

**PUBLIC NOTICE is hereby given that the County Council of Wasatch County will hold a REGULAR session in the Council Chambers in the County Administration Building, 25 North Main St, Heber City, Utah, commencing at 4:00 PM, Wednesday, April 22, 2015.**

**WASATCH COUNTY COUNCIL  
DATE: Wednesday, April 22, 2015  
Order of Agenda Items Subject to Change without Notice**

**Prayer/Remarks-Mike Kohler**

**Pledge of Allegiance-Mike Petersen**

**Public Issues for Future Meetings**

**Approval of Minutes**

1. February 18, 2015
2. March 4th, 2015

**Wasatch County SSA #1**

1. Warrants
2. 1st Quarter Budget Review.

**Council**

1. Discussion / Consideration on Donation for Senior Support Group - Neil Anderton
2. Discussion / Consideration on the Agenda, Date, Time of a meeting between Wasatch County & Heber City.
3. Discussion / Consideration on Names for the Nomination Commission to Appoint a Wasatch County Justice Court Judge.
4. Proposals for re-write of the North Village Code.
5. Presentation on North Village Market Analysis and CDA.
6. Council/Board Reports
7. Discussion on Public Hearing Items - Doug Smith

**Manager's Report**

**Closed Session**

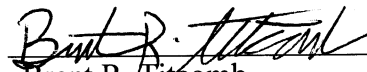
1. Purchase, Exchange or Lease of Property
2. Pending or Reasonably Imminent Litigation
3. The Character, Professional Competence, or Physical or Mental Health of an Individual

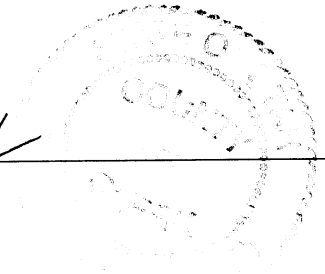
**Public Hearings 6:00**

1. Kenneth Cox is requesting a plat amendment to combine lots 403 & 404 in the Crossings at Lake Creek Phase 4. Lot 403 has an existing home. The proposal is located at 395 Lindsay Spring Road in Section 3, Township 4 South, Range e East in the Ra-1 ( Residential-Agricultural 1 acre) zoning district.

2. Mike Christensen, agent for JT Wasatch Commons LLC, is requesting conditional use and site plan, a preliminary plat approval for Phase 2 of Wasatch Commons, which consists of 56 apartment units in two 28-plex buildings. The original master plan approval for the entire 46.14 acre parcel was granted in 2009 and consisted of a total 224 apartments. Currently there are 168 apartments. The proposal is located at approximately 3600 North Highway 40 in sections 20, Township 3 South, Range 5 East in the NVOZ (North Village Overlay Zone).
3. Mike Johnston, representative for Paul and Marilyn Broadbent, is requesting a plat amendment to lot 2 of the KDC subdivision. The proposal is to vacate the northern 1.18 acres out of lot 2 of the KDC subdivision and add that to lot 19 of the Lake Creek Estates subdivision. Lot 2 of the KDC subdivision would then become a 2.54 acre lot. Lot 2 is located at 6005 East Lake Creek Road in both Section 1, Township 4 South, Range 5 East; and Section 6, Township 4 South, Range 6 East, in the RA-1 (Residential-Agricultural 1 acre) zoning district.
4. Mike Johnston, representative for Paul & Marylyn Broadbent is requesting a plat amendment to lot 19 of the Lake Creek Estates subdivision. The proposal adds 1.18 acres to lot 19 of the Lake Creek Estates subdivision for a total acreage of 2.21 acres. The proposal is located at 889 South Pile Drive in both Section 1, Township 4 South, Range 5 East; and Section 6, Township 4 South, Range 6 East, in the RA-1 (Residential-Agricultural 1 acre) zoning district.
5. VR Acquisitions, LLC is requesting a plat amendment to Victory Ranch Plat G to enlarge the lot boundaries to allow, among other things, hot tubs and fire pits within the lots. The proposal is located in Section 31, Township 2 South, Range 6 East in the JBOZ (Jordanelle Basin Overlay Zone).
6. VR Acquisitions, LLC is requesting a plat amendment to Victory Ranch Plat H to enlarge the lot boundaries to allow, among other things, hot tubs and fire pits within the lots. The proposal is located in Section 31, Township 2 South, Range 6 East in the JBOZ (Jordanelle Basin Overlay Zone).
7. VR Acquisitions, LLC is requesting a plat amendment to Victory Ranch Plat I to enlarge the lot boundaries to allow, among other things, hot tubs and fire pits within the lots. The proposal is located in Section 31, Township 2 South, Range 6 East in the JBOZ (Jordanelle Basin Overlay Zone).
8. North Village Resort- Ivan Broman, representative for River's Edge Land Holdings LLC is requesting and amended Master Plan and Density Determination approval for North Village Resort, formerly known as River's Edge, a 38.93-acre mixed use development consisting of 436 residential units and 253,960 square feet of commercial/retail for a total ERU's. The proposal is located at the southwest corner of River Road and Highway 40 in Section 18, Township 3 South, Range 5 East in the NVOZ (North Village Overlay Zone).

April 20, 2015

  
Brent R. Titcomb  
Clerk/Auditor



THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COUNTY COUNCIL MEETINGS  
In compliance with the American with Disabilities Act, individuals needing special accommodations during this meeting should notify Michelle Crook 435-657-3190 at least one day prior to the meeting.  
This agenda is also available on the County Internet Website at [www.co.wasatch.us.us](http://www.co.wasatch.us.us) and on Utah State's Website at [www.utah.gov](http://www.utah.gov).  
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**MINUTES OF THE  
WASATCH COUNTY COUNCIL  
MARCH 4, 2015**

The Wasatch County Council met in regular session at 4:00 p.m. at the Wasatch County Administration Building, Heber City, Utah and the following business was transacted.

**PRESENT:**

Chair Kendall Crittenden  
Greg McPhie  
Kipp Bangerter  
Mike Kohler  
Mike Petersen  
Danny Goode  
Steve Farrell

**OTHERS PRESENT:**

On list attached to a supplemental file.

**PRAYER/REMARKS:**

Councilman Danny Goode made some remarks that he found in a history book of Wasatch County commissioned in 1996. The main concern was in the final chapter and it said that Wasatch County is at a crossroads. The area will probably continue to grow as improved transportation facilities give people a chance to live further from their work but how much growth will Wasatch County allow and how much can it sustain. Since 1976 the County residences have opposed certain types of growth. The trend seems to favor controlled growth in areas outside the present communities and the products are less agricultural and more recreation oriented services. Wasatch County's population will continue to grow but many old timers and newcomers who move to the area for rural environment will continue to discourage extensive growth. They hope to maintain a rural environment but what kinds of services will that rural economy be able to provide. And what affect will increase recreationalists have on the area and the answers of those questions will help determine the future of Wasatch County which sounds like the same issues that are taking place now.

**PLEDGE OF ALLEGIANCE:**

Let by Councilman Steve Farrell and repeated by everyone.

Chairman Kendall Crittenden called the meeting to order at 4:00 p.m. and welcomed those present and called the first agenda item.

## **PUBLIC ISSUES FOR FUTURE MEETINGS**

Chair Crittenden asked if there were any public issues that need to be discussed at future meetings and there was none.

## **MINUTES**

### **APPROVAL OF THE MINUTES OF JANUARY 7, 2015, JANUARY 21, 2015 AND FEBRUARY 4, 2015.**

**Councilman Good made a motion that we approve January 7, 2015, January 21, 2015 and February 4, 2015 as written and approve them as a group. Councilman Farrell seconded the motion and the motion carries with the following vote:**

**AYE: Danny Goode  
AYE: Steve Farrell  
AYE: Kendall Crittenden  
AYE: Greg McPhie  
AYE: Kipp Bangerter  
AYE: Mike Kohler  
AYE: Mike Petersen**

**NAY: None.**

Chair Crittenden indicated that regard to having some citizen groups as advisory boards for some of Wasatch County SSD's and the Wasatch County Attorney to look into this matter. Scott Sweat, the Wasatch County Attorney, indicated that he has finished one part of that request and still working on some other parts of the request and is not ready to make a presentation today. Scott Sweat indicated that he would be ready to discuss that in the next work meeting of the Wasatch County Council.

Chair Crittenden indicated that there has been a couple of changes on board appointments and wondered if that should be changed on the minutes when the board appointments were listed and the Council indicated that they were passed on in the various board meetings so that would be sufficient to take care of the changes in the board appointments.

## **COUNCIL**

### **MISS WASATCH PRESENTATION**

Chair Crittenden indicated that Miss Wasatch has other commitments to get ready for a later appointment tonight so that item will not be handled on the agenda.

## **DISCUSSION/CONSIDERATION OF TAXES-MILTON CHRISTENSEN**

Councilman Farrell indicated that Mr. Milton Christensen has some properties that will be coming up on the tax sale and wanted to address the Wasatch County Council to see if something could be worked out so the properties won't go to the tax sale. Councilman Farrell indicated that this ground is vacant and is located above the Charleston Cemetery.

Milton Christensen, the applicant, addressed the Wasatch County Council, and proceeded to go through the chronology of how the ground in Charleston was acquired and what has transpired over time. Milton also indicated that he is involved in various lawsuits which is taking most of his money for attorney fees and the lawsuits should be concluded within the next few months. At the end he will receive a settlement in money and then will be able to pay his back property taxes so that the property won't have to go to the tax sale which is scheduled for the end of May. Milton then asked if the Wasatch County Council would defer the payment of the property taxes for possibly six months or even an adjustment. But at which time payment will be made in full.

Councilman Farrell indicated that the value issues can't be addressed at this time because you had opportunity every year to appeal and protest the value and go to the Wasatch County Assessor Board of Equalization to resolve the value issues. The issue that the Wasatch County Council has is whether to defer and take it off the tax roll and allow you to go six months in order to pay the the taxes or have it go to tax sale. Councilman Farrell also indicated that there are approximately three hundred properties that will be going to tax sale this year and how will each one of them be handled if they all come in and request a deferment. If we were able to give you consideration regarding this matter that would set a precedence for others because we would have deviated from the statute.

Councilman McPhie indicated that he feels bad for Mr. Christensen and if these taxes aren't collected it falls back on the other taxpayers in Wasatch County to make the difference up when it comes time to make the budgets work over the last several years.

**Councilman McPhie having said that I would make the motion that we deny the request for relief and wish you the best on becoming current with your past due taxes. Councilman Kohler seconded the motion and the motion carries with the following vote:**

**AYE: Steve Farrell  
AYE: Kendall Crittenden  
AYE: Greg McPhie  
AYE: Kipp Bangerter  
AYE: Mike Kohler  
AYE: Mike Petersen  
AYE: Danny Goode**

**NAY: None.**

**DISCUSSION/CONSIDERATION ON NORTH FIELDS ZONING REFERENDUM LANGUAGE: SHALL THE MINIMUM BUILDING LOT SIZE BE CHANGED FROM 20 ACRES TO 10 ACRES IN THE AREA KNOWN AS THE NORTH FIELDS; THE NORTH FIELDS AREA IS BOUNDED ON THE WEST BY THE PROVO RIVER MITIGATION PROPERTY, ON THE SOUTH BY U-113 AND ON THE NORTH BY RIVER ROAD EXCEPTING THOSE LANDS WITHIN THE NORTH VILLAGE SPECIAL SERVICE AREA.**

Scott Sweat, the Wasatch County Attorney, addressed the Wasatch County Council and indicated that under the election code and the referendum I will create the ballot language and then send it to the Wasatch County Legislative Body and to those that were the applicants on the referendum. Then each of them have some time to give me written comments before a final title is given for the ballot. This is the Council's chance to review the matter. Scott Sweat indicated that he hasn't got it to the applicant yet and they will have some time to respond to the language that has been prepared. Scott also indicated that technically there is five days after the language is presented for the parties to give comments. Scott Sweat also indicated that after written comments are given then the final language will be prepared and filed. This is the opportunity to give written comments back to the Wasatch County Attorney's Office whether you like the language or things that the parties feel should be changed.

Brent Titcomb, the Wasatch County Clerk/ Auditor, addressed the Wasatch County Council and indicated that this matter will be placed on the 2016 ballot.

Councilman Goode indicated that if this matter passes in 2016 meaning that the zoning stays at the 20 acre zone what happens then if after that election the property owner comes to the Wasatch County Planning Commission and makes a request to change the zone to a 10 acre zone is that automatically denied because the matter was voted on or does the matter go through the process again.

Scott Sweat, the Wasatch County Attorney, indicated that he believes that the matter goes through the process again but not sure and will check into the matter to make sure that everybody is clear regarding that matter.

### **COUNCIL/BOARD REPORTS**

Councilman Petersen indicated that the Children's Justice Center held a luncheon last week to honor the Heroes of the Heart which made the front page of the Wasatch County Wave today. There were five recipients that contributed to the success of the Children's Justice Center during the past year.

Councilman Petersen also indicated that last week a Rail Trail Open House and people came in support of that and also against it but was a nice evening to kind of show what the plan was for the Rail Trail.