



**AMENDED AGENDA
COUNTY COUNCIL
Wednesday, February 28, 2024**

NOTICE is hereby given that the Summit County Council will meet, on
Wednesday, February 28, 2024,
electronically, via Zoom, and at the anchor location of the Summit County Courthouse, 60 N. Main
Street, Coalville, Utah 84017

(All times listed are general in nature, and are subject to change by the Board Chair)

To view Council meeting, live, visit the "Summit County, Utah" Facebook page

OR

To participate in Council meeting: Join Zoom webinar: <https://zoom.us/j/772302472>

OR

To listen by phone only: Dial 1-301-715-8592, Webinar ID: 772 302 472

2:10 PM Closed Session - Litigation (60 min); Property acquisition (60 min)

4:10 PM - Move to Council Chambers (10 min)

4:20 PM Work Session

1. 4:20 PM - Pledge of Allegiance (5 min)
2. 4:25 PM - Presentation of Payment in Lieu of Taxes (PILT) Check; Blair Stringham, Northern Region Supervisor, Utah Division of Wildlife Resources (10 min)
3. 4:35 PM - Legislative update/preview; Janna Young (20 min)
[Staff Report-Legislative Update 022824.pdf](#)

4:55 PM Convene as the Board of Equalization

1. 4:55 PM - Discussion and possible approval of 2023 stipulations; Cindy Keyes, Chase Black and Stephanie Poll (10 min)
[Staff Report-BOE Adjustments 022824.pdf](#)
Dismiss as the Board of Equalization

5:05 PM Consideration of Approval

1. 5:05 PM - Discussion and possible approval of a letter of support for Summit County's Application for the Land and Water Conservation Grant, for portions of Ure Ranch (10 min)
[Letter of Support-Land and Water Conservation Fund.pdf](#)
2. 5:15 PM - Advice and consent of the County Manager's recommendation to appoint members to the Summit County Board of Health; Shayne Scott (5 min)
[Appointments to Summit County Board of Health.pdf](#)
[BOH Current Members.pdf](#)
3. 5:20 PM - Discussion and approval of Proclamation 2024-01, a Proclamation Recognizing Patricia Cassell for Nearly 8 Years of Public Service to the Citizens of Summit County, Utah;

Margaret Olson (15 min)

[Proclamation 2024-01 Patricia Cassell.pdf](#)

4. 5:35 PM - Council comments (15 min)
5. 5:50 PM - Manager comments (10 min)

6:00 PM Public Input

Public comment is for any matter not on the Agenda and not the subject of a pending land use application. If you would like to submit comments to Council, please email publiccomments@summitcounty.org by 12:00 p.m. on Wednesday, February 28, 2024. If you wish to interact with Council at 6:00 p.m., for public input, please follow the “Public Comment Instructions”.

[Public Comment Instructions.pdf](#)

Adjournment



STAFF REPORT

To: Summit County Council
From: Janna Young, Deputy County Manager
Date of Meeting: February 28, 2024
Type of Item: Update on the 2024 General Session of the Utah State Legislature
Process: Work Session

Requested Council Action

None.

Background

On Tuesday, January 16, 2024, the general session of Utah's 68th legislature began and will run until Friday, March 1, 2024. Over the next 45 days, Summit County's internal legislative working group will track activity at the State Capitol and provide updates to the County Council and to the public.

The County's legislative working group is comprised of the County Assessor, Auditor, Clerk, (2) Councilmembers, Recorder, Treasurer, Health Department Director, Chief Financial Officer, Community Development Director, Economic Development & Housing Director, Transportation Planning Director, County Manager, Deputy County Manager, Sustainability Program Manager, Behavioral Health Director, County Lands & Natural Resources Director, Emergency Manager, and representatives from the County Attorney's Office and Sheriff's Office.

This group meets weekly to monitor bills, share information, decide County positions on legislation, participate in Utah Association of County's (UAC) weekly policy steering and coordinating meetings, work closely with the County's House and Senate members and the County's lobbying team on issues, attend committee meetings, and potentially testify before legislative committees.

Each week during the session at the County Council meetings, Councilmembers Malena Stevens and Chris Robinson, and Deputy County Manager, Janna Young report to the Council on these activities, and request input on issues and support for proposed county positions on bills.

Key Features of this Session

- There is no surplus money in the budget this year, so we are expecting a flat state budget. This means extra appropriations/funding requests from communities will be tough to fund
- We do expect the legislature to fund priority projects around education, transportation, water, energy, affordable housing, and tax cuts
- Energy policy will also be a big topic this session. Legislative leadership is looking at a standard for what constitutes “green” or “clean” energy so those sources can be promoted without impacting jobs
- Affordable Housing will also continue to be a dominating topic this session as in past sessions

Summit County’s Goals for the Session

- **Relationship Building** – To understand and to be understood
- **Coalition Building** – Part of relationship building is also coalition building, especially around statewide issues, like transportation, particularly as it relates to the Olympics
- **Sharing Good News** – We also want to share the many great things Summit County is doing with partners to address challenges and opportunities that are also facing the state around water, transportation, housing, wildfire mitigation, childcare, Olympics planning and more

Bills Summit County is Currently Monitoring

As we head into the final week of the legislative session, below are the final bills that we are tracking. Please note that bills continue to change frequently these final days of the session. The below information reflects the situation at the time of drafting this report and is subject to change:

HB244, Office of Legislative Auditor General Requirements (J. Burton). Requires an entity that OLAG audits to waive any privilege that would otherwise entitle the entity to withhold information OLAG requests. Requires the chief officer of an entity to prepare a written audit response plan for each recommendation. Allows OLAG to prepare a written reply to the audit plan. OLAG may require the chief officer of an entity to update the response plan on a regular basis and submit to OLAG and a legislative subcommittee. ***Update: This bill was amended to remove the waiver of privilege requirement.***

HB502, Critical Infrastructure and Mining (C. Snider). This bill requires the ordinances of political subdivisions to allow critical infrastructure materials operations and mining operations as a permitted or conditional use

in all land use zones (with limited exceptions, such as within 1,000 feet of a home or 500 feet from rail or an interstate highway). If cities or towns do not adjust their ordinances to allow these operations by December 31, 2024, then these operations are permitted without regard to any contrary provision in the political subdivisions' land use ordinances. We also have to provide utility service to critical infrastructure materials operations or mining operations if they are situated within the service area of our political subdivision, and no later than November 30, 2024, we have to adopt a critical infrastructure materials plan that provides for how the county will ensure that there is adequate critical infrastructure materials operations in the county to supply the demand for critical infrastructure measured by the county's population as of May 1, 2024, and update the plan every five years.

Update: This bill is likely to be pulled this session and taken to interim for study. It is possible the provision that counties have to create a plan to ensure there is adequate critical infrastructure materials operations to supply the county's infrastructure will remain. The concern the bill is attempting to address is the impact that one county's growth is having on other counties from which they are drawing aggregate materials for their infrastructure to support that growth.

HB507, Construction Amendments (C.R. Musselman). This bill authorizes the Division of Water Quality to implement and enforce a program to reduce pollutants from construction sites impacting storm water runoff; establishes standards regarding the issuance of a permit; and establishes penalties for non-compliance. It could have significant impacts on Summit County and others across the state that have stormwater enforcement programs, as well as impact our permitting process (possibly building permitting), the County budget, stormwater enforcement, the community, and most importantly water quality. The bill has the potential put the County under direct regulation of the EPA and impacts every construction site in the state. ***Note: This bill has a large fiscal note (\$11 million) and is therefore not likely to pass this year due to the state's lack of excess funds for any new initiatives.***

HB558, Transient Room Tax Revisions (K. Birkeland). This bill provides flexibility to third class counties in Utah to use the revenues of transient room tax to cover the costs of solid waste disposal, emergency medical services, search and rescue activities, and law enforcement activities, if the county legislative body imposes a transient room tax at a rate of 3% or less. These counties may not expend more than 25% of the 1/3 that may be expended for these purposes. Third class counties in Utah are: Summit County, Wasatch, Tooele, Box Elder, Uintah, and Iron. ***Update: As of 2/22/24, this bill was still in Rules. It is likely not moving this***

session. There is commitment among the leadership of the Utah Association of Counties (UAC) to work on TRT improvements for all counties during interim and a solution next session in an omnibus approach that benefits all counties. UAC has requested data from counties that can help make the case for providing revenues on tourism impacts.

HB562, Utah Fairpark Area Investment and Restoration (R. Wilcox).

Defines a boundary for the Utah Fairpark Area Investment and Restoration District with the intent of recruiting a Major League Baseball team to Utah and building an MLB stadium. If a franchise agreement is executed by June 30, 2032, the bill outlines an increase to TRT statewide (1.5%) as well as changes in how the revenue is to be spent. Allows up to \$900,000,000 of district funds to be used for a qualifying stadium, and for the deed to be conveyed to the district. A portion of the TRT revenues generated will go to rural counties to mitigate the impacts of tourism, specifically on things like Emergency Medical Services and Search and Rescue Services. Utah of Association (UAC) staff is working with the bill sponsors to try to increase the percentage of funding going to counties and to secure additional flexibility for counties to use their portion of TRT on impacts of tourism.

SB91, Local Government Officers Compensation Amendments (C. Wilson).

This bill was amended on the House third reading calendar to require a separate public hearing to be conducted during the budget process when increasing compensation for the County Manager, Deputy/Assistant County Manger and County Department or Division Directors.

SB258, Municipal Incorporation Amendments (C. Bramble). This bill would allow three landowners to incorporate a preliminary municipality for the purpose of developing land for eventual incorporation into a town that once hits 100 people would need to become an official municipality with a city council and mayor. The landowners would be responsible for all the infrastructure costs of the township but have all land use and zoning authority. The county would be responsible for providing services to the preliminary township. Counties have many questions and concerns about this process and what responsibilities it would place on counties, particularly if the preliminary municipality fails. ***Update: UAC staff worked with the bill sponsor to turn this bill into a pilot program and to require the landowners/developers of a preliminary municipality to put up a cash bond so that if the preliminary municipality fails, the developers would be responsible for paying for it and not the county.***

Significant Dates Remaining in the Session

- February 23 Last day for Executive Appropriations Committee to complete all decisions necessary to draft the final appropriations bill
- February 26 General appropriations bills, supplemental appropriations bills, and school finance bills shall be available to legislators
- February 27 Last day for a motion to reconsider bills from own house
- February 28 Last day to prioritize fiscal note bills and identify other programs for new funding
- February 28 Final action must be taken on each appropriations bill
- February 29 Last day to pass any bill with a fiscal note of \$15,000 or more
- March 1 Last Day of the Session
- March 21 Last day the Governor may sign or veto bills
- April 30 Last day a veto-override session may begin
- May 1 Normal effective date for bills
- May 1 First day a legislator can open a bill file for appropriation request for the next general session

Engagement, Access, and Transparency

Interested citizens can watch Utah's 2024 legislative session in real time or access archived materials through the Legislature's online tool. To access this tool, go to <https://le.utah.gov/> and click on the "calendar" button. Click on the desired meeting and the committee webpage will have links to materials and the audio/video recording.

Additionally, the State Legislature's website allows citizens to sign up to follow individual bills and receive email alerts whenever action is taken on the measure. To sign up for alerts, go to <https://le.utah.gov/>; click on the "Bills" tab at the top of the page. Then either perform a bill request or keyword search. Once locating the desired bill, click on "Track this" or "Email notification" underneath the photograph of the bill sponsor. The website for each individual bill also provides the bill text, status information, audio/video of any committee hearings or floor debate, and details on the bill sponsor.



STAFF REPORT

TO: Summit County Council

FROM: Summit County Auditor Office

DATE: February 28, 2024

RE: BOE Final Recommendations & Hearing Decisions

Actions Requested by BOE

See attached spreadsheet for parcels that (1) have received a hearing decision and are ready for ratification or (2) have been given their Final Notice for Action and are ready for Final Approval.

A property with a “Significant Adjustment” is a valuation that differs from the original assessed value by at least 20% and \$1,000,000. (UT Code 59-2-1004) There are no properties with significant adjustments in this report.

Action Requested – as the BOE, review and approve the Final Recommendations to the BOE and ratify hearing officer decisions.

Scheduling Hearings – Ongoing

Some appellants listed have requested a hearing or have scheduled a hearing. If they have requested an independent hearing prior to their public hearing date/time per their Final Notice, they will have an independent hearing scheduled. For those on this list who will have an independent hearing, the hearing officer decision following their hearing will supersede an approval today and they will be included in a future council report for final approval.

Note – a column has been added to indicate properties that have had an independent hearing and shows the resulting hearing officer decision. Any properties with an independent hearing decision in the prior week have been sorted to the top of the list. If there is no date in the hearing date column, the property has not had an independent hearing and is part of the Mass hearing group.

Thank you for your time!

2023 BOE Adjustments 2/28/2024

#	Account #	Parcel ID	Old Market Value	New Market Value	MV Difference	BOE Hearing Date	Appellant Reason/Provided Documentation	Assessor's Written Response
1	0038079	HR-84	\$ 5,637,139	\$ 5,637,139	\$ -	2/7/2024	Comp sales	An inaccurate interpretation of sales has been provided in the appeal and many sales which meet the reported search criteria for sales, have not been included in the analysis. See 2580 Larkspur, 2525 Larkspur, 2574 Larkspur, 3279 AmericanSaddler, 2559 Lupine, 30 Eagle Landing, 15 Eagle Pt. These sales along with the evidence provided support the County's opinion of \$/sf of the subject property and no change is necessary.
2	0049563	RC-2-129	\$ 885,000	\$ 885,000	\$ -	2/7/2024	2020 settlement statement attached.	See sales at 130 Yonex, 107 Segura, and 170 Dunlop for sales in Racquet Club in 2022. These sales were used to develop the County's opinion of value. There are no sales available that support a reduction.
3	0039754	PKM-23	\$ 2,202,986	\$ 2,202,986	\$ -		PRIMARY SUBMITTED ONLINE 9/15/2023	
4	0089510	NS-902	\$ 100,938	\$ 100,938	\$ -		Property description	Request for adjustment is not supported by the information provide with the appeal. We understand that the property hasn't been used for awhile and there are a few issues with the building. Although these problems don't necessarily affect the market value. The subject is assessed at \$100,938, vacant ground is selling for more that \$100,000 for commercial property, the property could also be rented for a price that would easily support a higher value than \$100,000.
5	0222848	PWL-2-M	\$ 488,400	\$ 420,000	\$ (68,400)		Comps	Hearing preparations indicated a value within range of original requested value. Stipulating to \$420,000.
6	0334494	PKVC-5-AM	\$ 1,479,320	\$ 1,428,506	\$ (50,814)		letter, spreadsheet, cma	Paired sales analysis of sales within Parkview support further revision of value.
7	0375497	WMDW-2	\$ 1,181,627	\$ 1,181,627	\$ -		Letter of explanation	The property is a commercial use as a nightly rental, there are few sales of similar type properties. Although the property is a home that has been partially converted for use as a bed and breakfast. There are homes in the immediate area that have recently sold. These homes range from 2,200 SF to 3,500 SF. These sales range from \$900,000 to \$1,400,000. The subject property is 3,825 SF larger than the 4 sales and is assessed at \$1,181,627 which falls in line with homes in the immediate area that have sold.
8	0508660	RC17-HP	\$ 115,034,443	\$ 115,034,443	\$ -		Letter, sq footage breakdown and appraisal. There is an AP Evidence 2(appraisal) that will not upload to Tyler. Auditors office can send the appraisal to you when you are ready.	Request for adjustment is not supported by information provided with the appeal. Appraisal submitted fails to include aspects of the income that clearly need to be looked at. Income from the use of Residential units is part of the income that needs to be looked at, supreme court decisions have outline that this income is a part of the income stream.
TOTAL				\$	(119,214)			

COUNTY COUNCIL



Malena Stevens-Chair
Tonja B. Hanson-Vice Chair
Roger Armstrong
Christopher F. Robinson
Canice Harte

February 28, 2024

Re: Summit County Application for the Land and Water Conservation Grant

Dear Mr. Evan Beitsch,

On behalf of the Summit County Council, we are pleased to offer our full support for the grant application presented by Summit County's Lands and Natural Resources Department (L&NR) for the Land and Water Conservation Fund grant program, managed locally by the Utah Division of Outdoor Recreation.

The L&NR is seeking a funding request of \$2.5 million to advance the acquisition of the Ure Ranch, specifically, 320-acres of the total 834-acre property, for public recreational open space. Presently, the Property is under an option agreement for fee acquisition. The grant funds will cater to the portion of the property for public outdoor recreation, as mandated by the grant stipulations.

Our county, through an ongoing public engagement process, has gathered significant backing for securing the Property for public open space and outdoor recreation opportunities. The Property holds promise for crucial trail connections, both locally and between Wasatch and Summit counties, offering a seamless experience for residents and visitors to explore the natural beauty of our region.

We firmly believe that safeguarding these lands not only enhances the quality of life for our residents but also ensures that future generations can savor the same benefits. We are thankful for the chance to apply for this grant and are dedicated to the responsible stewardship of this land.

Thank you for considering our request.

Sincerely,

Malena Stevens, Chair
Summit County Council



Memorandum:

Date: February 28, 2024

To: Council Members

From: Shayne Scott

Re: Recommendation to appoint five members to the Summit County Board of Health

Advice and consent of County Manager's recommendation to reappoint Ilyssa Golding, Chris Cherniak, and appoint Michelle Downard, A Jason Barto, and Stephen Trapp, to the Summit County Board of Health. Each term will expire December 31, 2026.

SUMMIT COUNTY BOARD OF HEALTH
Expires December 31st of each year
Three-year terms, serving no more than four consecutive terms

NAME	Position/ Area	EMAIL ADDRESS	CONTACT NUMBERS	TERM EXPIRES	# of Terms	1 st appointed	Reappointed
Chris Cherniak Chair	Park City Rep	chris@cherniakenvironmental.com	C: 561-718-8974	2023	1	2/12/2020	
Alissa Van Wie	At large position	alissavanwie@gmail.com	C: 303-378-7261	2026	1	3/1/23	
Dorothy Adams	Snyderville Basin Rep	dgadams@slco.org	C: 801-550-8999	2023	3	3/12/14	2/17/2021
Heidi Gordon	No. Summit Rep	heidinicoletaylor@gmail.com	C: 801-652-8300	2023	1	2/09/22	
Chris Ure Vice Chair	So. Summit Rep	cure42004@yahoo.com	C: 435-671-1659	2023	2	2/15/17	2/12/2020
Ilyssa Golding, MD,	At large position	ibgolding@yahoo.com	C: 310-486-8846	2023	2	2/21/18	2/12/2020
Michelle Downard, PC Council Liaison	PC Liaison	mdownard@parkcity.org	C: 435-659-8931	NA			
Tonja Hanson Council	Council Liaison	tbhanson@summitcounty.org					

1. Board of Health, Code of Ordinances found here:
https://codelibrary.amlegal.com/codes/summitcountyut/latest/summitcounty_ut/0-0-0-10583
2. Last updated 2/28/23
3. Heidi Gordan is serving the unexpired term of Marc Watterson.



County of Summit – Proclamation

2024- 01

PROCLAMATION DECLARING THAT PATRICIA CASSELL WILL BE MISSED, AND FORMALLY
EXTENDING SUMMIT COUNTY’S GRATITUDE FOR HER DILIGENT PURSUIT OF JUSTICE AND
INNOVATIVE USE OF FOUR-LETTER WORDS

WHEREAS, Patricia “Trish” Smith was born in real Idaho and graduated from the University of Idaho with a bachelor's degree in Applied Mathematics; and

WHEREAS, Trish abandoned utilization of her math degree and attended Georgetown University Law School. While living in Washington D.C. where she met a young, sweaty federal prosecutor named Paul Cassell; and

WHEREAS, these two young Republicans married on August 6, 1988 and raised three incredible daughters who are each smarter than Trish and Paul combined, and who can each run circles around any man intellectually and physically, and who are all Democrats; and

WHEREAS, Trish has spent her career devoted to juvenile and criminal justice and has made significant and lasting contributions both to individual human lives and public policy; and

WHEREAS, Trish is not afraid to stare menacingly at members of the news media; and

WHEREAS, Trish cannot read long emails, suffer fools, or read long emails from fools; and

WHEREAS, Trish is a pioneer in assembling novel combinations of expletives; and

WHEREAS, Trish endured several long-suffering years across multiple offices as a colleague of Blake Hills; and

WHEREAS, Trish loves dogs, mountains, her dog Sadie, pickleball, dogs, her kids, her granddogs, Paul, dogs, a good hearty laugh . . . and dogs; and

WHEREAS, Trish is a national pickleball champion who shall not be trifled with and who has the new knee to prove it; and

WHEREAS, Trish refuses to disclose the location of her strategic trial-stress chocolate reserves, but we are okay with that; and

WHEREAS, the citizens of Summit County and the State of Utah owe Trish a debt of gratitude for making our community and all of Utah a better, safer, and more just place to live, work, and play;

Now, therefore, be it resolved that the Summit County Council does hereby recognize and honor Patricia Cassell for her service to the citizens of Summit County.

APPROVED AND ADOPTED and ordered published by the Summit County Council, this 28th day of February, 2024.

SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, STATE OF UTAH

ATTEST:

Evelyn Furse
County Clerk

By: _____
Malena Stevens
Chair

Public Comment Instructions

2/28/2024

If you would like to make public comments, please email publiccomments@summitcounty.org by 12:00 p.m. on Wednesday, February 28, 2024. Your email will be made part of the meeting record.

If you are participating via Zoom, and wishing to interact with Council during the public input, please:

1. Go to <https://zoom.us/j/772302472>
2. Enter meeting ID: 772-302-2472
3. Type in your full name, so you are identified correctly.
4. Set up your audio preferences.
5. You will be muted upon entering the meeting.
6. If you would like to comment, press the "Raise Hand" button at the bottom of the chat window.
7. When it is your turn to comment, the moderator will unmute your microphone. You will then be muted again after you are done speaking.