

**MINUTES OF THE
WASATCH COUNTY COUNCIL
MAY 1, 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
Spencer Park
Jeff Wade
Steve Farrell

EXCUSED: Councilman Mark Nelson

OTHERS PRESENT: On list attached to a supplemental file

PRAYER: Councilwoman Marilyn Crittenden

PLEDGE OF ALLEGIANCE: Led by Councilman Spencer Park and repeated by everyone.

Chair Danny Goode called the meeting to order at 3:00 p.m. and indicated that Councilman Mark Nelson has asked to be excused. Chair Danny Goode then welcomed those present and called the first agenda item.

OPEN AND PUBLIC MEETING AFFIDAVIT

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

PUBLIC ISSUES FOR FUTURE MEETINGS

Chair Danny Goode then asked if there was any issues for future meetings and there was none.

LEGISLATIVE ITEMS FOR FUTURE MEETINGS

Chair Danny Goode then asked if there was any legislative items for future meetings and there was

none.

ADMINISTRATIVE ITEMS FOR FUTURE MEETINGS

Chair Danny Goode then asked if there was any administrative items for future meetings and there was none.

APPROVAL OF THE MINUTES FOR APRIL 3, 2019

Councilman Kendall Crittenden indicated that on the minutes for April 3, 2019 on page 6 the word Tift should be Tif and also on the top of page 7. Also a question on page 7, Pam Patrick raised the concern about the gate being open into Red Ledges and heavy equipment was being brought through Wasatch View. Mike Davis, the Wasatch County Manager was going to talk to the construction company about that and wondered if that had been done. Pam Patrick, local resident, addressed the Wasatch County Council and indicated that she has not seen any heavy equipment coming through.

Councilwoman Marilyn Crittenden made a motion to approve April 3, 2019 minutes with the noted corrections. Councilman Steve Farrell seconded the motion and the motion carries with the following vote:

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

NAY: None.

APPROVAL OF THE MINUTES FOR APRIL 10, 2019

Councilman Steve Farrell made a motion that we approve the minutes for April 10, 2019 as written. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

**AYE: Marilyn Crittenden
AYE: Spencer Park
AYE: Jeff Wade
AYE: Steve Farrell
AYE: Kendall Crittenden**

NAY: None.

ABSTAIN: Chair Danny Goode (absent)

APPROVAL OF THE MINUTES FOR APRIL 17, 2019 AND APRIL 22, 2019.

Councilman Spencer Park made a motion that we approve the minutes for April 17, 2019 and April 22, 2019 as written. Councilwoman Marilyn Crittenden seconded the motion and the motion carries with the following vote:

AYE: Marilyn Crittenden

AYE: Spencer Park

AYE: Jeff Wade

AYE: Steve Farrell

AYE: Chair Danny Goode

AYE: Kendall Crittenden

NAY: None.

Councilman Steve Farrell made a motion to leave our regular session and go into the Wasatch County Council acting as the Governing Board of the Wasatch County Parks and Recreation Special Service District. Councilman Kendall Crittenden seconded the motion and the motion carries with the following vote:

AYE: Marilyn Crittenden

AYE: Spencer Park

AYE: Jeff Wade

AYE: Steve Farrell

AYE: Chair Danny Goode

AYE: Kendall Crittenden

NAY: None.

WASATCH COUNTY COUNCIL ACTING AS THE GOVERNING BOARD FOR THE WASATCH COUNTY PARKS AND RECREATION SPECIAL SERVICE DISTRICT.

AWARDING OF PICKLE BALL BIDS

Tom Bonner, the Wasatch County Parks and Recreation Director, addressed the Governing Board of the Wasatch County Parks and Recreation Special Service District and indicated that Troy

Ostler, the Wasatch County Consulting Engineer do the RFP and three qualified bids were received back. The first bid from Sutch Concrete including the additions was \$160,705.00. The second bid was from Parking Tennis Company Inc., including the additions was \$129,741.40. The third bid was from the Tennis and Track Company of Utah and the total bid including additions was \$123,403.00. Tom Bonner then indicated that he would recommend the bid be awarded to the Tennis and Track Company of Utah. The work they have done that he has seen is excellent and they have a good reputation in the State of Utah. Tom Bonner also indicated that the engineer's estimate including additions was like \$198,000.00 and all three of the bids came under that.

Board Member Steve Farrell made a motion that we approve the bid for the pickle ball courts and award it to the Tennis and Track Company of Utah in the total of \$123,403.00. Board Member Danny Goode seconded the motion and the motion carries with the following vote:

**AYE: Board Member Marilyn Crittenden
AYE: Board Member Spencer Park
AYE: Board Member Steve Farrell
AYE: Board Member Danny Goode
AYE: Board Member Kendall Crittenden
AYE: Board Chair Jeff Wade**

NAY: None.

Board Member Danny Goode made a motion that the Governing Board of the Wasatch County Parks and Recreation Special Service District adjourn and go back into the regular Wasatch County session. Board Chair Jeff Wade seconded the motion and the motion carries with the following vote:

**AYE: Board Member Marilyn Crittenden
AYE: Board Member Spencer Park
AYE: Board Chair Jeff Wade
AYE: Board Member Steve Farrell
AYE: Board Member Danny Goode
AYE: Board Member Kendall Crittenden**

NAY: None.

Councilman Jeff Wade made a motion that we leave our regular Wasatch County Council session and go into the Wasatch County Council acting as the Governing Board for the Wasatch County SSA #1. Councilman Steve Farrell seconded the motion and the motion carries with the following vote:

AYE: Marilyn Crittenden

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

NAY: None.

**WASATCH COUNTY COUNCIL ACING AS THE GOVERNING BOARD
FOR THE WASATCH COUNTY SSD #1.**

APPROVAL OF THE WARRANTS

Board Chair Steve Farrell indicated that there are warrants in the amount of \$72,466.51. Most of the warrants were for contract services and for the Water Conference. **Board Member Kendall Crittenden made a motion that we approve the warrant list as presented in the amount of \$72,466.51. Board Member Danny Goode seconded the motion and the motion carries with the following vote:**

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

NAY: None.

Board Member Danny Goode made a motion to adjourn and go back into the regular Wasatch County Council agenda. Board Member Kendall Crittenden seconded the motion and the motion carries with the following vote:

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

NAY: None.

REGULAR WASATCH COUNTY COUNCIL AGENDA

BUILDING SAFETY MONTH DECLARATION

Robert McDonald, the Wasatch County Building Department Director, addressed the Wasatch County Council and gave a history concerning this proposal and then indicated that his staff has been working to make things better with different organizations and the perception with the public and one way was to support this Building Inspection Month for May of 2019. Also 3500 packets will be distributed in the local schools and if they answer the questionnaire and fill out the work sheets the students can come back to our office and receive a little gift packet. Chair Danny Goode indicated that this is Resolution 2019-08.

Councilman Spencer Park made a motion that we go ahead and approve Resolution 2019-08 making and declaring May 2019 in Wasatch County as the Building Safety Month. Councilman Jeff Wade seconded the motion and the motion carries with the following vote:

AYE: Marilyn Crittenden

AYE: Spencer Park

AYE: Jeff Wade

AYE: Steve Farrell

AYE: Chair Danny Goode

AYE: Kendall Crittenden

NAY: None.

TRT REPORT AND DISCUSSION

Mike Davis, the Wasatch County Manager, presented a power point presentation and then addressed the Wasatch County Council and gave a brief history of the TRT in Wasatch County. And one of the biggest concerns related to TRT was how to create a new tax when new taxes is a subject that the local public doesn't like. Mike Davis also indicated that the purpose of the Transient Room Tax Code is to mitigate impacts of recreation, tourism or conventions and issuance of bonds, acquire land, lease land or make payments for construction or infrastructure improvements required or related to the purposes listed in the Code under 1B. Those are the things that the Transient Room Tax funds have to be used for because Wasatch County is a Fourth Class County which qualifies Wasatch County to use these monies for the expenditures as well. When Wasatch County changes from a Fourth Class County to a Third Class County a lot of things pertaining to the use of the Transient Room Tax will change. That possibly could happen after the next census is completed. Mike Davis then indicated how the budget on the Transient Room Tax was broken down for 2018. The two percent component is to go to tourism and there is the recreation component that went to the Parks and Recreation of \$186,000.00, the tourism group which goes to Ryan Stark, the economic development director, which is \$618, 560 .00 for a total of \$804,560.00. Also transient room taxes can be used for emergency type situations because the money broadens the capability in emergency services.

Mike Davis then went through a summary of what the Transient Room Tax money presently is being used for in Wasatch County. Chair Danny Goode then told the Wasatch County Council Members to review what Mike Davis has presented and if there are areas that would need more explanation bring that to our attention and then Mike Davis can better explain those.

Chair Danny Goode then asked if there was anyone from the public that would like to talk or ask questions.

Bill Stern, owner of a bed and breakfast called the Invited Inn in Midway, addressed the Wasatch County Council and indicated that he would like to see a little bit more money available for Ryan Stark's group of economic development as well as tourism. Also would like more visualization because a lot of that money goes for salaries. Also would like to know more of where that transient tax money is going and hopefully the money is going for tourism. Ryan Stark, the Wasatch Economic and Tourism Director indicated that he would be happy to show the breakdown of where that money goes.

Paul Christensen, Wasatch County resident, addressed the Wasatch County Council and thanked Mike Davis for presenting this power point because it was very accurate and thorough. Paul further indicated that he would like to know how much of the three million dollars that is in the reserve fund and how much is in the one third versus the two thirds. Mike Davis indicated that most of the three million is in the second component which means that it could be used for anything such as tourism and recreation. Also Mike Davis indicated that he doesn't have the exact figures but in the next discussion will know the exact figures.

Paul Christensen indicated that he would like to know where the restaurant tax money is. Mike Davis indicated that is in a separate fund. Also the determination on how that money is used is determined by the Wasatch County Council. The amount of money that is in that fund is approximately one point two million dollars but can get the exact figure in another discussion.

Tracy Taylor, Wasatch County resident, addressed the Wasatch County Council and indicated that she was glad that this was put on the agenda for discussion because it has been very helpful. Tracy asked that if Mike Davis's power point presentation could be put in the agenda packet for this particular meeting. What is the process for Ryan Stark to be able to dip into the one million plus dollars to get those certain projects approved? Mike Davis indicated that the Wasatch County Council doesn't take any requests. Tracy Taylor wanted to know how the decisions are made regarding those projects. Mike Davis indicated that the Wasatch County Council approves or disapproves those requests. Tracy Taylor indicated that she would like to see also that all the entities asking for money should do that at the same time so that the determination can be made at one time who is on that list and how much money is available. Tracy Taylor also asked with regard to the recent State Audit Report about the submitting to the State Auditor's Office for counties to become consistently submitting Tourism Revenue Usage reports and is Wasatch County doing that. Mike Davis indicated that those reports have only existed for two years and Wasatch County did the first one and the second one was never sent until after the year end and when it was sent Wasatch County turned the report in. Tracy also stated that it was indicated by

the State Auditor's Office that Wasatch County was late because their report was sent in late. Mike Davis indicated that the bottom line is that Wasatch County was in compliance with the State Auditor's request. Tracy Taylor also indicated that a discussion could be about the sixty percent issue that is referenced in Figure 3.1 in the audit and that could just be a breakdown of where that goes because the Auditor's Audit indicated that sixty percent of the money was being used for staffing in operations. And Wasatch County was higher than the other seven counties except for Salt Lake County which was at sixty percent as well.

Councilman Kendall Crittenden indicated he would like to see that there is a certain period of time for the projects to be submitted and if a project isn't accepted in that period of time then next year that project could be submitted again.

Peter Rancie, from the Zermatt Resort in Midway, addressed the Wasatch County Council and indicated that the Zermatt Resort is the largest employer in Wasatch County and Zermatt spends \$1.3 million every year in sales and marketing. Peter indicated that the flexibility in the budgets is great and how could that flexibility be applied. Also what opportunities might be taken advantage of with the economic and tourism if those budgets were increased? Also would like the Wasatch County Council to discuss and address that issue and what could be done with economic and tourism if perhaps a half million dollars were available for that purpose. Chair Danny Goode indicated that could be discussed during the budgeting process. Just come to those budgeting meetings and present your views regarding economic and tourism issues.

PRESENTATION COUNTY WIDE CHIP SEAL BIDS FOR APPROVAL

Brandon Cluff, the Wasatch County Public Works Director, addressed the Wasatch County Council and indicated that they asked Civco Engineering to help with estimates on chip sealing which was \$704,605.00. The areas that will be done with chip sealing is a section in the Jordanelle area southwest of Highway 248 (the retreat area), Laurie Lane going into Stock Lumber, Lake Creek Road, 3600 East, 4800 East, 5750 East and 6400 East and 2400 South. 1200 South will not be done. When a chip seal is done Wasatch County will get more for the money by doing a chip seal because it will last for five to seven years. Brandon Cluff indicated that there were five bidders and the recommendation is to award the bid to Staker Parsons and they do quality work. Also two parking lots at the north for the recreation center in Southfield Park and also the senior citizen center area.

Councilman Kendall Crittenden made a motion that we award the chip seals projects to Staker Parsons Construction in the amount of \$671,228.80. Councilman Jeff Wade seconded the motion and the motion carries with the following vote:

**AYE: Marilyn Crittenden
AYE: Spencer Park
AYE; Jeff Wade
AYE: Steve Farrell**

**AYE: Chair Danny Goode
AYE; Kendall Crittenden**

NAY: None.

**DISCUSSION/POSSIBLE UPDATE DATES ON PREVIOUS RESOLUTION
REGARDING AIRPORT 2016-12**

Chair Danny Goode indicated that an invitation was received from the Mayor of Heber City indicating that Wasatch County will be invited to have a membership on their steering committee. Wasatch County has asked to have two seats on the steering committee. Heber City is taking that under consideration but it was a positive reception from Heber City.

Councilman Steve Farrell indicated that at the last Wasatch County Council meeting the Council talked about this resolution where the Wasatch County Council in 2016 was opposed to an expansion of the airport from a B2 to a C2 Airport. The new members of the Wasatch County Council was asked to look at the resolution that was made back in 2016 to see if they are in favor of such a resolution. Also what the Council would like to do is hold off on taking any action on this until after we see the results of the steering committee and the recommendation that comes back from that before the Wasatch County Council moves forward. Councilwoman Marilyn Crittenden voiced a concern about the steering committee and what the committee is doing if the committee can't make any recommendations to the Heber City Council. The Heber City Mayor indicated that what the steering committee will be doing is looking at what they think is happening there at the airport and hopefully mitigating with the FAA with regard to hold off some of the pressures that they are putting on Heber City to expand and to spend money there. Councilman Steve Farrell indicated that the steering committee will be of more value to the Wasatch County Council for having two Wasatch County Council members on the steering committee that understands what is taking place and be able to come back and apprise the Wasatch County Council what is going on so that a more informed decision can be made. Chair Danny Goode indicated that if Wasatch County is able to have two members on the steering committee that the two Council Members that are the at large Council Members to that steering committee and if there will only be one member on the steering committee that it be one of the at large Council Members who represents the whole Wasatch County area.

Dave Kennamer, Wasatch County resident, addressed the Wasatch County Council and indicated that there are some in the leadership of Heber City that would like to have that airport expanded to accommodate larger planes. Dave also indicated that possibly the Wasatch County Council could hold a public hearing regarding this airport expansion matter in order to gain input and organize a petition drive that only people in Heber City could sign. Also Heber City should not ignore the influence of the Wasatch County Council. Presently the Wasatch County Council has nothing to protest against at the present time but just keep your influence ready to go.

**DISCUSSION/CONSIDERATION RESOLUTION 2019-07 DECLARING
MAY 2019 AS MENTAL HEALTH AWARENESS MONTH**

Councilman Kendall Crittenden indicated that Mental Health is a very important subject and also in the news and the Wasatch County Health Department and Mental Health is working on.

Randall Probst, the Wasatch County Health Director, addressed the Wasatch County Council and indicated that the Wasatch County Health Department works on Mental Health issues and quite involved in the subject. The Health Department works along with Chad Shubin, the Wasatch County Mental Health Director regarding mental health issues.

Chad Shubin, the Wasatch County Mental Health Director, addressed the Wasatch County Council and indicated that Mental Health is an issue that a lot of the different cultures have missed. Also there is an economic impact regarding mental health which amounts to billions that is lost each year due to mental health issues. Also there is the quality of life and work for a good quality of life. Also depression is the actual leading cause of disability worldwide. As a result of that two-thirds of the people with depression do not actively seek or receive proper treatment which is from the lack of education regarding the subject. Chad indicated that more resources need to be in the schools and the goal is to get one full time therapist in the school system from the Mental Health organization to serve the needs there. In Wasatch County there needs to be a strong peer support group. Also services are being expanded in the local jail and also to have case managers serving other groups. Chad also indicated that money is received from the State of Utah to pay for a large portion of mental health issues with the inmates that are housed in the Wasatch County Jail. Chair Danny Goode indicated that mental health issues are usually a problem with chemistry and not a problem with character. Councilman Kendall Crittenden indicated that parents need to talk to their children and communicate which is one of the solutions to solving this mental health problem.

Councilman Kendall Crittenden made a motion that we adopt Resolution 2019-07 declaring May 2019 as Mental Health Awareness Month in Wasatch County. Councilwoman Marilyn Crittenden seconded the motion and the motion carries with the following vote.

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

NAY: None.

DISCUSSION/CONSIDERATION TAX SALE COMMITTEE TO REMOVE AND ABATE/DELETE 3 DEVIANT PARCELS FROM THE TAX SALE DELINQUENT REPORT.

00-0021-016 MIDWAY VILLAGE LLC-DEVIANT PROPERTY.

00-0020-7238 SUNSHINE MOUNTAIN L.L.L.P-LEGAL DESCRIPTION OVERLAPS AND COVERED BY OTHER TAX PAYERS.

00-0020-4997 WATTS DUTCH FIELDS L.L.C.-PRIVATE ROADS.

Maureen Griffiths, the Wasatch County Assessor, addressed the Wasatch County Council and indicated that she has four parcels that need to be removed from the tax roll because of there are some overlaps in the legal descriptions that are covered by other taxpayers. Also one of the four was just received by me this morning. Councilman Steve Farrell indicated that the one that was just received this morning should be put on the agenda for another meeting. The three remaining properties are properties that have been deleted because they had prior taxes owed on them they can't be deleted from the tax roll until the taxes are caught up or they are abated. Also none of these properties have a large sum owed against them but just fragment pieces that was left off, or added into open space, or common area that there was still a small tax owed against the property. As a result the tax committee would like to abate them and delete from the tax roll from here on out. The matter was just a record problem. In summary as the matter was researched by the Wasatch County Tax Committee, the committee felt that it was in the best interests of Wasatch County both economic wise and time wise to go ahead and abate them because the tax is not being lost but the taxes are just being picked by another entity. The tax that is being let go is probably less than four thousand dollars.

Councilman Kendall Crittenden made a motion that based on the recommendations of the Tax Sale Committee that we remove, abate and delete the three deviant parcels from the tax sale the delinquent report as specified here. Parcel No. 00-0021-0176 Midway Village L.L.C., Parcel No.00-0020-7238 Sunshine Mountain L.L.L.P and Parcel No. 00-0020-4997 Watts Dutch Fields. Councilman Steve Farrell seconded the motion and the motion carries with the following vote:

AYE: Marilyn Crittenden

AYE: Spencer Park

AYE: Jeff Wade

AYE: Steve Farrell

AYE: Chair Danny Goode

AYE: Kendall Crittenden

NAY: None.

Councilman Steve Farrell also thanked Maureen Griffiths and the tax committee for the job that they do because their action has cut down considerably on the problems that Wasatch County has had in the last five years with regard to tax problems.

Councilman Kendall Crittenden asked Maureen Griffiths if she had received an e-mail from a Kathleen Hansen stating that there was a tax sale pending on her lot which is located at 12751

North Deer Mountain Boulevard. Councilman Kendall Crittenden also indicated that Ms. Hansen had indicated that she had done a 1031 Exchange for the lot and had also indicated that she had plans drawn up by an architect. Maureen Griffiths indicated that she did not receive that e-mail. Councilman Steve Farrell indicated that it is a vacant lot and there have been no taxes paid on the lot for the years of 2014, 2015, 2016, 2017 and 2018 in the amount of \$9,518.00. Councilman Steve Farrell indicated that he doesn't know what can be done at this point where it is just a vacant lot. Maureen Griffiths indicated that she would take a look at the matter to see what could be done.

PRESENTATION AND DISCUSSION ON THE BENLOCH RANCH DEVELOPMENT LOCATED ON HIGHWAY 32 WEST OF THE VICTORY RANCH DEVELOPMENT. THE PRESENTATION AND DISCUSSION IS ON THE CURRENT PROPOSAL FOR THE PROPERTY IN RELATION TO THE PREVIOUSLY APPROVED MASTER PLANS.

Doug Smith, the Wasatch County Planner, addressed the Wasatch County Council and presented a power point presentation and gave a brief history of the property and what has taken place with regard to the matter. Doug Smith then indicated that Benloch Ranch consists of three master plans that were approved. The area consists of about 2,000 acres. Also there is an entitlement agreement which gives me, Doug Smith, the Wasatch County Planner, the ability to say that you can start at preliminary if you are substantially in compliance with the approved Master Plan. Doug Smith also indicated that he doesn't like that ability.

The matter is before the Wasatch County Council today because there are some changes for the most part in the resort and specifically the village area. The new proposal is for individual cabins that would be built on 250 stalls. The cabins would be approximately 400 square feet which would consist of a bathroom and a kitchenette and a bedroom. These cabins would be on a nightly rental basis. Doug Smith indicated that the concerns are the calculation of ERU's. The applicant is proposing a quarter of an ERU for each one of these units.

A concern is that the units could become long term rental units and become apartments or work force housing units eliminating the transient room tax. Another concern is that the property would have to be maintained in one ownership and not fractional ownership or individual units but maintained by the resort entity, one entity. Another concern would be long term monitoring of these units. Another concern is the timing of amenities that make this a destination resort area.

The matter that is before the Wasatch County Council for discussion is whether this application is substantially in compliance with the approved master plans and if not then it is a matter of going back and starting at Master Plan approval not at preliminary. Also the applicant is limited to 2,046 ERU's and the applicant has to stay within that.

Mike Davis, the Wasatch County Council, addressed the Wasatch County Council and indicated that if the matter consisted of one hotel or one vertical building looking at hotel rooms they would be looked at as a quarter ERU. The question becomes that by spreading them out into these little

cabins is that equivalent to the hotel that is built in one building and these units are the hotel. Doug Smith also indicated that if the Wasatch County Council decided that this new proposal is substantially similar and then the preliminary process would be worked through and these different concerns will be figured out in the development agreement with bonding or whatever to take care of the concerns.

Councilman Steve Farrell asked if the Wasatch County Council decided that the resort center didn't meet these same things but was significantly different than the original Master Plan would the whole project have to go back for Master Plan determination or just the resort center? Doug Smith indicated that is a good question. If the Wasatch County Council felt like that the rest of it is substantially similar the resort village area could be taken back. Also if a new master plan was required for the resort area that would have to be done and that would be part of the overall preliminary approval the whole thing.

Wade Budge, representative for Benloch Ranch, addressed the Wasatch County Council and presented a power point presentation and then indicated that the main issue today is the resort area concept. Wade also indicated that he wanted to explore with what the Wasatch County Council felt with the proposal of the smaller cabins being built on 250 spaces. Also this concept has been successful in other areas such as Jackson Hole, Wyoming and at the present time a project like this is being worked on in Yellowstone Park. Wade indicated that the applicant feels that the new proposal fits within the prior Master Plan. Also these units when rented would pay a transient room tax. All the units would be handled by one owner and be ran like a motel or hotel. Also the applicant would enter into an agreement with regard to the amenities being built and that would be part of a development agreement or later a conditional use so that Wasatch County could be assured that those amenities would be built. He purpose of this meeting today is just to get a thought from the Wasatch County Council as to if they like the new proposed idea or not. We have already agreed with staff that limitations would be put on such as you couldn't operate anything other than a nightly rental. People could not stay in the units longer than thirty days and that a transient tax must be collected on each night of occupancy. This will not be work force housing or people come in and rent them for the whole ski season. The architectural components will come before the Wasatch County Council more formally after the review process is completed with the Wasatch County Planning Commission.

Chair Danny Goode indicated that he liked the proposal but could not make a decision today on whether or not it fits the original master plan and would like the legal department to have an opportunity to review it just to make sure that mistakes aren't made and a precedent isn't made. Also make sure that this one resort area be broken out of the Master Plan and overall site approval and can that be done from a legal standpoint. A memo could be provided from the Planning Staff to the Council talking about those concerns and that then can be reviewed and also the ERU issue.

Councilman Kendall Crittenden indicated that he was concerned about driving through these little cabins to get to the more luxury home up above the units. Wade Budge indicated that will not happen because the road will come in and will be able to see these cabins. There will be a nice entrance and believe that the cabins will add to the project once all the landscape is put in. The approach will not be cheapened. Wade also indicated that he would like to continue down this

particular path with these cabins.

Councilwoman Marilyn Crittenden indicated that she liked the concept but her concern is the number of them and the ability to rent the number of them and would pressure you into some other type of ownership and longer rentals.

Councilman Spencer Park indicated that with regard to traffic ten trips equals one ERU and can't see these cabins having anything less than four so it seems to me that they should be at least between .4 ERU's but would like to have the opportunity to look into that issue more.

Nate Reeves, the engineer for the project, addressed the Wasatch County Council and indicated that the build out of the Fireside Resort would cover about forty acres in size. The cabins have been placed so that they would be their own community and have very limited access, two accesses into each location so that the International Fire Code can be controlled but also control access in and out. Since this project is adjacent to SR 32 by having them lower and in having a lower impact the cabin project is a good fit for the project. Also the cabin project was shown in May of 2018. What amount of acreage that was consumed in May of 2018 was about twenty-five acres which makes an increase of acreage? The commercial have been centered also inside of that area so that can be within walking distance and everything of that community. Also the roadway system inside of that is obviously a private roadway built to Wasatch County standards. There are areas for snow removal because the elevation is such that there will be large amounts of snow and have taken that into consideration.

COUNCIL/BOARD REPORTS

Councilman Spencer Park indicated that with regard to bids from the mineral lease money there is a bridge in Round Valley in Wallsburg that was completed in 1985 which was a steel bridge and the bridge was just asphalted over and there are holes in the bridge right now and the bridge is failing. Brandon Cluff, the Wasatch County Public Works Director, addressed the Wasatch County Council and indicated that Civco Engineering was asked to do some bids for these bridges. There were two bidders on this project and are awarding the bid to CKC Asphalt which was the low bidder to redo the bridge. Brandon Cluff indicated that there are three bridges that need to be done in Round Valley in Wallsburg and possibly one bridge will be done each year until the three are completed.

Councilman Spencer Park indicated that he attended a meeting put on by the Wasatch County Health Board with regard to drug use in Wasatch County. Possibly in the future Randall Probst could give us a quick presentation on the numbers of that drug use epidemic in Wasatch County and if there is anything as a Wasatch County Council we could do to help in that particular problem. Possibly that could be done in a work meeting in a month or so if possible. Also learned that anxiety causes the use of drugs and vaping is a big concern.

Chair Danny Goode introduced Juan Lee the new Wasatch County Library Director. Juan Lee then

told a little bit about himself. Juan indicated that he was glad to be here in Wasatch County and looked forward to have the Wasatch County Library keep the good standards that has always been here. Also the needs of the customers with regard to the new technology need to be taken care of because a library is not just for books any more.

Chair Danny Goode indicated that he got an e-mail from Jeff Jones the economic development chair for Summit County. Summit County is in the process of setting up the Wasatch Back Economic Summit and have asked that one of the Wasatch County Council participate on the panel. That is being held on May 30, 2019 from 8:00 a.m. to 1:30 p.m. at the Dejoria Center in Kamas. The panel discussion will last fifty minutes plus questions. The Wasatch County Council indicated that Councilman Mark Nelson is our representative from the Wasatch County Council with regard to economic development so Councilman Mark Nelson should be the one to serve on that panel and represent Wasatch County Council.

Chair Danny Goode indicated that he received a thank you from MAG for Wasatch County's participation in Meals on Wheels. And every year that is a real good experience to go out and visit with the various senior citizens who are receiving Meals on Wheels.

Councilman Steve Farrell indicated that this morning the Public Lands meeting was held and a discussion was held with the DNR and the Director of Natural Resources and the Director of Wild Life Resources attended. There are 720 acres in the Jordanelle Basin on the east side just off from Highway 32 that they would like to look at trading with SITLA (School and Institutional Trust Lands Administration). They would like to do a development plan on it and market that property. Also looking at doing something with Tabby Mountain and SITLA. Tabby Mountain is 28,000 acres of land owned by SITLA and 14,000 acres are in Wasatch County and 14,000 acres are in Duchesne County. DNR is hoping to acquire that property and keep it open to the public and a potential trade is being looked at according to value. To make that possible Wasatch County would have to change the zoning on the 720 acres because right now it is zoned open space. What the zoning would be changed to would depend on the development plan that is presented. There are problems that relate to access and water. DNR and Wildlife Resources would like to come to a work meeting next week which is May 8, 2019 and make a formal presentation regarding this issue to the Wasatch County Council.

Councilman Steve Farrell indicated that on May 6, 2019 at 1:00 p.m. there is a fire board meeting with some of the public fire agencies and Summit County. That will be held out at the Wasatch County Sheriff's training room. The topic will be about the potential fire damage and risk. And fire issues that will be faced in the coming year. Councilman Steve Farrell indicated that on May 9, 2019 there will be a meeting held at the Senior Citizen's Center and this is put on by the advisory group and the fire department.

Councilman Steve Farrell indicated that he attended a meeting at Soldier Hollow last week to receive an update with regard to what took place with the Legacy Foundation last year. At the present time they are searching for a new director because the director that was there has moved on. Also \$1.3 million was spent for upgrades in 2018 and another one million planned for this year

to improve the snow making water system by buying a new snow cat and snow guns. Also the one million dollar mark was broken on the tubing hill. Also there are a lot of events planned at Soldier Hollow also.

Councilman Steve Farrell indicated that a request has been received from Rocky Mountain Care Center to be on the agenda for May 15, 2019. They have built a new facility and Wasatch County has applied a tax to the land and some of the costs of the improvements as it was being built and documentation has been provided that shows that they are exempt on their operation. So Wasatch County exempted it for 2019 because of the charitable donation aspect of it but did not exempt it for the 2018 and 2017 year because they were still getting an exemption and the use on the old facility located at 600 north. Councilman Steve Farrell indicated that he has contacted the Utah State Tax Commission and the tax commission has indicated that the exemption is based on use and when it is being used is it exempted but when it is not being used it should be taxable. Also more research is being done regarding that matter. They would like to come and make a formal request on the third meeting in May to ask for a tax refund for 2017 and 2018. Their donation or contribution to indigent care has got to outweigh the tax obligation which is one of the tests that has to be made.

Councilman Steve Farrell asked if the Council would like a further discussion on the EMS and fire merger for the work meeting on May 8, 2019. Mike Davis, the Wasatch County Manager indicated that he will be gone and Councilman Steve Farrell indicated that discussion should wait until Mike Davis can be present and can set that discussion in June.

Councilman Kendall Crittenden indicated that with regard to the Open Space Agreement with Red Ledges, Heber City is in the process of finishing the new MOU with Red Ledges to get the road done and have attached as a part of that MOU to get that Open Space Agreement completed with Wasatch County. The first proposal was that should be done by January 2020. Red Ledges wanted some more time. As a result the date of June 15, 2020 has been put in the MOU. Councilman Steve Farrell indicated that the Council needs to decide what should be done with regard to that open space. Also with the restrictions that have been put on that there is no benefit for Wasatch County to own the open space and taking the responsibility to ensure that it is being maintained and cared for like it should. Also Wasatch County was expecting the homeowner's association to be the owner of record and a third party to own the easement. Councilman Kendall Crittenden asked the question if Wasatch County can get that all taken care by June of 2020. It was okay with Heber City putting that date in their agreement. Mike Davis, the Wasatch County Manager, indicated that he will be asked to sign this road agreement and will not be able to sign it if the Wasatch County Council isn't comfortable and in agreement on how this issue will be addressed. The challenge is that this issue should have been taken care of before homes were built in the area because now all these people have entitlements and the open space is all intermixed with the homes. Councilman Jeff Wade indicated that Wasatch County should keep the open space because the open space backs up to Sorensen's property. Councilman Kendall Crittenden indicated that he will meet with the necessary parties and see what resolution can be worked out and then report back to the Wasatch County Council. Tracy Taylor, Wasatch County resident, asked if this open space problem is something that the Open Space Advisory Board could be looking at. Councilman Steve

Farrell indicated that is a possibility and no Wasatch County money will be going towards it.

Councilman Kendall Crittenden indicated that next Tuesday Starvation State Park will be dedicated as Fred Hayes State Park. That will be held next Tuesday 11:00 p.m. at the Fred Hayes State Park at Starvation Reservoir.

Councilman Kendall Crittenden indicated that on May 21, 2019 the Health Department and other groups will have a Kid's health and safety fair and a marathon will take place at South Field Park which is from 5:00 p.m. to 7:00 p.m. plus other activities.

Councilman Kendall Crittenden asked if Mike Davis, the Wasatch County Manager, has heard anything back on the bill from Shawn Siggard concerning the MAG payment for services rendered. Mike Davis indicated that he has not heard back but the matter is sitting on his desk waiting to be taken care of.

Councilman Kendall Crittenden indicated that with regard to the Interlocal meeting with items that need to be put on for discussion does the Wasatch County Council have any items that they would like to have put on the Interlocal meeting agenda. That meeting is scheduled for May 8, 2019 at 7:00 p.m. The Wasatch County Council indicated to Councilman Kendall Crittenden if he could get the meeting time changed to 8:00 p.m. Councilman Kendall Crittenden indicated that he would try to see if that could be done and then get back to the other Council Members if the meeting time was able to be changed. Tracy Taylor, Wasatch County resident, made a recommendation as an agenda item at the Interlocal meeting which would be about whether Heber City would even allow Wasatch County to put a bond on the ballot for the public to decide if they want to pay for the maintenance and operations of the airport. Councilman Steve Farrell indicated that in his opinion it is premature.

Councilwoman Marilyn Crittenden indicated the registration for the Economic Summit that needs to be done right away. Councilwoman Marilyn Crittenden indicated that she attended that Economic Summit a year ago and it was well worth the time spent so would recommend that if you could go to that Economic Summit that it would be well worth your time. The time is May 30, 2019.

MANAGER'S REPORT

EXPLANATION OF TRANSIENT FUND BALANCES

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that on transient funds like these that his recommendation is to have a year's worth of operating costs within the fund. There is a little over a \$1 million in the restaurant fund which makes about \$300,000 worth of wiggle room. On the transient room tax that was budgeted \$1.9 million and spent over \$2 million. By that happening you are spending and eating away at your reserve amount. The bottom line is that there isn't a pile of money that is just sitting there and doing nothing. That

is just insurance. If Wasatch County doesn't get revenue you end up firing people. Mike Davis just indicated that he likes to have those reserves in place to cover those costs when there are down turns. Mike Davis indicated that he will make that explanation as part of his presentation at the next transient funds discussion. The Wasatch County Council asked if Mike Davis' presentation on transient funds be made a part of their packet such as a PDF.

Councilman Jeff Wade made a motion to leave our regular Wasatch County Council and go into Closed Session for Litigation, Property Acquisition and Personnel. Councilman Spencer Park seconded the motion and the motion carries with the following vote:

AYE: Marilyn Crittenden

AYE; Spencer Park

AYE; Jeff Wade

AYE: Steve Farrell

AYE: Chair Danny Goode

AYE: Kendall Crittenden

NAY: None

ADJOURNMENT

Councilman Jeff Wade made a motion to adjourn. Councilman Spencer Park seconded the motion and the motion carries with the following vote:

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

NAY: None.

Meeting adjourned at 8:00 p.m.



DANNY GOODE/CHAIRMAN



CAL GRIFFITHS/CLERK/AUDITOR