

## Fire District Summary- May 1, 2013

In 1999 the Wasatch County Council established the Special Fire District for the Jordanelle area at the request of developers in the area. The fire station at the time was paid for by the developer of Deer Crest. The property owners within the Jordanelle District, in a form of double taxation, were expected to pay for the full time manned fire station that the County Council required on a Equivalent Residential Unit (ERU) or per lot basis of \$12.15 per month or \$145 per year and also to pay for county-wide volunteer fire stations through their property tax assessments. The Jordanelle taxpayers are the only taxpayers that pay two fire taxes within the county.

The Wasatch County Council members made themselves the Board for both fire districts and paid themselves \$400 a month additional pay beyond their County Council pay for serving on the Boards. This has added up to hundreds of thousands of dollars over the life of the Districts. Not a single Council member lives in or owns property in the Jordanelle District, yet they make all taxing and spending decisions for the Jordanelle Fire District and therefore are able to effectively lower their own property taxes by shifting the costs to Basin owners.

In 2010 an owner within the District brought a suit against the Board for charging for fire protection on the ERU basis, and won the suit with a settlement of \$900,000 in back service fees to be returned. The County has appealed the ruling and continues to incur legal costs in the matter. At the time the judge notified the board they could no longer use the ERU fee for fire services.

In March of 2011 the Board then attempted to put the vast majority of the cost for the Jordanelle Fire District on the 898 homeowners within the district by assessing on market value at \$1.27 per \$1,000 on a budget of \$1,913,800! The homeowners and their associations were successful in protesting the formation of this Special Service District.

The HOA's were able to convince the County Council to form a committee of property owners and two Council members to look at funding alternatives and to make recommendations for a fair and equitable solution. In studying the issues in the joint committee it was demonstrated that the Jordanelle Fire Station actually served the entire County. The majority of their calls were for accidents all along US 40, Jordanelle State Park and responding to fires and ambulance calls in Heber Valley. Most of the training and administrative costs (Chief, Assistant Chief, Fire Warden, Fire Marshal and Secretary) for both Fire Districts were being charged to the Jordanelle District, a nine firefighter station where most of the firemen are relatives of the Board. The Chief's salary was much higher than districts of comparable size and despite using very few County services it was found that the Jordanelle Basin property owners contribute 31% of the property taxes for the entire County.

Based upon this research the property owners recommended that the two Fire Districts be combined into a single County-wide property tax supported District. It was further recommended a transition could be phased in over three to five years with only an increase of 10 cents per \$1,000 assessed valuation. During the phase-in process the Jordanelle property owners offered to continue to pay their full Jordanelle assessment in addition to the increase in property taxes.

On September 7<sup>th</sup>, 2011 the Fire District Board ignored the committee recommendations and again attempted to set up another Special Service Area in Jordanelle based on a tiered ERU method with a budget of \$1,150,700. The homeowners and their associations were successful in protesting the formation of this Special Service District within the short 30 day time period.

In 2010 the Utah State Legislature amended Utah State Code Title 17-2b and removed the ability for governmental agencies to create Special Service Districts to provide Police, Fire and Ambulance services. When this was being addressed in the legislature, Wasatch County lobbied the Legislature to not include them in this change explaining that the owners around the Jordanelle Basin were in favor of the Special Service District. In 2012 the Utah State Legislature, when hearing about the actual desires of the owners around the Jordanelle, removed the ability of Wasatch County under Title 17-2b to create a Special Service District for fire service in Wasatch County.

On October 8<sup>th</sup>, 2012, the Wasatch County Council then approved a resolution to create a new Wasatch Fire Assessment Area under a different Utah Code (Title 11-42) to again assess the owners of property around the Jordanelle for the same fire service as was protested before. This assessment would also be in addition to the fire protection portion of property taxes already collected for fire stations in the county. The assessment would be .56 per \$1,000 of market value on a budget of \$671,600.

It should be noted that the County has reduced the administrative costs and will pay 25% of the costs to cover runs in the County and the St. Regis has directed some uncommitted transient room taxes of \$150,000 to also help cover costs of the manned station. Also if the station were to be reduced to a volunteer station like the rest of the county stations it will increase the cost of home owners insurance for Basin residents.

While many owners submitted protests against the new Assessment Area, it was announced by the County that the protest was not successful by a very slim margin and Basin owners are now receiving the greatly increased invoices from the Fire District to pay for the full time manned station. A group of Basin owners, including some Deer Crest owners whose protests were not counted and could have changed the outcome, have retained counsel and filed two complaints concerning the irregularities of the protest and the protest tallying and depending on a Judge's decision may yet affect the results of the protest.