

**MINUTES OF THE
WASATCH COUNTY COUNCIL
JUNE 26, 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
Spencer Park
Jeff Wade
Steve Farrell
Marilyn Crittenden
Mark Nelson

EXCUSED: Councilman Kendall Crittenden

OTHERS PRESENT: On list attached to a supplemental file.

PRAYER: Councilwoman Marilyn Crittenden

PLEDGE OF ALLEGIANCE: Led by Councilman Mark Nelson and repeated by everyone.

Chair Danny Goode called the meeting to order at 3:00 p.m. and excused Councilman Kendall Crittenden and 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 AGENDAS

Chair Danny Goode then asked if there are any public issues for future agendas and there was none.

ADMINISTRATIVE ISSUES FOR FUTURE AGENDAS

Chair Danny Goode then asked if there are any administrative issues for future agendas and there was none.

LEGISLATIVE ISSUES FOR FUTURE AGENDAS

Chair Danny Goode then asked if here are any legislative issues for future agendas. Chair Danny Goode indicated that the July 3, 2019 Wasatch County Council meeting has been cancelled and the Council agenda items need to be in by next Friday for the following meeting which will be a work meeting on July 10, 2019.

Councilman Spencer Park indicated that about a year or so ago the Assessor's Office went to a four day work week and wondered how that is working. Maybe it is something that could be explored with other departments and maybe that could be an agenda item for a work meeting. A four day work week improves productivity and would just like to discuss that with the Council Members and see what they think. Also have Mike Davis, the Wasatch County Manager, tell us how he feels about the matter and how that has worked in the Assessor's Office. Maybe the matter could be put on a work meeting for discussion.

PUBLIC COMMENT ISSUES

Chair Danny Goode then asked if there were any public comment to be heard from the public.

Mike Kosakowski, resident of Wasatch County, addressed the Wasatch County Council and indicated that he addressed a trail issue with the JSPA Planning Commission at their last meeting and would just like to bring that matter to the Wasatch County Council so that the Council could have somebody look into the matter. The matter is in regards to a trail. Mike Kosakowski indicated that he would like the Wasatch County Council to take some action whether the action is directing the Planning Commission or whether it is the Wasatch County Attorney. The issue is that three months ago we had a public hearing on the Marina Site in the JSPA. And in that, one of the open space sections of road was open space to the homeowner's of Stillwater Master Association and they were encouraged either directly or indirectly to sell it to the Developer of the Marina site on the north side of Route 319 which is Lee Burbidge. With regard to that action the public was never noticed that open space was being taken away from them. Mike Kosakowski indicated that he objected to that sale at the Stillwater Water Board meeting. The issue is that two weeks ago or a week and a half ago a no trespassing sign was put up where previously there was a public trail, a trail fully owned by the Homeowner's Association. That is the only trail that we have north and south from State Route 319 to my area and then onto the Jordanelle State Park. The only other way is along the Jordanelle Parkway. The bottom line is that we did not know that this was going to happen. Mike Kosakowski indicated that he would encourage the Wasatch County Council to look to your staff to close the loop on this. Mike Kosakowski indicated that he don't see how the public trail, if it is not on that isthmus can be accomplished any time in the foreseeable future because they are crossing wetland more than they are crossing a federal wetland. I don't see rights of way and that being resolved any time soon as far as the trail. If the trail as we have seen it would not be on this road. That is what this public comment is for. Also the person that sold that property or authorized the sale of that property is on the Planning Commission and should have recused himself.

Chair Danny Goode indicated to Scott Sweat, the Wasatch County Attorney, to do some research and let the Wasatch County Council at your convenience in a timely way, of course, what the Wasatch County Council's role is and if the Council has a role in this item. When the item is ready please bring that back to the Wasatch County Council

Doug Smith, the Wasatch County Planner, indicated that there is a trail on the County Trails Plan in that general area. The sale of that property was for the purpose of having a secondary access which the Marina is required to have. There is an eight foot trail that will go down below that and come back up onto old Keetley Road and we don't know what the timing will be for that.

General Public comment was then closed.

COUNCIL

APPROVAL OF THE MINUTES FOR JUNE 5, 2019.

Councilman Steve Farrell made a motion to approve the June 5, 2019 minutes as written. Councilman Jeff Wade seconded the motion and the motion carries with the following vote:

AYE: Chair Danny Goode

AYE: Marilyn Crittenden

AYE: Mark Nelson

AYE: Jeff Wade

AYE: Steve Farrell

NAY: None.

ABSTAIN: Spencer Park

DISCUSSION/CONSIDERATION RESOLUTION No. 19-11 COUNTY PROPERTY ACCEPTABLE USE POLICY.

Scott Sweat, the Wasatch County Attorney, addressed the Wasatch County Council and indicated that in the last legislative session House Bill 163 which talked about private use of public property by employees and the bill made it clear that can only be allowed under certain circumstances. Also indicated that if it was in conjunction with the Wasatch County Policy then it would pass. We then looked at the policy and thought that probably ought to be adjusted so that nobody inadvertently or unintentionally violated the law. There was some guidance for Wasatch County employees both in them using public property and using public property for the benefit of another. The policy that we are presenting today to the Council is a policy that would protect the Wasatch County employees and still give the Wasatch County Council and the Wasatch County Manager latitude in saying what could and couldn't be used and what could and couldn't be done.

Councilwoman Marilyn Crittenden was concerned about the dollar amount being one hundred

dollars per day per incident. Scott Sweat indicated that what is being done is to limit Wasatch County employees and at the same time protect County employees. Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and gave an example what could happen. If a County employee would stop over to jump start a car on the side of the road in a County vehicle that would exceed one hundred dollars easily because you take the value of the car, jumper cables and time of the employee you are way over one hundred dollars. Mike Davis also indicated that this matter can be brought back before the Council at any time to take another look at it.

Councilman Spencer Park made a motion to approve Resolution 19-11 the Wasatch County Property Acceptable Use Policy as presented. Councilman Mark Nelson seconded the motion and the motion carries with the following vote:

AYE: Chair Danny Goode

AYE: Marilyn Crittenden

AYE: Mark Nelson

AYE: Spencer Park

AYE: Jeff Wade

AYE: Steve Farrell

NAY: None.

DISCUSSION/CONSIDERATION ON DELETING PARCELS 0021-2019 CLARK HALL HOLDINGS L.L.C., AND 0021-2016 CLARK HALL HOLDINGS L.L.C., AND A POSSIBLY A THIRD PARCEL THAT ARE BEING TAXED TWICE AS THEIR LEGAL DESCRIPTIONS OVERLAP.

Councilman Steve Farrell indicated that the Wasatch County Assessor asked that these two parcels be put on the agenda that there is a double taxation on. On the Clark Hall Holdings parcel there were two parcels left out of the original deed and that went on the tax roll. Since then they have re-filed a new deed correcting the problem and there is no outstanding taxes on the two owned by Clark Hall. They don't exist anymore and are covered under the new deed. As a result we need to delete them from the tax roll. Parcel 000021-2026 and Parcel 000021-2029 they need to be deleted because they are covered under the parcel number. Both of them are now in different names.

Councilman Steve Farrell made a motion that we authorize it and delete it. Councilman Jeff Wade seconded the motion and the motion carries with the following vote:

AYE: Chair Danny Goode

AYE: Marilyn Crittenden

AYE: Mark Nelson

AYE: Spencer Park

AYE: Jeff Wade

AYE: Steve Farrell

NAY: None.

COUNCIL/BOARD REPORTS

There were no council/board reports.

MANAGER'S REPORT

Doug Smith, the Wasatch County Planning Director, addressed the Wasatch County Council and indicated that there never was a date pinned down for a public hearing on the Wallsburg matter. Councilman Spencer Park recommended that the date of August 14, 2019 and make that work meeting a regular meeting. Doug Smith indicated that the applicant is okay with that date.

Mike Davis, the Wasatch County Manager, addressed the Wasatch County Council and indicated that when the Pickle Ball Court funding came up, Heber City and Midway said that they would commit to both pay \$50,000.00 toward those courts and now it turns out that Midway City gave only \$10,000.00 and Heber we don't know yet. As a result Wasatch County committed over \$100,000 for construction and as a result of what has taken place how should we pay for that because Wasatch County went ahead based on those commitments. Tom Bonner, the Wasatch County Recreation Director, met with both the Midway City Mayor and the Heber City Mayor today and the result of that meeting was \$10,000.00 from Midway City and nothing from Heber. Chair Danny Goode indicated that he would follow up with the Heber City Mayor and Councilman Mark Nelson indicated that he would follow up with the Midway City Mayor. Mike Davis indicated that he would figure up how to pay for it for now but that will have to be approved later on through the budget adjustments. Chair Danny Goode indicated that from now on the matters will have to be on their agenda and have both councils vote on the matters. A lesson learned.

Councilman Mark Nelson made a motion to leave our regular session and go into closed session for personnel. Councilwoman Marilyn Crittenden seconded the motion and the motion carries with the following vote:

AYE: Chair Danny Goode

AYE: Marilyn Crittenden

AYE: Mark Nelson

AYE: Spencer Park

AYE: Jeff Wade

AYE: Steve Farrell

NAY: None.

ADJOURNMENT

Councilman Jeff Wade made a motion to adjourn. Councilwoman Marilyn Crittenden seconded the motion and the motion carries with the following vote:

AYE: Chair Danny Goode

AYE: Marilyn Crittenden

AYE: Mark Nelson

AYE: Spencer Park

AYE: Jeff Wade

AYE: Steve Farrell

NAY: None

Meeting adjourned at 4:40 p.m.



DANNY GOODE/CHAIRMAN



CALVIN L. GRIFFITHS/CLERK/AUDITOR