

Minutes
Town of Hideout
Town Council Regular Meeting
July 08, 2021

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on July 08, 2021 at 6:00 p.m. electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Regular Meeting

I. Call to Order

1. Mayor Rubin's No Anchor Site Determination Letter

Mayor Rubin Called the meeting to order at 6:01 p.m. and reminded participants the meeting was held electronically with no anchor site due to the ongoing COVID-19 pandemic.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Chris Baier
Council Member Jerry Dwinell
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Ralph Severini

Staff Present: Town Attorneys Polly McLean and Cameron Platt
Town Administrator Jan McCosh
Town Planner Thomas Eddington
Town Engineers Ryan Taylor and Dillon Bliler
Town Clerk Alicia Fairbourne

Others Present: Justin Hatch, Amy Davies, Mary Freeman and others who may not have logged into Zoom using their full or proper name, or who dialed in using only a phone number.

III. Approval of Council Minutes

1. October 12, 2020 Town Council Meeting Minutes DRAFT

Motion: Council Member Severini moved to approve the minutes with noted corrections. Council Member Haselton made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg, and Severini. None opposed. Motion passed.

Due to time constraints and several guest speakers, Mayor Rubin moved the public input section of the agenda to later in the meeting.

IV. Agenda Items

1. Discussion with Heber Valley Animal Services

Mayor Rubin introduced Heber Valley Animal Services Director, Justin Hatch. The Town had recently contracted with Heber Valley Animal Services in order to provide greater response in regard to the need for animal services and enforcement of Municipal Code.

Mr. Hatch spoke about some of the services Heber Valley Animal Services provided, including enforcement of leash laws, response to aggressive animals, shelter for lost animals, and animal adoption services. Council Member Baier asked what the preferred procedure was in order to enforce compliance with leash laws, to which Mr. Hatch stated Wasatch County Sheriff's Office should be contacted in order to dispatch an Animal Services Officer. With regard to the recent dog attacks in Hideout, Mayor Rubin asked Mr. Hatch to send a report of action which was taken, including legal action, if any. Mr. Hatch noted he would be patrolling two (2) to three (3) times per week. Mayor Rubin noted instructions for residents would be included on the Town website.

2. Continued discussion and possible action of the Sewer Master Plan

Mayor Rubin presented the Hideout Sewer Master Plan and recapped discussions held in previous meetings, noting the Council had asked for a chance to review the Sewer Capital Facility Plan, which had been provided. He reminded Council it was a legal requirement to adopt a Sewer Master Plan. He further explained the document as it stood did not provide solutions to all the problem areas but could be amended in the future.

Council Member Severini asked Town Engineer, Ryan Taylor, to provide an overview of the various options of solutions and how each option would impact funding. Mr. Taylor explained there were several future problems identified and multiple solutions were presented within the Plan. Council Member Severini questioned if any options provided were interdependent of each other and if they were equivalent options, given the range of cost. Mr. Taylor explained all options were given, however a major factor in the recommended solution was cost. He noted the lowest cost solution was not always the recommended solution, due to future cost of various interdependencies. He identified various sources of potential funding, including potential COVID funding and the cooperation of developers, which had been integrated with the respective development costs. Mr. Taylor encouraged Council adopt the Sewer Master Plan to ensure developers it was approved and included the Master Plan. Mayor Rubin reiterated this document could be amended in the future should the need arise, and no money would be spent over the allowed threshold without the approval of Council.

There being no further questions from Council, Mayor Rubin asked for a motion to adopt the Sewer Master Plan as presented.

Motion: Council Member Haselton moved to approve the Sewer Master Plan. Council Member Baier made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, and Severini. Abstained: Council Member Nadelberg. Motion passed.

3. Discussion regarding audit findings for Fiscal Year ending 2020

Mayor Rubin introduced Amy Davies, who conducted the audit for Fiscal Year ending June 30, 2020. Ms. Davies reviewed the results of the financials and compared the current standing to the prior year. She noted the financials were in good standing.

She reviewed and discussed the identified findings and made recommendations for improvement (*detailed Schedule of Findings included in the meeting materials*). She noted these were not a negative reflection of efforts by Staff, but rather notations for areas of improvement.

Recommendations for improvements included:

- Material Misstatements – the Town should perform monthly and year-end adjusting entries and account reconciliations to ensure financial reports of the Town accurately reflect the assets, liabilities, revenues, and expenditures of the Town
- Inadequate Approval, Documentation, and Coding of Disbursements – the Town should ensure all disbursements are adequately supported by documentation and are properly approved and evidenced by initials and/or signatures. It was also recommended the Town properly code disbursements as expenditures including amounts that are subsequently billed to developers for reimbursements
- Inadequate Separation of Duties over Cash Receipts and Cash Disbursements – the Town should implement the following mitigating controls:
 - The Finance Director should review cancelled checks and track the sequential order of checks as part of bank reconciliation procedures
 - The Finance Director should compare credit card receipts to the credit card statements
 - The Town Administrator should review bank transfers on a regular basis
 - The Finance Director should review adjustments to customer accounts on a regular basis
- State Compliance – Budgetary Noncompliance – The Town Council should review accurate budget to actual reports and ensure expenditures do not exceed appropriations
- Miscalculated Building Permit Fees – The Town should use the latest tables available from the International Code Council (ICC) in calculating building valuations
- Unsupported Vacation Balances – An independent individual should maintain and review the vacation balances of the Public Works Director each pay period
- Noncompliance with State Requirements – The Town should:
 - Ensure all Town Council meeting minutes are posted in a timely manner to the Public Notice Website as required by law

- Complete and present the Fraud Risk Assessment to the Town Council annual before the end of the fiscal year and upload documents as required by the Office of the State Auditor

There were no questions from Council.

V. Public Input - Floor open for any attendee to speak on items not listed on the agenda

At 7:09 p.m., Mayor Rubin opened the Public Input portion and reviewed the process for the public to speak.

Council Member Dwinell received an email regarding continued speeding on Shoreline Drive in the Deer Waters subdivision area. Mayor Rubin noted the various efforts at mitigating the issue, including only allowing passenger vehicles to drive the road, forcing the heavy construction vehicles on the service road. A serpentine entrance was suggested in order to force a speed reduction, as well as the option of speed bumps were discussed. Mayor Rubin stated he would order additional electronic speed signs to be installed in the Rustler and Soaring Hawk areas. Council Member Baier asked how residents were being informed of speed enforcement. Mayor Rubin noted it had been included in a previous newsletter but will include it in the next newsletter that additional enforcements were being implemented. Council Member Baier asked if construction contractors were being informed appropriately. Council Member Dwinell asked if the developer could be fined if contractors continued to violate the speed limits, assuming the contractors were the primary violators. Mayor Rubin stated the Town's legal counsel could research if that could be enforced.

Mayor Rubin discussed the possibility of issuing parking permits to contractors, in which the permit could be revoked if that vehicle continued to violate speed limits. Town Attorney Polly McLean noted she and staff would be discussing the issuance of code violation administrative citations and would provide Council an update in terms of how these were being implemented and if this could be included.

There being no further public comment, Mayor Rubin closed public input at 7:32 p.m.

Agenda Items (continued)

4. Dark Skies Ordinance update

Town Planner Thomas Eddington provided an update regarding the proposed Dark Skies Ordinance, noting Council's request to get a base assessment of current lighting conditions. He attempted to reach Daniel Mendoza, the lighting expert at the University of Utah, in order to include Hideout in his Park City lighting study in the Fall. Mr. Mendoza may currently be out of the country on vacation, in which Mr. Eddington would attempt to contact him again upon his return.

Mr. Eddington contacted other cities outside of Utah who had adopted Dark Skies Ordinances and inquired how those studies were conducted. They had brought in light meters and performed the assessments themselves. Council Member Baier asked if a request for proposal (RFP) could be made to conduct the assessment, to which Mr. Eddington replied he would research companies and other universities and make the request.

5. Discussion and possible action for Hideout's Emergency Operations Plan and line of succession

Town Attorney Cameron Platt provided information on Utah's Emergency Management Act, which requires the Town to pass or re-ratify an Emergency Operations Plan. As part of the Plan, three interim successors should be designated to manage the Plan, as well as identify an emergency alert system and individuals who would activate the plan. He provided the option of adopting Wasatch County's current plan or to create a document specifically for Hideout's needs. He noted any designees would require training in the National Incident Management System and Incident Command System, which was the nationwide process and policies. By adopting the Wasatch County Emergency Operations Plan, the line of succession and training of employees would be provided by Wasatch County. Mayor Rubin suggested obtaining Wasatch County's Plan and to adopt that Plan, as well as researching if Hideout had previously adopted its own Plan.

Council Member Haselton made mention of a website (www.ready.gov) in which instruction and suggestions were provided for individuals to be prepared in the event of a natural disaster and/or evacuation. She suggested including the information in the newsletter. Council Member Severini suggested including the information on the Town's website as well. Mr. Platt noted the State had a state-wide emergency notification system which the Town would use if necessary. Mayor Rubin made note Hideout should be included on any state-wide emergency notification system.

6. Continued discussion on compensation model for Mayor, Town Council, and Planning Commission members

Mayor Rubin reminded Council the compensation model information was first presented during a former meeting in which Council asked for additional time to research the topic.

Town Administrator Jan McCosh noted any compensation paid to appointed and elected officials was required to be reported to the Utah Retirement Systems (URS). If the compensation were to exceed a certain amount, the payee should be allowed to participate in URS and be subject to receive tax-deferred benefits such as 401(k).

Mayor Rubin suggested offering one-thousand, one hundred dollars (\$1,100) per month for Council Members and five hundred dollars (\$500) per month to Planning Commission Members. Council Member Dwinell suggested offering the Planning Commission Chair and Mayor a higher compensation due to the increase of workload and hours spent. Council Member Severini agreed.

It was decided Mayor Rubin and Ms. McCosh would gather information and provide scenarios of several surrounding cities' compensation percentages based on those budgets and discuss the results in a future meeting. Ms. McLean noted Park City had a special Blue Ribbon Committee which recently conducted a study regarding council salaries and suggested Mayor Rubin and Ms. McLean review the report.

7. Appointment of a Mayor Pro Tempore for July 17 through July 31, 2021

Mayor Rubin would be out of town from July 17 through July 31, 2021 and asked if a Council Member would serve as Mayor Pro Tempore during that time. Council Member Baier offered to serve. She asked for written procedures for the Mayor's duties while serving pro tempore. Mayor Rubin offered to put together an overview of his duties.

8. Discussion and possible appointment of a permanent Mayor Pro Tempore for dire emergencies

Council Member Haselton nominated Council Member Baier as permanent Mayor Pro Tempore for dire emergencies, noting Council Member Baier had served several times in that role and stated she was the most qualified member of the Council. Council Members Nadelberg and Severini agreed. Council Member Baier accepted the nomination, stating she felt it was important for the community. Mayor Rubin stated he would share his calendar with Council Member Baier.

Motion: Council Member Haselton moved to nominate Council Member Baier as Permanent Mayor Pro Tempore for dire emergencies. Council Member Nadelberg made the second. Voting Yea: Council Members Baier, Haselton, Nadelberg and Severini. Abstaining from voting: Council Member Dwinell. Motion passed.

9. Honorary Resolution for Council Member Jerry Dwinell for his service to the Town of Hideout

Mayor Rubin announced Council Member Dwinell was moving to Texas and would be resigning as Council Member effective July 8, 2021 at 11:59 p.m. Mayor Rubin presented and read an Honorary Resolution thanking Council Member Dwinell for his outstanding public service to the Town of Hideout. Council Member Baier stated Council Member Dwinell had been a model and inspiration for her and other Council Members and thanked him for his service. All Council Members agreed and thanked Council Member Dwinell for his service. Council Member Dwinell stated it was his pleasure to serve.

Motion: Council Member Nadelberg moved to approve the Honorary Resolution in Appreciation for Outstanding Public Service by Jerry Dwinell. Council Member Haselton made the second. Voting Yea: Council Members Baier, Haselton, Nadelberg and Severini. Motion passed.

Mayor Rubin discussed the requirements for fulfilling the council vacancy and stated a notice would be posted with information in which interested parties may apply. Council Member Dwinell reminded Mayor Rubin of the various committee positions which would need to be filled with his resignation, including the Design Review Committee for Deer Springs and the Chairperson for the Community Enhancement Committee. Mayor Rubin thanked Council Member Dwinell again for his service.

VI. Closed Executive Session - Discussion of pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed

There being no further public business, Mayor Rubin called for a motion to close the public portion of the meeting in order to hold a closed Executive Session.

Motion: Council Member Baier moved to close the public portion of the meeting and move to an executive session to discuss any pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed. Council Member Nadelberg made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg, and Severini. None opposed.

At 8:40 p.m., the public session moved into closed Executive Session.

After a short recess, the Executive Session convened at 8:45 p.m.

Present: Mayor Phil Rubin
Council Member Chris Baier
Council Member Jerry Dwinell
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Ralph Severini

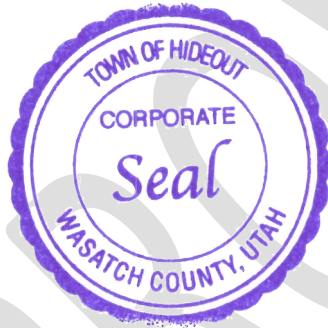
Staff Present: Town Attorney Polly McLean

VII. Meeting Adjournment

At 9:29 p.m., Mayor Rubin asked for a motion to move to public session and adjourn the meeting.

Motion: Council Member Nadelberg made the motion to adjourn. Council Member Severini made the second. None opposed.

The meeting adjourned at 9:30 p.m.



Alicia Fairbourne
Alicia Fairbourne, Town Clerk