



HIDEOUT, UTAH TOWN COUNCIL REGULAR MEETING

July 09, 2020

Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of Hideout, Utah will hold its regularly scheduled meeting electronically for the purposes and at the times as described below on Thursday, July 09, 2020

All public meetings are available via ZOOM conference call and net meeting.
Interested parties may join by dialing in as follows:

Meeting URL: <https://zoom.us/j/4356594739> To join by telephone dial: US: +1 408 638 0986
Meeting ID: 435 659 4739

Regular Meeting
6:00 PM

I. Call to Order and Pledge of Allegiance

II. Roll Call

III. Approval of Council Minutes

1. May 28, 2020 Minutes

IV. Agenda Items

1. Discussion and possible approval to extend Ordinance 2020-03 enacting temporary public meeting restrictions pursuant to the Governor's recent extension of the State's Emergency Order.
2. Public meeting to interview candidates to fill the vacancy created by the resignation of Council Member Rupinkas regarding the candidates' qualifications; possible Town Council action to fill vacancy
3. Wasatch County Sheriff Jared Rigby - Discussion of Wasatch County Police Service for Hideout
4. Discussion with Wasatch County Fire Marshal Clint Neerings regarding fire and safety
5. Public meeting to discuss a pre-annexation agreement in connection with obtaining landowner's consent for possible annexation; possible Town Council action to authorize the Mayor to finalize and execute the pre-annexation agreement
6. Public hearing to discuss possible Town Council action to adopt a resolution indicating the Town Council's intent to annex certain real property into the Town
7. Approval of bills to be paid
8. Continued Public Hearing - Continued discussion and possible adoption of an Ordinance regarding an Impact Fee Facilities Plan
9. Town Treasurer Wes Bingham - Fraud Risk Assessment
10. Discussion and possible approval to move forward with a maintenance and operations agreement with JSSD for sewer and water services

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

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

VII. Meeting Adjournment

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Mayor or Town Clerk at 435-659-4739 at least 24 hours prior to the meeting.

HIDEOUT TOWN COUNCIL

10860 N. Hideout Trail

Hideout, UT 84036

Phone: 435-659-4739

Minutes
Town of Hideout Town Council Special Meeting
Conducted Electronically
10860 North Hideout Trail
Hideout, Utah
May 28, 2020

Present: Mayor Phillip Rubin
 Chris Baier
 Jerry Dwinell
 Carol Haselton
 Kurt Shadle
 Vytas Rupinskas

Staff: Jan McCosh, Town Administrator
 Kent Cuillard, Public Works Director
 Allison Lutes, Town Clerk
 Dan Dansie, Town Attorney
 Thomas Eddington, Town Planner
 Ryan Taylor, Town Engineer

Others: Nate Brockbank
 Jeff Bawol
 Bob Nadelberg
 Jeff Schiff
 Dori Schmalzle
 Jack Walkenhorst
 Bart Warner
 Chris Ensign

I. CALL TO ORDER

Mayor Phil Rubin called the Town Council Meeting to order at approximately 6:00 p.m.

II. ROLL CALL

All members of the Town Council were present.

III. AGENDA

1. **Consideration and Possible Approval of an Amendment to the Master Development Agreement for the Deer Springs Community.**

1 Mayor Rubin reported that the proposed amendment is driven by changes to the proposed plat
2 amendment. Town Attorney, Dan Dansie reported that to amend the plat, it is necessary to first
3 amend the Master Development Agreement (“MDA”). The plat approval should follow.
4

5 Mayor Rubin reported that the request is from the Deer Springs Community where an MDA was
6 approved in August 2018. The proposed amendments were described. A change was proposed to
7 the phasing map with 15 single-family homes to be moved from Phase 1 to Phase 7 and 28
8 townhome sites within Phase 5 moved to Phase 1.
9

10 Because there were discrepancies, Jerry Dwinell suggested that the numbers be clarified. It was
11 noted that the single-family home properties are close to the road and likely the least desirable of
12 the properties owned by Nate Brockbank. The location was required by the prior Town Council.
13 It was believed that the proposed change improves the plan, which benefits the Town. It was
14 clarified that the total number of units will not change.
15

16 Mr. Brockbank explained that 30 townhomes are being moved and placed along the highway and
17 16 single-family lots are proposed to be moved to the cul-de-sac. Ultimately the units will balance
18 and remain the same. It was clarified that Phase 1 is limited because they cannot construct more
19 than 30 homes without a secondary access.
20

21 It was suggested that there be clarity to ensure that the MDA reflects the total number of units and
22 which phases they are coming from and going to. It was noted that traffic noise is substantial. It
23 was suggested that protections be in place for future citizens such as landscaping to help mitigate
24 noise. The DRC discussed that issue and the first iteration included only sparse decorative
25 landscaping. Noise abatement issues were discussed.
26

27 Mr. Dansie suggested that they be specific in terms of the objective to be met by the developer.
28 Town Planner, Thomas Eddington proposed language that specifically states that screening shall
29 include landscaping, berms, trees, shrubbery, or fences. It was suggested that the goal be specific
30 such as a noise decibel reduction as measured from the road. Chris Baier recommended there be
31 a buffering and screening from the highway rather than measuring noise because it is out of the
32 Town’s control.
33

34 Concerning trees, the understanding was that three trees are required per townhome unit. A
35 number of the homes are below the road, which will result in reduced noise. It was suggested that
36 the details be addressed and approved by the DRC. It was noted that the Town has at least three
37 seats on the five-member DRC with Mr. Eddington heading up the group. Mr. Brockbank stated
38 that the group has been working well together.
39

40 Parks were next addressed. Mr. Brockbank stated that the park is in Phase 3 rather than Phase 2.
41 The park remained unchanged. Construction was anticipated to take place at the end of next year.
42 Chris Baier asked about the potential to get the paved trail completed to Jordanelle Parkway.
43 Mr. Brockbank expected it to be completed within the next 45 days from where they ended two
44 years ago to the end of Phase 1. They were working to take it from the end of Phase 1 to the end
45 of Phase 8. The portion to Jordanelle Parkway was determined to be part of Phase 3. It was not
46 being done sooner to avoid the pavement being damaged. Chris Baier commented that in many

1 cases developers are required to construct trails first. She wanted to accelerate them here as well
2 and stated that trails will benefit the development.

3
4 Park amenities were discussed with the MDA specifically calling out park sizing and amenities.
5 It was noted that the dog park will be 1.25 acres in size. It was clarified that by agreeing to the
6 proposed amendment, the Town Council is not agreeing to a reduction in the size of the parks.
7 Mr. Brockbank agreed to maintain flexibility regarding sports amenities in the parks and avoid
8 building into a fad.

9
10 Mayor Rubin summarized the proposed changes. Mr. Brockbank referenced the MDA, which
11 requires the use of cedar. They would like to use a cedar Hardie board on the homes, which was
12 similar to what was used as part of the KLAIM project. He asked that that be added to the
13 amendment. Mr. Dansie reported that there is a provision in the design guidelines that specifically
14 prohibits Hardie board. One option was to allow it to be used if approved by the DRC. The
15 Council expressed support for this alternative.

16
17 **Kurt Shadle moved to approve the amendment to the MDA with the change to paragraph 5**
18 **to add a provision for a Screening Plan to be approved by the DRC and with a new paragraph**
19 **to allow Hardie board to be used on exteriors subject to approval by the DRC. Approval of**
20 **the amended MDA shall be contingent on the Council hereafter approving the amendment**
21 **to the proposed plan for Deer Springs Phase 1. Jerry Dwinell seconded the motion. Vote on**
22 **motion: Vytas Rupinskas-Aye, Carol Haselton-Aye, Chris Baier-Aye, Jerry Dwinell-Aye,**
23 **Kurt Shadle-Aye. The motion passed unanimously.**

24
25 **2. Public Hearing – Discussion and Possible Approval of Deer Springs Phase 1**
26 **Plat Amendment.**
27

28 Mr. Eddington presented the staff report and indicated that conditions of approval were
29 recommended with regard to roadway widths, the park area remaining the same, and other
30 previously addressed issues. Rock stack walls were identified as the preference. With regard to
31 street widths, it was noted that in Rustler the narrowest road with is 17 feet. The proposed roads
32 will be 26 feet and comply with the current Code. A question was raised by the Fire District as to
33 whether the 26-foot minimum standard is with or without a parked vehicle. Road widths in other
34 areas of town were discussed.

35
36 Mayor Rubin referred to a letter received from the Town Engineer who recommended approval of
37 the changes to the plan. Ryan Taylor from TO Engineers stated that the recommendations have
38 been met or discussed. He was comfortable moving forward. Jerry Dwinell added that the
39 Planning Commission recommended approval with the caveat that only 31 building permits can
40 be issued before the engineer certifies the secondary access.

41
42 Mayor Rubin opened the public hearing.

43
44 *Bob Nadelberg* asked for confirmation as to whether the subject property is north of the Ross Creek
45 entrance. That was confirmed to be the case. Egress will be via Jordanelle Parkway and Ross
46 Creek. The total density will be 248 units on 88 acres or roughly three units per acre.

1
2 There were no further public comments. The public hearing was closed.

3
4 Mr. Dansie suggested that any specific conditions of approval be specifically stated in the motion.
5 Chris Baier inquired about the open space between Lots 36 and 37 as being reserved for a potential
6 future right-of-way to Creekside Estates. She suggested that they stipulate that that remain open
7 space as recommended by Mr. Eddington should the development not materialize. It was noted
8 that it would be a good trail connection as well. Because it is part of Phase 3, Jerry Dwinell
9 questioned whether it should be part of the Phase 1 approval. Kurt Shadle's preference was to
10 address it now.

11
12 **Jerry Dwinell moved to approve Deer Springs Phase 1 plat amendment subject to the**
13 **conditions set forth in Thomas Eddington's May 23, 2020 report and the TO Engineers**
14 **Memorandum dated April 28, 2020. In addition, there shall be no more than 31 Building**
15 **Permits issued before the engineer certifies the secondary access. Additionally, the strip of**
16 **land between Lots 36 and 37 will remain as open space if not used as a feeder road. Vytas**
17 **Rupinkas seconded the motion. Vote on motion: Vytas Rupinkas-Aye, Carol Haselton-**
18 **Aye, Chris Baier-Aye, Jerry Dwinell-Aye, Kurt Shadle-Aye. The motion passed**
19 **unanimously.**

20
21 **3. Public Hearing – Discussion and Possible Approval of Lakeview Estates**
22 **Preliminary Application.**

23
24 Jerry Dwinell reported that the matter was reviewed by the Planning Commission but it has
25 changed since that time. There is a new layout that was considered to be much better. The
26 Planning Commission was concerned with the 30-foot stacked walls. The developer worked with
27 Mr. Eddington to come up with a much better layout that substantially reduces the necessity of
28 walls. A couple of lots were lost but provides more lots on the desirable lakeside.

29
30 Procedural issues were discussed. Mr. Dansie commented that the Planning Commission
31 forwarded a positive recommendation but identified issues to be addressed. The Council should
32 determine whether the plan addresses the concerns identified by the Planning Commission.
33 Council Member Dwinell noted that there has not been a substantive change in Equivalent
34 Residential Units ("ERUs"). There is more contiguous open space and they eliminated the
35 hammerheads and a majority of the walls. Most of the concerns raised by the Planning
36 Commission have been positively addressed with the new layout. In terms of ingress and egress,
37 the original plan had three and there are now four.

38
39 Connectivity issues were addressed. It was noted that the revised plan does a better job of
40 connecting trails to neighboring communities. A map of the area was displayed. Mr. Brockbank
41 reported that rather than constructing four or five homes of the same style that they mix them up
42 to change the aesthetic. Some of the units are tight so they were working with Mr. Eddington to
43 improve that. Mr. Brockbank stated that ultimately, he will lose 10 lots from the previous plan but
44 the result will be a much better subdivision. The comment was made that the new plan provides
45 more saleable real estate that is desirable with a wonderful lake view. Mr. Eddington was
46 commended for helping with the design.

1
 2 Mr. Brockbank described the proposed changes to the retaining wall sizes, which were drastically
 3 reduced with the new layout. Currently, the highest wall in the project is 12 feet tall. In the park,
 4 one pickleball court, a tot lot, and some picnic tables were proposed rather than two pickleball
 5 courts. Support was expressed for the proposed change. It was noted that pickleball courts can be
 6 easily converted to something else if desired in the future. Additional amenities were described
 7 such as a dog wash. The hope was to provide connectivity by having the HOA negotiate with the
 8 State Parks to pay annually for the 69 homes. The desire was for the connectivity to be extended
 9 town-wide. The thought was that a better deal could be negotiated if it was community-wide.

10
 11 Procedural issues were discussed. With regard to side yards, Mr. Brockbank stated that most of
 12 the lots are smaller than in the previous iteration. When the property was zoned, stipulations were
 13 placed on the property with one being minimum 10-foot side yards. They are asking to go down
 14 to 7 ½ foot side yards. Doing so will allow them to build three-car garages on several of the lots.
 15 They also agreed to alternate the front setbacks between 20 and 25 feet. They will maintain the
 16 25-foot setback where possible. The rear setback requirement is currently 20 feet and they would
 17 need 15 feet to make the project work. Mr. Brockbank was asked to identify which lots require
 18 variances.

19
 20 Chris Baier asked about the trail/stairs identified on the map. Mr. Brockbank stated that trail/stairs
 21 are planned to connect with the Deer Waters Phase 3 playground.

22
 23 Carol Haselton considered what was proposed to be a great improvement. She expressed concern
 24 with the project looking like row housing from the lake. Mr. Brockbank stated that they will have
 25 single story next to two-story homes and lots of turns within the project. Photos were displayed
 26 that were taken from the opposite side of the reservoir looking at Hideout. There was concern
 27 raised about the homes looking too similar.

28
 29 Mayor Rubin opened the public hearing.

30
 31 *Bob Nadelberg* commented on the reduced setback proposed in the development. He was
 32 concerned about the fire potential due to blind corners and used Lot 328 as an example. He did
 33 not support granting variances that reduce the setbacks from the road especially at intersections
 34 and curves. Traffic circulation and emergency egress issues were discussed. It was suggested that
 35 landscaping be considered between units and avoid planting trees against houses.

36
 37 There were no further public comments. The public hearing was closed.

38
 39 **Kurt Shadle moved to grant preliminary approval subject to further review of setbacks and**
 40 **corners prior to granting final approval. Vytas Rupinkas seconded the motion. Vote on**
 41 **motion: Vytas Rupinkas-Aye, Carol Haselton-Aye, Chris Baier-Aye, Jerry Dwinell-Aye,**
 42 **Kurt Shadle-Aye. The motion passed unanimously.**

43
 44 **4. Continued Public Hearing – Consider Adopting Ordinance 2020-05 Repealing**
 45 **and Replacing Titles 3, 10, 11, and 12 of the Town Code.**

46

1 Mayor Rubin reported that numerous changes have been made over the past several meetings that
2 resulted in a stronger package. Jerry Dwinell reviewed the changes made since the last meeting.

3
4 With respect to Title 3, Council Member Dwinell's understanding was that it was intended to be
5 unchanged from the current Code. Any changes to be made to the Board of Adjustment section
6 should be made separately. He recommended that the changes made by Mr. Dansie be addressed
7 at a later date but leave the Board of Adjustment section unchanged. Mr. Dansie stated that the
8 changes to this section are largely clerical and provide clarification. He did not suggest that they
9 perpetuate the description of a process that is not accurate concerning how they operate the Town.
10 A substantive change was proposed to Section 3.04.2 and deletes the last sentence. From a legal
11 standpoint, the State Code has a defined term about the land use appeal authority. He stressed the
12 importance of being consistent with the State Code.

13
14 Appeal issues were discussed. Mr. Dansie responded to a question raised by Council Member
15 Rupinkas and stated that the appeal of a legislative action is to go to the District Court. The
16 appeal authority exists to help someone who is aggrieved by the denial of a permit application,
17 which is an administrative decision. The distinction is that an administrative application is an
18 application of the law. A legislative decision is a discretionary decision of the Town Council with
19 respect to what they want the future of the Town to look like. Mr. Dansie explained that the Board
20 of Adjustment has the authority to hear variances. Board of Adjustment issues were discussed.
21 Gratitude was expressed to all who worked on the proposed ordinance.

22
23 Mayor Rubin opened the public hearing. There were no public comments. The public hearing
24 was closed.

25
26 The changes made to Title 10 were reviewed and discussed. Updated language added by
27 Mr. Dansie indicated that each day work requiring a permit is performed without a permit shall be
28 deemed a separate violation to item number six. In addition, the Building Official or Town
29 Engineer can require that the work be changed, remediated, removed, or replaced. In addition to
30 the financial penalty, an applicant will be required to address the source of the concern. Several
31 provisions were also added to ensure that all are notified that compliance with all Code provisions
32 is required. Additions were also made to the definitions. More detail was added to the definition
33 of Nuisance.

34
35 Reference was made to townhomes being built on the main road into the roundabout. Parking has
36 been taking place on property that is not part of the development. They have obliterated the natural
37 vegetation that existed in the area. It was noted that neither the Town nor the HOA approves of it
38 being left as is and it will need to be revegetated. It was suggested that an appropriate consequence
39 or remedy for the Town be added in connection with the LOD provision.

40
41 It was reported that previously there were three places in the document addressing the same issues
42 (open space, public trails, and public space requirements) and there was some mixing of the
43 concepts. They separated the concerns and addressed each separately. The definitions, however,
44 were not included in the document. Mr. Eddington explained that the definition of open space
45 provides a good understanding of what open space is. As a result, a calculation was not included

1 as it is fairly definitive in terms of what is included. It was suggested that verbiage be included
 2 specifying that parking spaces, drive parking, and drive aisles do not count toward open space.

3
 4 Mr. Eddington explained that to item 8 they included the trails being completed and dedicated to
 5 the Town. The other alternative may be to address the trails separately and keep them under Town
 6 ownership to obtain a public access easement.

7
 8 Kurt Shadle suggested that the discussion and editing process be postponed to the next meeting in
 9 order to address other business. Vytas Rupinkas suggested that they agree on the frequency of
 10 meetings. Carol Haselton recognized the importance of this discussion but stated that other
 11 relevant issues need to be addressed. Mayor Rubin suggested that by June 5 they target other
 12 comments coming in so that by June 11 they are ready to vote. The deadline to receive comments
 13 was set as June 5.

14
 15 **Kurt Shadle moved to continue the hearing until June 11, 2020, with questions and comments**
 16 **to be made by June 5. Vytas Rupinkas seconded the motion. Vote on motion: Vytas**
 17 **Rupinkas-Aye, Carol Haselton-Aye, Chris Baier-Aye, Jerry Dwinell-Aye, Kurt Shadle-Aye.**
 18 **The motion passed unanimously.**

19
 20 **5. Discussion and Possible Adoption of an Ordinance to Amend the Town**
 21 **Council Regular Meeting Schedule.**

22
 23 It was reported that the proposed ordinance would change the Town Council Meeting schedule to
 24 add the second and fourth Thursdays. Because meetings have been very lengthy, the desire was
 25 to have the option of having additional days reserved for meetings as needed.

26
 27 **Jerry Dwinell moved to adopt an ordinance to amend the Town Council Regular Meeting**
 28 **Schedule. Carol Haselton seconded the motion. Vote on motion: Vytas Rupinkas-Aye,**
 29 **Carol Haselton-Aye, Chris Baier-Aye, Jerry Dwinell-Aye, Kurt Shadle-Aye. The motion**
 30 **passed unanimously.**

31
 32 **6. Discussion Regarding Town Recycling Efforts.**

33
 34 Kurt Shadle made a presentation on recycling and described the Town's recycling efforts. He
 35 reported that about one year ago the Council discussed recycling. In the meantime, many issues
 36 had come up in the Town. He complimented two Shoreline residents, Dori and Jeff, who were
 37 present and have done a lot of research on recycling options and opportunities. Dori approached
 38 the Town and offered to spearhead a recycling effort. In the General Plan survey that was
 39 conducted, recycling was the number one priority that all agreed was important to do.

40
 41 The four options were described as follows:

- 42
 43 1. Negotiate a mandatory Town-wide curbside pickup by a private contractor.
 44
 45 2. Encourage citizens to privately use curbside pickup.
 46

1 3. Facilitate citizens to utilize the recycling center in Park City.

2
3 4. Delay making a decision.

4
5 A photo was displayed of a home with recycling overstuffed in trash cans that going to the landfill.
6 Another option was to utilize Park City more often, however, they are about to lose the existing
7 space due to a change in their Arts Center.

8
9 There are two curbside pickup options. The first is Republic. They take most household
10 recyclables except for glass, Styrofoam, and plastic bags. The cost is about \$25 per month with a
11 \$25 initial set up fee for containers. They pick up at the same time as Wasatch garbage collection.
12 The second is an option is a company called Recyclops, which has a strong presence in Utah. They
13 have a sorting facility in Heber City. Like Republic, they also take most recyclable materials
14 including glass. The pricing is \$25 per month including glass or \$17 per month excluding glass.
15 They use a plastic bag system. They also offer a container option that requires homeowners to
16 purchase.

17
18 Council Member Shadle stated that the important difference between the two entities is that
19 Republic may not be as aggressive in trying to ensure that materials are to standard. If they are
20 not, the load is taken to the landfill. Recyclops attempts to reuse nearly everything with their goal
21 being zero percent waste. Because they have a local presence, they are focused on being eco-
22 friendly. Republic uses large garbage trucks while Recyclops uses smaller vehicles with a lower
23 carbon output and that are more user-friendly on roads.

24
25 Residents can be encouraged to voluntarily recycle or it could be a Town-wide mandate that is
26 included in utility costs. The cost on a Town-wide basis would be in the low teens including glass.
27 He asked for feedback from the Council. Possible options and costs were addressed. Council
28 Member Shadle commented that one of the problems the nation is facing currently is that China is
29 no longer taking our recycling. Having a recycling center in Town is probably smelly and prone
30 to issues with trash being left on the side of the dumpster rather than in the dumpster. Council
31 Member Baier did not think the Town should be in the business of recycling. She asked that a
32 determination be made as to what citizens want before forcing them to pay for recycling. She
33 personally recycles but had found it to be burdensome.

34
35 Carol Haselton was under the impression that the Park City Recycling Center had been closed and
36 only recently reopened. She asked about the size of the recycle bin for Recyclops. Council
37 Member Shadle stated that the bin size is half that of the garbage collection bin.

38
39 Support was expressed for the second company for several reasons including the smaller bin
40 option, particularly since garage space is at a premium. The concern with the bags is the potential
41 for wind. There was also support for a large 48-gallon container. Plastic bags seemed problematic.

42
43 Bart Warner reported that he has been in the waste business for over 30 years and has sold garbage
44 trucks, containers, and roll-offs to major customers in the Utah Valley. He suggested the Town
45 speak with Martin Spencer who discovered that over 80% of companies that claim they recycle
46 take the materials to the landfill. He knows what companies recycle.

1
2 Dori reported that she contacted the recycling center in Park City and spoke to them about the
3 various vendors. Recyclops recently purchased another company and the Executive Director
4 indicated that they recycle as much as possible. The problem with Republic is that they have
5 nowhere to get rid of the recyclables. It was estimated that at least 20% goes to the landfill. In
6 many cases, recyclables are stored in a warehouse because they are unable to sell them to China.
7

8 Chris Baier stated that by offering recycling, they will double their trash costs. To pursue this
9 option, she stressed that they should make sure the materials are actually being recycled. The
10 possibility of making recycling mandatory was discussed. Jerry Dwinell suggested getting a
11 commitment from each company on pricing tiers. Glass recycling costs were described.
12

13 The Town had been very cognizant about keeping costs down and not placing an undue burden on
14 residents. In addition, if plastic bags are used, glass could be problematic as it is heavy and sharp.
15 It was noted that Recyclops will provide the bags. It was recommended that it not be mandated for
16 the affordable multi-family housing units since they do not have individual cans. Once numbers
17 are available, a determination could be made as to the desire for the service in the community.
18 Pricing issues were discussed as well as potential resources.
19

20 The need to conduct a second poll on recycling was questioned since it ranked so high previously.
21 Chris Baier did not want to encumber residents with mandated recycling without getting a sense
22 of support based on the knowledge that a percentage of the recyclables may not go to a recycling
23 center.
24

25 **7. Discussion Regarding Creekside Estates.**

26
27 It was reported that a site visit was conducted with the applicant earlier in the day. The expectation
28 was that an annexation request would be received in the near future. Kurt Shadle suggested that
29 the discussion be postponed due to the late hour and to allow time to poll other individuals. It was
30 noted that the annexation application had been withdrawn and not yet resubmitted. It did not seem
31 worthwhile to discuss the matter until and unless an application is submitted. The applicant stated
32 that the request was withdrawn to allow the Council to meet and be more informed.
33

34 Chris Baier appreciated the applicant taking the time to conduct the site visit. Annexation is
35 completely discretionary on the part of the Council and they will need a reason to annex in the
36 property.
37

38 Jerry Dwinell stated that the property is surrounded by the Town of Hideout and the State Park.
39 The only way development can occur on the property is if one of the two entities agrees to allow
40 a road to service the property. The applicant stated that the access is required and authorization
41 has already been granted. The property currently has access rights and a road will go through
42 eventually. The density proposed on the property is 1.2 units per acre. The hope was that they
43 can work together and come up with a plan that works and provides more beauty and access for
44 everyone.
45

46 **8. Discussion Regarding Status of the Town's COVID-19 Safety Practices.**

1
2 Mayor Rubin suggested that the Council follow Summit's guidelines and piggyback on what they
3 are doing. In terms of staff, they have staff working from home but they are available in the Town
4 Office on certain days of the week in person with masks being worn. On July 1, an anchor site for
5 meetings will be required unless the Governor extends the executive order.

6
7 In the case of Hideout, Mayor Rubin stated that having staff work from home has been awkward
8 and inefficient but doable. Chris Baier wanted to do what is best for staff. Mayor Rubin pointed
9 out that there is a natural barrier between the public and staff in the form of a window that is greater
10 than six feet. Council Member Baier offered to work with Town Administrator, Jan McCosh to
11 prepare a proposal and make a presentation at the next meeting. The pros and cons of having an
12 anchor site were discussed.

13
14 **IV. PUBLIC INPUT – FLOOR OPEN FOR ANY ATTENDEE TO SPEAK ON ITEMS**
15 **NOT LISTED ON THE AGENDA.**

16
17 A letter submitted by Sheri Jacobs to Kurt Shadle was submitted and made part of the record. It
18 addressed development down below and potential impacts.

19
20 Dan Dansie explained that in the future if there is a specific issue being discussed, feedback
21 received can be referenced. Not every public comment rises to the level of needing to be included
22 in the public record. Interest, however, was expressed by a Council Member that comments
23 submitted to the Town be made available for review since they are representatives of the citizens.
24 It was suggested that a public information session be held regarding Town comments. Mr. Dansie
25 suggested that the Council ensure that the information provided is factually accurate. Mayor Rubin
26 offered to work with Mr. Eddington to prepare a Town Hall Meeting format communication
27 package first followed by a question and answer period.

28
29 There was no further public input. The public input period was closed.

30
31 **V. ADJOURNMENT.**

32
33 **Council Member Shadle moved to adjourn. The motion was seconded by Council Member**
34 **Rupinkas. The motion passed with the unanimous consent of the Council.**

35
36 The Town Council Meeting adjourned at approximately 10:54 p.m.

TOWN OF HIDEOUT, UTAH

Ordinance No. 2020-03

**AN ORDINANCE ENACTING
TEMPORARY RESTRICTIONS ON PUBLIC MEETINGS
IN RESPONSE TO COVID-19**

WHEREAS, the President of the United States has declared a national emergency and the Governor of the State of Utah has issued Executive Order No. 2020-1 declaring a state of emergency in response to the COVID-19 virus and associated illnesses; and

WHEREAS, the Governor of the State of Utah has asked communities to “take quick action to adjust our daily lives and limit the spread of the virus”; and

WHEREAS, Summit County, which contains the nearest municipalities to the Town of Hideout, has ordered the closure of “resorts, restaurants, taverns, bars, entertainment venues, fitness and exercise facilities, spas, churches, and other businesses at which people tend to gather”;

WHEREAS, the Town Council desires to ensure that public meetings remain accessible to the public while simultaneously not contributing to the spread of the virus; and

WHEREAS, the Utah Open and Public Meetings Act (“OPMA”) allows a municipality to conduct business by means of “electronic meetings” and the Town has previously adopted an ordinance permitting electronic meetings; and

WHEREAS, on March 18, 2020, the Governor of the State of Utah issued Executive Order No. 2020-5, waiving enforcement of certain requirements under the OPMA; and

WHEREAS, based on the need to limit the spread of the COVID-19 virus, the Town Council deems it to be essential to the health, safety, and welfare of the public to restrict in-person participation in public meetings on the terms set forth below;

WHEREAS, the Town has published notice, as required by law, of its intent to adopt temporary restrictions on in-person participation in public meetings; and

WHEREAS, on March 19, 2020, the Town Council held a public hearing to discuss the provisions hereof; and

WHEREAS, the Town Council finds good cause for adopting the provisions provided for herein.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Hideout, Utah, as follows:

Section 1 – Recitals Incorporated. The foregoing recitals are hereby incorporated into this Ordinance as findings of fact.

Section 2 – Temporary Meeting Restrictions. The following restrictions will be in place for the longer of: (a) sixty (60) days after the date this Ordinance is passed and adopted; or (b) the termination of the state of emergency declared in Executive Order No. 2020-1.

a. **Electronic Meetings.** All public meetings of the Town Council and the Planning Commission will be held by telephonic or electronic means. The public may participate in such meetings electronically, or by means of telephone access. The Town Council and Planning Commission shall provide a means by which interested persons and the public may remotely hear or observe, live, by audio or video transmission, the open portions of the meeting.

b. **No Anchor Location.** As permitted under Executive Order No. 2020-5, the Town will not provide access to an “anchor location” where the public can participate by means of in-person attendance.

c. **Notice.** The Town will continue to provide notice of public meetings by all means required under statute; provided, however, that as permitted under Executive Order No. 2020-5 the Town will not post written notice at the Town Hall.

d. **Public Comment.** If a matter to be discussed at the public meeting requires or permits public comment, the Town Council or Planning Commission will provide a means by which interested persons and the public participating remotely may ask questions and make comments by electronic means in the open portions of the public meeting.

e. **Meeting Materials Available Electronically.** The Town Council and the Planning Commission will use their best efforts to ensure that materials which would otherwise be made accessible to in-person participants, such as documents, charts, plats, etc., will be made available in real time via video link in connection with electronic meetings.

f. Additional Restrictions. In addition to the foregoing, the Mayor is authorized to temporarily close Town Hall to the public. The Town will take all reasonable steps to ensure that any business such persons have with the Town can be transacted without entering Town Hall. The Mayor is hereby authorized to take additional executive action as the Mayor deems necessary to preserve the health, safety, and welfare of those working in, or visiting, Town Hall. Without limitation, the Mayor is authorized to extend the restrictions provided for in this Ordinance by an additional thirty (30) days upon written notice to the Town Council.

g. Restrictions of Other Authorities Incorporated. To the extent restrictions adopted or imposed by the United States, the State of Utah, Wasatch County, or any agency or office of any of the foregoing in response to the COVID-19 virus require or implement health and safety standards or actions which are more stringent than those set forth herein, such standards or actions are incorporated herein by reference.

Section 4 – Clerk to Post Restrictions. The Town Clerk is hereby directed to post the restrictions adopted in this Ordinance within twenty-four (24) hours on the Town’s website, at Town Hall, and in at least two (2) other reasonably accessible locations within the Town.

Section 5 – Effective Date. This Ordinance will be effective immediately.

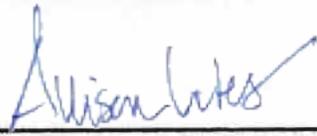
WHEREFORE, Ordinance 2020-03 has been **Passed and Adopted** by the Town of Hideout.

TOWN OF HIDEOUT



Philip Rubin, Mayor

Attest:



Allison Lutes, Town Clerk

7/9/2020

General Town Expenses

Ace Hardware	Supplies	-	
Ace Signs & Designs	Plan Prints/Signs	-	
All West	Monthly service	173.82	
Ally	Equipment	1,048.85	
Alpine Business Products	Supplies	139.51	
Associated Business Tech	Office printer supplies	-	
Associated Business Tech	Office printer lease	192.81	
CVE Technologies Group	Roundabout cameras	4,414.38	
Carquest	Auto parts	-	
Dominion	Utilities	32.30	
Francis City	Salt	-	
Fuelman	Fuel roads	475.29	
Hideout	Utilities	-	
Home Depot	Road maintenance materials	269.91	
Integrated Planning & Design	Planning services	1,850.00	
Park Record	Public noticing	-	
Pelorus Methods	Quarterly service/maintenance financial software	450.00	
Point S Kamas	Auto maintenance	-	
Pride Excavating	Grubbing	4,500.00	
Printing Express	Mailing services--impact fee noticing	-	
Professional Alarm, Inc.	Alarm monitoring	80.00	
PEHP	Health insurance January & February	1,857.40	
Rocky Mountain Power	Utilities	363.11	
Safety Supply & Sign	Streets materials, signs	-	
Solano, Laura	Cleaning services	150.00	
T-O Engineers	Engineering -- town expenses	-	
Tech Logic	Monthly service, Office 365, port switch & panel	-	
Thyssenkrupp Elevator	Maintenance	-	
Utah League of Cities & Town	Council training	-	
Utah Machine Rentals	Kubota lease/snow removal equip	-	
Verizon Wireless	Equipment and monthly service	370.45	
Wasatch Co Solid Waste	Utilities	48.00	
York Howell & Guymon	Legal representation - town charges, January	12,650.00	
	Total General Town Expenses		29,065.83
	<u>Expenses Passed Through</u>		
Integrated Planning & Design	Plan review	2,062.50	
Park Record	Public noticing	-	
Rick Gines	Inspections	-	
T-O Engineers	Inspections	20,289.78	
T-O Engineers	Pass through expenses billed	17,988.75	
York Howell & Guymon	Legal representation - pass through charges billed	1,232.00	
	Total Expenses Passed Through		41,573.03
	TOTAL GENERAL FUND EXPENSES FOR APPROVAL	70,638.86	70,638.86

Expenses from Enterprise Funds

Clyde Snow	Water matters	2,817.50	
Dakody Gines	Sewer/water maintenance & repair	1,670.00	
Rick Gines	Water maintenance & repair	1,808.23	
Jordanelle SSD	Sewer	3,305.55	
Jordanelle SSD	Water	20,812.50	
Mountainland Supply Co	Valves	-	
Precision Power	Repairs/maintenance lift station	-	
Summit Co Health Dept	Water testing	120.00	
T-O engineers	Engineering	3,777.50	
Twin D Inc	Emergency repair sewer	-	
USA BlueBook	Water testing supplies		
	TOTAL ENTERPRISE EXPENSES FOR APPROVAL		34,311.28

Questionnaire



OFFICE OF THE
STATE AUDITOR

Revised March 2020

Fraud Risk Assessment

INSTRUCTIONS:

- Reference the *Fraud Risk Assessment Implementation Guide* to determine which of the following recommended measures have been implemented.
- Indicate successful implementation by marking "Yes" on each of the questions below.
- Total the points of the questions marked "Yes" and put on the "Total Points Earned" line below.
- Using the points earned, circle the risk level on the "Risk Level" line below.

Total Points Earned: 270 Risk Level: Very Low Low Moderate High Very High
 > 355 316-355 276-315 200-275 < 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	✓	200
2. Does the entity have written policies in the following areas:		
a. Conflict of interest?		5
b. Procurement?		5
c. Ethical behavior?		5
d. Reporting fraud and abuse?		5
e. Travel?		5
f. Credit/Purchasing cards (where applicable)?		5
g. Personal use of entity assets?		5
h. IT and computer security?		5
i. Cash receipting and deposits?		5
3. Does the entity have a licensed or certified expert as part of its management team? (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO)	✓	20
a. Do any members of the management team have at least a bachelor's degree in accounting?	✓	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?		20
5. Have all of the board members completed the State Auditor online training at least once in the last four years?	✓	20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	✓	20
7. Does the entity have or promote a fraud hotline?		20
8. Does the entity have a formal internal audit function?		20
9. Does the entity have a formal audit committee?		20

Certified By:

Certified By:

* MC = Mitigating Control