from you on Public Lands Dave Hale what does he want? Mike Davis: Dave does not want to take care of the parking lots anymore. Councilman Danny Goode: Which Parking lot? Councilman Steve Farrell: The one out to Solider Creek. Councilman Kendall Crittenden: Ok. Councilman Steve Farrell: The one the home owners and fisherman share. Councilman Spencer Park: Wasn't there

a survey done out there and it was like 90% home owners not fisherman. Councilman Steve Farrell: Is it both parking lots he don't want to take care of it? Mike Davis: he said the whole thing just warning everybody. Councilman Kendall Crittenden: He plows it through the winter does he? Mike Davis: Has someone plows it. Councilman Danny Good: So what does that consider is that private, public, county? Mike Davis: He gave easement to the Forrest or Fish and Game. Councilman Steve Farrell: I thought it was a Forrest Service. Mike Davis: For fisherman access parking then he built a lot or we built a lot behind that lot facilitate getting people to park their trailers all winter, there snowmobiles to get in, we did the lot he's maintaining them it's on his property and he fills done taking care of it was there any conditions when we built it? Councilman Steve Farrell: No, we just facilitate in getting that lot in place and put some barriers help level it off. Councilman Danny Goode: Do we need come up with a plan for taking care of it? Mike Davis: It will be somewhat of an event once he quit doing it. Councilman Mark Nelson: And that's different that's not the one the road goes in to the dam, that's the one a mile or so? Councilman Steve Farrell: No, the other way. Mike Davis: The one that goes into the Marina Solider Creek Marina. Councilman Steve Farrell: And we thought we owned the road from the Hwy down to the cattle guard. Councilman Kendall Crittenden: And we talked about that last week. Councilman Steve Farrell and we don't. Councilman Mark Nelson: The reason why I ask maybe that other ones not maintained and they also park trailers and snowmobiles and stuff. When you go into Pine Hollow. Mike Davis: They do. Councilman Mark Nelson: No one plows that it's not our road. Councilwoman Marilyn Crittenden: Well if it's not our road, what's he going to do if he stops plowing it? Mike Davis: I think he's going to Costa Rica, but I', not sure (LOL), I think his point was going to meet with groups if someone wants to facilitate taking care of the issue, once he quits there be an up roar. Councilwoman Marilyn Crittenden: Maybe they'll solve their own problem where it's not our road first place. Mike Davis: It's not our problem maybe we could facilitate. Councilman Kendall Crittenden: He owns the property. Mike Davis: He does. Councilman Kendall Crittenden: He would give an MOU to anybody that stepped up. Mike Davis: I don't know. Council Mark Nelson: The obvious ones is the cabin owners. Mike Davis: He wanted to meet with the County. Councilman Spencer Park: The only guess concern with the fights would be the cabin owner and the fisherman showed up. Councilman Jeff Wade: There not there many fisherman it's along hike. Councilman Danny Goode: We built the road. Councilwoman Marilyn Crittenden: It's not our property. Councilman Spencer Park: If I remember right someone went in and did a study most everybody was cabin owners and 5% fisherman. Councilman Danny Goode: Can we potentially ask him deed those parking lots to the County? Councilman Steve Farrell: Then we would have to maintain them. Councilman Danny Goode: We might have to anyway because we built one of those parking lots. Councilman Steve Farrell: No. Councilman Danny Goode: No but the people have an easement, I don't think it's so simple we can say no. Councilman Steve Farrell: I think we ought to have him come and meet with the Forrest Service and State Park in that meeting and see what we can get done. Mike Davis: I think originally the Forrest Service was supposed to plow that parking lot. Cause who does the other parking lots up there the State Parks? Councilman Steve Farrell: Yes. Councilman Spencer Park: Cause Forrest Service has no capability so we would have to do it or the State Park. Mike Davis: We did it in the past until we hit a car. Councilman Steve Farrell: I don't think the County should be roped into it. Councilman Danny Goode: So you get it to Public lands meeting get a direction and I'll probably get Allen

Ward to come there. Councilwoman Marilyn Crittenden: And if it's fisherman access to. Mike Davis: Probably need Danno there. Councilman Danny Goode: Anything else Mr. Farrell? Councilman Steve Farrell: No I don't believe so. Councilman Danny Goode: Jeff. Councilman Jeff Wade: The Parks and Rec advisory board had a second meeting, had out some things that needed to get done. I think Monday Mike was going to start a study. Mike Davis: Yeah, Tom and I was going to start shuttle. Councilman Danny Goode: And that's a study on Impact fees. Councilman Jeff Wade: Yes, it's a study on impact fees on Parks & Rec and the police. Councilman Danny Goode: You're going to do them together? Mike Davis: We're going to do all County impact fees it's kind of hard to do just one. Councilman Danny Goode: Okay, The one impact fee is all inclusive for all emergency right? Councilman Steve Farrell: No. Councilman Danny Goode: There's three different ones so what do we got? Parks & Rec, Roads, and EMS. Mike Davis: EMS will reach in whatever fire district. Councilman Danny Goode: Anything else Jeff? Councilman Jeff Wade: No. Councilman Danny Goode: Spencer. Councilman Spencer Park: I don't have anything. Councilman Danny Goode: Did everyone get an invitation to UVU precedence? There's a new president taking office a week of new inauguration. We got a letter administration of the Courts the Utah judicial counseled review the information on the Wasatch County Justice Court based on the information approved, Council determined all operations standards are meet, as such the Wasatch County Justice Court where recertified four year term.

Manager Report

PRESENTATION FOR APPROVAL, NAMES FOR THE TAB, TRANSIENT ROOM TAX ADVISORY, BOARD.

Mike Davis: Ryan Starks with tourism contacted me asked if we could get position on the board proposed we place Craig Simmons from the Homestead Crater position expires 2020. Crystal Brown from the Homestead expired 12-31-2021, Brandon Fife from Zermont expires 12-31-2021, Ed Shaw Deer Valley resort expires 12-31-21, Councilman Danny Goode: This is our new expand board 9 total or is there more coming so you expanded the 2018 the thought tourism board on the rise with more partners on how to shape our tourism budget. Ryan Starks: So we welcome them and we enjoy their input decide to work with Mike and the Council expand by four more members the problem of that is terms five years revised amended terms three years three people every year people will roll over and new people. Councilman Kendall Crittenden: five of the nine collect the TRT money. Ryan Starks: And that's part of the county code and the state statue. Majority of the TRT board will collect TRT money. Councilman Steve Farrell: Ryan did you reach out to the Saint Regisist. Ryan Starks: We did they was at the top of the list and he appreciated invitation Saint Regisist just merged with the Marriot and because of the merger he just didn't have the time a lot of administration stuff. I think when the next turn of this batch rotate off. Councilman Danny Goode: Mike do you need a motion. Mike Davis: Yes. Councilman Danny Goode: Does anyone need a personal discussion any of the names? If not a motion is in order.

Councilman Mark Nelson: Mr. Chair I'd like to make motion to approve these four names Craig Simmons, Cristy Brown, Brandon Fife, Ed Shaw to be on the 2019 TAB for three years. Councilman Steve Farrell: Second the motion. Councilman Danny Goode: We have a motion Vice Chair Nelson and a second from Mr. Farrell. Any discussion on the motion if not we will proceed to vote.

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

NAY: None

Mike Davis: So this item here I miss understand we will have to present will have to do this future date this would be the appropriation of the grant money, TRT County Grant \$50,000 to give back event cord to these market efforts quarterly so what they do is they can application apply for any amount up to \$50,000 application period for 2019 was extended this year we gave an extra month. We opened application up Nov. 1st through Jan. 1st, 2019 we had 15 applications and they asked for total of 64,000 and a score sheet added to the process, this is the first year worked out really well each of the 9 board members scored each of the presentation. We invited each 15 applicants to make a presentation so each of the 9 board members could score each presentation. We added them up average the scores so that's how they got the grant. Councilman Steve Farrell: I see the Midway Arts on that didn't we set something aside \$10,000 just for the arts? I can't remember that. Ryan Starks: Midway planes and Art Festival, yes, with that \$10,000 they turn around and allocated Arts Organizations this person felt like he needed additional help. Councilman Steve Farrell: Is he going to get money also from the arts grant? Ryan Starks: We community tour funding position to the arts so there no double dipping, they may give they may go ahead and extend \$500, but they will be aware of our recommendation. Councilman Kendall Crittenden: This doesn't apply for this year, I like the score sheet that apply's for everybody, as I recall in the past these funds are for start up to help a new event. Councilman Danny Goode: 100% of this money goes to advertising outside of the county. We're not going to take action today its information only agenda for future meeting. Mike Davis: Unfortunately I misunderstand it. Councilman Steve Farrell: We could probably take action so they could notify the people approved. Mike Davis: If you want to take action then that's fine. Councilman Marilyn Crittenden: Can I ask just for information I just want to know what Summit Bike is and Horse Sale cause the most money oops and IBU. Male: Horse sale is the Heber valley Horse sale, Barrel Racing at the Event Center. And Biking is at Solider Hollow, Christmas Adventure. Ryan Starks: There's a required report goes to TAB Board Bruce, Jessica, and Ryan good program.

Councilman Steve Farrell: I'd like to make a motion to go ahead and approve this even though it's not on the agenda, but do ratification March 6th. Councilman Danny Goode: We have a

**motion from Councilman Farrell and a second from Councilwoman Marilyn Crittenden.
Councilman Danny Goode: Any discussion on the motion if not we will proceed to vote.**

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

Nay: None

Councilman Danny Goode: Anything else Mike? Mike Davis: Yes, Doug Smith and myself went down to UDOT in Orem want to discussion safety procedures on Hwy 40 north of town 500 North Midway lane they watch deaths on highways and cause of deaths and anything they can do and we have a couple of deaths couple of suggestions dividers along Hwy 40 or rumble strips. Rumble more appealing they have two types of rumble strips on is brand new which apparently doesn't make a lot of noise external but they tend to fill in the car. So what they would like is to put the rumble in the middle and the lender on the sides still digs in the road.
Councilman Danny Goode: Do they need anything from us. Mike Davis: No.

Councilman Kendall Crittenden: Motion to go into close. Vice Chair Mark: Second. All- Yes


PUBLIC HEARING

Mark Garza representative for Cardinal Funding LLC, is requiring preliminary plat and site plan approval for Wasatch Commons, a residential project east of the existing Wasatch Commons Apartment complex consisting of 348 ERU's/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 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 Danny Goode: This item is not ready for County Council, nor is it ready to be heard. We need to reschedule what date are you looking at Austin? April 6, 2019. ** Amended** (March 6, 2019).

Meeting adjourned at 6:00 p.m.


DANNY GOODE/CHAIRMAN


MICHELL B. CROOK/ DEPUTY CLERK

