



## AGENDA

### SUMMIT COUNTY COUNCIL

Wednesday, September 1, 2010

NOTICE is hereby given that the Summit County Council will meet in regular session  
**Wednesday, September 1, 2010, at the Sheldon Richins Building, 1885 West Ute Blvd, Park City, UT 84098**

**Please note alternate meeting location**

All times listed are general in nature and are subject to change by the Council Chair

#### **3:00 p.m. Closed Session**

- Pending litigation

#### **3:30 p.m. Work Session** *Public comment may or may not be accepted*

- Review of Council mail, calendar, and minutes
- Interviews with applicants for the RAP Tax Cultural Committee (45 minutes)  
2009 Independent Auditor's Report; *Blake Frazier, County Auditor* (30 minutes)
- Auditor's budget update; *Matt Leavitt, Auditor's Office* (30 minutes)

#### **5:45 p.m. Regular Session Consideration of Approvals**

- Pledge of Allegiance
- **Resolution 2010-12**, the Weber Basin Water Conservancy District Class A Mill Levy for the year 2010
- Manager's report
- Approval of Minutes: August 11, 2010
- Council comments and questions

#### **6:00 p.m.**

- Public Input
- Public Hearing and Possible Adoption of **Resolution 2010-13** to establish an updated fee schedule for the Building, Engineering, and Planning Departments; *Don Sargent, Community Development Director*
- Public Hearing to receive input on **Resolution 2010-11** with respect to a) the issuance of the Bonds and b) any potential economic impact that the improvements, facilities, or properties financed in whole or in part with the proceeds of the Bonds may have on the private sector. The Bonds are to be issued in the aggregate principal amount not to exceed \$25million for the purpose of financing all or a portion of the costs of acquiring recreational open space property, constructing trails and related improvements, and paying costs of issuance of the Bonds; *Ashley Koehler, Sustainability Coordinator*

Individuals with questions, comments, or needing special accommodations pursuant to the Americans with Disabilities Act regarding this meeting may contact Karen Brostrom, at 336-3025, 615-3025, 783-4351 x3025.

**Distribution:** A  
**Posted:** August 27, 2010  
**Next Regular Meeting:** September 15, 2010, at the County Courthouse

**Summit County Council**  
P.O. Box 128  
60 North Main  
Coalville, UT 84017  
(435) 336-3025  
[kbrostrom@co.summit.ut.us](mailto:kbrostrom@co.summit.ut.us)  
[www.summitcounty.org](http://www.summitcounty.org)

# WEBER BASIN WATER CONSERVANCY DISTRICT

2837 East Highway 193 • Layton, Utah 84040 • Phone (801) 771-1677 • (SLC) 359-4494 • Fax (801) 544-0103

**Tage I. Flint**  
General Manager/CEO

July 20, 2010

**Board of Trustees:**

**Scott F. Peterson**  
President  
Morgan County

Summit County Five Member Council  
P.O. Box 128  
Coalville, Utah 84017

**Karen W. Fairbanks**  
Weber County

**Wayne B. Gibson**  
Weber County

**Council Members:**

**Robert L. Hensley**  
Weber County

Please find enclosed a copy of a resolution of the Weber Basin Water Conservancy District Board of Trustees, adopted May 21, 2010, fixing the property tax levy at a rate of .000207.

**Jewel Lee Kenley**  
Davis County

**Charlene M. McConkie**  
Davis County

The form of resolution is similar to that delivered to you in previous years, and the levy should be made on all property within the County as designated in the resolution.

**Kyle R. Stephens**  
Davis County

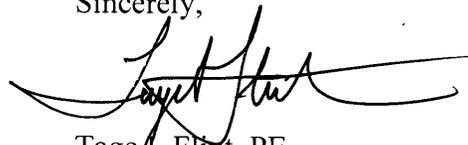
**Eric B. Storey**  
Weber County

**Dave Ure**  
Summit County

We will appreciate your completing the attached acknowledgment and returning it to our office. A stamped, self-addressed envelope is enclosed for your convenience.

Thank you.

Sincerely,



Tage I. Flint, PE  
General Manager/CEO

TIF/sm  
encl.

A-12

Criminal Division

MARY-KATHLEEN WOLSEY  
Chief Prosecutor

AUGUSTUS G. CHIN  
Prosecuting Attorney

PAUL R. CHRISTENSEN  
Prosecuting Attorney

**DAVID R. BRICKEY  
COUNTY ATTORNEY**

Summit County Courthouse • P.O. Box 128 • Coalville, Utah 84017  
Telephone (435) 336-3206 • Facsimile (435) 336-3287  
email: (first initial)(last name)@co.summit.ut.us

Civil Division

DAVID L. THOMAS  
Chief Deputy

JAMI R. BRACKIN  
Deputy County Attorney

HELEN E. STRACHAN  
Deputy County Attorney

**REQUEST FOR ACTION**

NO. \_\_\_\_\_

*Karen B*

Requesting Person's Name (Please Print) \_\_\_\_\_

Department: *Manager*

Phone: *3025*

e-mail: \_\_\_\_\_

Best way to be contacted: \_\_\_\_\_

Approved as to form  
Summit County Attorney  
By *[Signature]*

1. Date and time submitted: *Monday, Aug 23, 2010 10am*

2. Date and time needed returned: *if possible by end of week  
→ would like to schedule w/SCC 9/1*

3. Please provide a detailed explanation to the Summit County Attorney's Office as to what you want done with your request.  
*Review and comment on resolution request from WBWCD. Is Resolution in acceptable format to schedule w/SCC? If not, please edit & I will re-type.*

4. Please specify how your request may be met, i.e. memo, e-mail, voice mail, etc...  
*Memo / email*

5. If documents are to be reviewed, are they attached?  Yes or No. (Please circle one) If not, how can the Summit County Attorney's office obtain the documents?

6. Is this request directed to a particular attorney? If so, who? *Dave Thomas.*

7. Additional Information: \_\_\_\_\_

## Summit County RESOLUTION 2010 - 12

BE IT RESOLVED by the Board of Trustees of Weber Basin Water Conservancy District at a regular meeting held the 21<sup>st</sup> day of May, 2010, at the hour of 9:00 a.m. of said day, at District Headquarters, 2837 E. Highway 193, Layton, Utah, County of Davis, State of Utah, pursuant to the order of the District Court of Weber County, State of Utah, made and entered in that certain matter entitled "In the Matter of the Weber Basin Water Conservancy District", that it be determined by the Board of Trustees, and said Board of Trustees does hereby determine, that the amount of money necessary to be raised by taxation for the year 2010, under property tax levy, as provided in Section 17B, Chapter 2a, Title 1006, Utah Code Annotated, 1953, as amended, taking into consideration other sources of revenue of the District, is the sum of \$7,659,358 to supply funds for repaying costs of constructing the works of the District.

BE IT FURTHER RESOLVED, that the Board of Trustees fix, and does hereby fix, the rate of levy which when levied upon every dollar of assessed valuation of property within the District, and with other revenues, will raise said amount required by said District for the year 2011, at the tax rate of .000207 on the dollar of said assessed valuation of property within the District.

BE IT FURTHER RESOLVED, that the Board of Trustees certify and it does hereby certify to the Board of County Commissioners of each County within the District, or having a portion of its territory within the District, the rate so fixed as aforesaid, and hereby directs that at the time and in the manner required by law for the levying of taxes for County purposes for the year 2010, such Board of County Commissioners shall levy such tax at said rate upon the assessed valuation of all property within said District in addition to such other taxes which may be levied by such Board of County Commissioners, as follows, to-wit:

By the Board of County Commissioners of Davis County upon all the property in Davis County within said District, being all the property within said County, except the Islands of the Great Salt Lake therein.

By the Board of County Commissioners of Weber County upon all the property in Weber County within said District, being all the property within said County, except the islands of the Great Salt Lake therein.

By the Board of County Commissioners of Morgan County upon all the property within said County.

By the Board of County Commissioners of Summit County, upon all the property within said District, particularly described as follows:

Beginning at the point of intersection of the Summit County Boundary with the West line of Section 36, Township 6 North, Range 7 East, Salt Lake Base and Meridian; thence South to the Southwest corner of said Section 36, thence South along the East Range line of Range 7 East to

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the southeast corner of Section 36, Township 5 North, Range 7 East; thence West to the Northwest corner of Section 2, Township 4 North, Range 7 East; thence South to the Southwest corner of Section 26, Township 4 North, Range 7 East; thence East to the point of intersection of the South line of Section 28, Township 4 North, Range 8 East, with the Utah-Wyoming Boundary; thence South along said Boundary to the Southwest corner of Wyoming; thence East along the Utah-Wyoming Boundary to the Northeast corner of Section 13, Township 3 North, Range 8 East; thence South along the East Range line of Range 8 East to the Northeast corner of Section 24, Township 2 North, Range 8 East; thence West to the Northwest corner of Section 24, Township 2 North, Range 8 East, thence South to the Southeast corner of Section 35, Township 2 North, Range 8 East; thence West to the Northwest corner of Section 2, Township 1 North, Range 8 East; thence South to the Southwest corner of Section 11, Township 1 North, Range 8 East; thence East to the Southeast corner of Section 12, Township 1 North, Range 8 East, thence South along the East range line of Range 8 East to the Southeast corner of Section 25, Township 1 South, Range 8 East; thence West to the Northwest corner of Section 34, Township 1 South, Range 8 East, thence South to the Southwest corner of said Section 34; thence West along the North Township line of Township 2 South to the East Range line of Range 7 East; thence South along the East Range line of Range 7 East to the Southeast corner of Section 25, Township 2 South, Range 7 East; thence West to the Southwest corner of Section 26, Township 2 South, Range 6 East; thence North to the Northwest corner of said Section 26; thence West to the point of intersection of the South line of Section 23, Township 2 South, Range 5 East with the Summit County Boundary; thence Northwesterly along the Summit County Boundary to the point of intersection of said Boundary with the South line of Section 36, Township 1 South, Range 4 East; thence West along the South Township line of Township 1 South to the point of intersection of said line with the Summit County Boundary; thence Northerly and Easterly along the Summit County Boundary to the point of beginning.

Township 2 South, Range 3 East, Salt Lake Base & Meridian: Lots 9, 10, 11, 12, 13, 14; W 1/2 SE 1/4; SW 1/4, Section 1. Section 11. Lots 1 & 2, Section 12. Lot 3; NW 1/4, W 1/2 NE 1/4; Section 13. Lots 1, 2, 3, 4; W 1/2 E 1/2; SE 1/4 NW 1/4, Section 13. SE 1/4, NE 1/4, Section 14. Lots 1, 10, 11, 12, 13, 14, Section 24.

Township 2 South, Range 4 East, Salt Lake Base and Meridian: Lot 15, Section 12. Lots 6 and 9, Section 6. NE 1/4 NE 1/4; NW 1/4 NE 1/4; Lots 15, 16, 21, 24, 25, 28, 29, 30, 31, Section 7. Lots 7 & 8, Section 6. W 1/2 NW 1/4 Section 8. Lot 2; SW 1/4 NE 1/4 Section 5. Lots 15, 16 & 19 Section 18.

That part of the Southeast Quarter of Section 1, Township 2 South, Range 4 East, Salt Lake Base and Meridian lying in Summit County only.

All that part of the Northeast Quarter of Section 12, Township 2 South, Range 4 East, Salt Lake Base and Meridian lying in Summit County only.

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All of that part of the East 1815 feet of the North Quarter of the Southeast Quarter of Section 12, Township 2 South, Range 4 East, Salt Lake Base and Meridian, lying in Summit County only.

All that part of the Southwest Quarter of the Southwest Quarter of Section 6, Township 2 South, Range 5 East, Salt Lake Base and Meridian, lying in Summit County only.

All that part of the West 1/2 of the Northwest 1/4 of Section 7, Township 2 South, Range 5 East, Salt Lake Base and Meridian, lying in Summit County only.

All of the Southeast Quarter of the Northeast Quarter of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian, excepting the South 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 5, Township 2 South, Range 4 East.

Northeast Quarter of the Northeast Quarter of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

The North one-half of the North one-half of the Northeast Quarter of the Northwest Quarter of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Also, the South one-half of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter of Section 33, Township 1 South, Range 4 East, Salt Lake Base and Meridian.

Also, beginning at a point on an existing fence line, said point being West 600 feet more or less, and South 30 feet more or less, from the NE corner of Section 30, T2S, R6E, SLB&M, thence S. 0 deg.06'07" W along an existing fence 707.39 feet to an existing fence corner, thence N 89 deg 09'49" E 569.46 feet to a point on an existing fence, thence South along said fence 2021.05 feet, thence West 1121.20 feet to a point on an existing fence, said fence being the East Boundary of Weber-Provo Canal, thence N. 01 deg 33'33" W along said fence 818.79 feet, thence continuing along said fence N 09 deg 00'13" E 1033.15 feet, thence continuing along said fence 10 deg 16'02" E 165.58 ft, thence continuing along said fence N 11 deg 07'09" E to an existing fence corner, thence N 89 deg 53'29" E 243.06 feet along an existing fence to the point of beginning. Said parcel containing 55 acres more or less.

Commencing 1208.5 feet South and 2502.6 feet North 89d50'West from the Northeast corner of Section 1, Township 2 South, Range 3 East, Salt Lake Base and Meridian and running thence North 89deg.50'West 629.4 feet; thence North 1 deg.50'W 138.1 ft; th East 400 ft; th North 541.9 ft; thence East 250.4 feet, more or less to Boundary line of property heretofore conveyed by grantors; thence South 680 feet to the point of beginning.

Summit County, Utah.

All of Lot 100 Alpine Acres Subdivision Plat E, according to the official plat thereof on file and of record in the office of the Summit County Recorder. SUBJECT to easements, covenants,

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restrictions, rights-of-way, and reservations appearing of record and taxes for the year 1983 and thereafter.

**PARK CITY ANNEXATION:**

All of Section 4 of Township 2 South, Range 4 East.

The Northwest Quarter of Section 3, Township 2 South, Range 4 East.

All of Section 9, Township 2 South, Range 4 East.

The South half of Section 10, Township 2 South, Range 4 East.

All of Section 15, Township 2 South, Range 4 East, excluding that portion of the Southeast Quarter of that section that is located in Wasatch County.

All of Section 16 of Township 2 South, Range 4 East.

The North half of Sec. 21 of Township 2 South, Range 4 East.

The North half of Section 22 of Township 2 South, Range 4 East, excluding that portion of the Northeast Quarter of that Section that lies within Wasatch County.

That land located within the Northeast Quarter of Section 5, Township 2 South, Range 4 East, and within the South half of the South half of Section 33 of Township 1 South, Range 4 East, all as described as the Park Meadows Mountain Annexation to Park City on the annexation plat recorded with the Summit County Recorder as Entry Number 155568 on May 7, 1979. (Portions of the area described on this plat are also included within Section 4 of Township 2 South, Range 4 East, described above).

That land located within the Northeast Quarter of Section 5, Township 2 South, Range 4 East described on the annexation plat of the Quarry Hills Annexation to Park City, recorded with the Summit County Recorder as Entry Number 155566 on May 7, 1979.

That land located within the Southeast Quarter of the Southeast Quarter of Section 5, Township 2 South, Range 4 East described on the annexation plat of the McCleod Creek Annexation to Park City, recorded with the Summit County Recorder as Entry Number 155564 on May 7, 1979.

That land located within the Northeast Quarter of Section 8, Township 2 South, Range 4 East described as the Armstrong Property Annexation on the annexation plat recorded with the Summit County Recorder as Entry Number 139759 on August 23, 1977.

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That land located within the Northeast Quarter of the Northeast Quarter of Section 8 of Township 2 South, Range 4 East described on the annexation plat of the Old Sewage Treatment Plant Annexation to Park City, recorded with the Summit County Recorder as Entry Number 195494 on September 2, 1982.

That land located in Section 8 of Township 2 South, Range 4 East described in the annexation plat of the Treasure Mountain Annexation to Park City, recorded with the Summit County Recorder as Entry Number 113624 on July 28, 1971.

That land located within the Southwest Quarter of Section 5 and the Northwest Quarter of Section 8 of Township 2 South, Range 4 East described on the annexation plat for the Iron Canyon Annexation to Park City, Recorded with the Summit County Recorder as Entry Number 212517 on October 28, 1983. That land located in the Southeast Quarter of Section 8 of Township 2 South, Range 4 East described in the annexation plat of the Spiro Annexation, recorded with the Summit County Recorder as Entry Number 156248 on May 25, 1979.

That land located in the Northwest Quarter and the Southwest Quarter of the Northeast Quarter of Section 10 of Township 2 South, Range 4 East described in the annexation plat of D. C. Anderson's Annexation to Park City, recorded with the Summit County Recorder as Entry Number 120370 on August 1, 1973. Some of the land included within that annexation is located in Section 9, which has been previously described.

That land located within the West Half of the Southwest Quarter of Section 2, South Half of the Southeast Quarter of Section 3, and the Northeast Quarter of Section 10, all of Township 2 South, Range 4 East described on the annexation plat of the Wortley/BLM Annexation to Park City recorded with the Summit County Recorder as Entry Number 221635 on June 18, 1984.

That 53.481 acre parcel of land located within the Southeast Quarter of Section 21 of Township 2 South, Range 4 East described on the annexation plat of the United Park City Mines Company Annexation to Park City (Ontario Canyon) recorded with the Summit County Recorder as Entry Number 221597 on June 15, 1984.

That land located in the Northwest Quarter of Section 27, and the East Half of the Northeast Quarter of Section 27, and the South Half of Section 22, and the East Half of the Southeast Quarter of Section 21, all Township 2 South, Range 4 East described in the amended annexation plat of the Lake Flat Annexation to Park City, recorded with the Summit County Recorder as Entry Number 149809 on October 2, 1978. Containing 340 acres; excluding therefrom that portion of the land located in Wasatch County.

The Northeast Quarter of the Northeast Quarter of Section 8, Township 2 South, Range 4 East, including that portion thereof described on the annexation plat of the Holiday Ranch Annexation to Park City, recorded with the Summit County Recorder as Entry Number 119887 on June 16, 1973. The majority of that annexed land is located in Section 4, described above.

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Those four miscellaneous parcels described on the annexation plat of the Silver Lake Annexation to Park City recorded with the Summit County Recorder as Entry Number 193492 on July 12, 1982, excluding portions of these tracts that lie within Wasatch County.

Those three miscellaneous parcels located in Sections 10 and 11 of Township 2 South, Range 4 East described in the annexation plat of the Solamere Annexation to Park City recorded with the Summit County Recorder as Entry Number 193491 on July 12, 1982, containing approximately 17.5 acres. Those lands located in Section 15 of Township 2 South, Range 4 East, Salt Lake Base and Meridian described in the annexation plat of Queen Esther Annexation to Park City, recorded with the Summit County Recorder as Entry Number 228286 on December 17, 1984, containing 7.6553 acres.

**ADDITIONAL PARK CITY AREA ANNEXATIONS (approved October 22, 2004):**

That land located within the Park City Limits Boundary described as follows:

The Middle School Annexation located within the Southwest Quarter of Section 3, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 239565 on October 1<sup>st</sup>, 1985.

The Chamber Bureau Kiosk Annexation located in the South Half of Section 5, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 244420 on January 2<sup>nd</sup>, 1986.

The Smith Ranch Annexation located in the Southeast Quarter of Section 5 and the Southwest Quarter of Section 6, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 292902 on July 14<sup>th</sup>, 1988.

The Thayne's Creek Annexation located within the South Half of Section 5, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 308863 on June 2<sup>nd</sup>, 1989.

The Annexation Parcel Number 2 located within the Section 22, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 323406 on March 1<sup>st</sup>, 1990.

The Arsenic Hall Annexation located within Section 8, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 345954 on August 27<sup>th</sup>, 1991.

The Osguthorpe Dairy Annexation located within the Northwest Quarter of Section 5 and Northeast Quarter of Section 6, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 345955 on August 27<sup>th</sup>, 1991.

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The East Hillside Annexation located within the West Half of Section 3, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 345956 on August 27<sup>th</sup>, 1991.

The Peterson Property Annexation located within Section 5, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 374692 on February 26<sup>th</sup>, 1993.

The Morning Star Estates Annexation located within the Southeast Quarter of Section 10, the West Half of Section 11 and the Northwest Quarter of Section 14, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 376611 on March 31<sup>st</sup>, 1993.

The Ross Property Annexation located within Section 5, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 400284 on March 17<sup>th</sup>, 1994.

The Hidden Meadow Subdivision Annexation located within Sections 10, 11 and 15, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 425892 on March 8<sup>th</sup>, 1995.

The Sandstone Cove Subdivision Annexation located within the Northeast Quarter of Section 5, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 478857 on May 15<sup>th</sup>, 1997.

The Flagstaff Mountain Resort Annexation located within Sections 21, 27, 28, 29, and the North Half of Sections 32, 33 and 34 within Summit County, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 545098 on July 28<sup>th</sup>, 1999.

The Hidden Hollow Annexation located within the West Half of Section 14, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 548172 on September 9<sup>th</sup>, 1999.

The Spiro Tunnel (Silver Star) Annexation located within Section 8, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 710473 on September 10<sup>th</sup>, 2004.

The National Ability Center Annexation located within the Northwest Quarter of Section 2, and the Northeast Quarter of Section 3, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 715426 on October 29<sup>th</sup>, 2004.

That land located immediately west of Park City within Summit County described as follows:

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The Colony At White Pine Canyon Phase 1 Annexation located within Section 1 and the North Half of Section 12, Township 1 South, Range 3 East, SLB&M, and Section 6, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 518278 on September 24<sup>th</sup>, 1998 (this annexation was superceded by the following related Annexation Plats).

The Colony At White Pine Canyon Annexation located within Sections 1, 2, 10, 11, 12, 13, 14 and 24, Township 1 South, Range 3 East, SLB&M, and Sections 6, 7, 8 and 18, Township 2 South, Range 4 East, SLB&M, as recorded with the Summit County Recorder as Entry Number 534009 on March 26<sup>th</sup>, 1999.

The Colony At White Pine Canyon Phase 2 Annexation located within Sections 1 and 2, the Northeast Quarter of Section 10, Sections 11 and 12, Township 1 South, Range 3 East, SLB&M as recorded with the Summit County Recorder as Entry Number 548270 on September 10<sup>th</sup>, 1999  
The Colony At White Pine Canyon Phase 3A Annexation located within Sections 11 and 12, Township 1 South, Range 3 East, SLB&M as recorded with the Summit County Recorder as Entry Number 579433 on December 29<sup>th</sup>, 2000.

The Colony At White Pine Canyon Phase 3B Annexation located within Section 11, the Southwest Quarter of Section 12, the Northwest Quarter of Section 13 and the Northeast Quarter of Section 14, Township 1 South, Range 3 East, SLB&M as recorded with the Summit County Recorder as Entry Number 606728 on October 24<sup>th</sup>, 2001.

The Colony At White Pine Canyon Phase 3C Annexation located within Sections 11, 13 and 12, Township 1 South, Range 3 East, SLB&M as recorded with the Summit County Recorder as Entry Number 621557 on June 10<sup>th</sup>, 2002.

The Colony At White Pine Canyon Phase 1B Annexation located within Section 1, Township 1 South, Range 3 East, SLB&M as recorded with the Summit County Recorder as Entry Number 686710 on January 26<sup>th</sup>, 2004.

By the Board of County Commissioners of BOX ELDER COUNTY, upon all the property within said District, particularly described as follows:

Beginning at intersection of the West right-of-way line of Utah Highway 84 and Weber-Box Elder County line, which point is North 345.88 ft and East 1958.75 feet from Southwest corner of Section 14, Township 7 North, Range 2 West, Salt Lake Base and Meridian. Thence West along Weber-Box Elder County line to a point 288.7 feet North of the Southwest corner of Section 16, Township 7 North, Range 2 West, Salt Lake Base and Meridian; continuing West along the same Weber-Box Elder County line 14,846.9 feet, thence North 22 deg 20' W 1111.8 feet; thence North 18 deg 00' East 600.0 feet; thence North 52 deg 00' East 271.5 feet; thence North 10,095.1 feet; thence East 349.8 feet; thence North 3551.4 feet; thence North 49 deg 30' East 11,837.9 feet; thence North 48 deg 27' East 10,565.0 feet; thence North 2 deg 49' W 1267.9 feet to the

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Northwest corner of Lot 2, Section 21, Township 8 North, Range 2 West, Salt Lake Base and Meridian; thence South 86 deg 30' East 2325.8 feet; thence North 71 deg 25' East 680.5 feet; thence North 48 deg 37' East 103.0 feet; thence North 5 deg 00' East 85.8 feet; thence North 73 deg 50' East 1422.2 feet; thence South 80 deg 26' East 1358.8 ft; thence South 0 deg 25' West 413.2 feet; thence South 20 deg 15' West 23.8 feet; thence South 1 deg 00' East 461.4 feet; thence South 22 deg 08' East 933.2 feet; thence North 88 deg 00' East 400.0 feet to the Westerly right-of-way line of the Oregon Short Line Railroad; thence Southerly along said Westerly right-of-way line 15,697.7 feet; thence West 1386.4 feet; thence South 273.8 feet; thence South 35 deg 31' East 407.0 feet; th. North 88 deg 56' West 1001.4 feet to a point from which the Northeast corner of Section 3, Township 7 North, Range 2 West bears North 1526.3 feet and East 1320.0 feet; thence South to the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 10, Township 7 North, Range 2 West, thence East to the Southeast corner of said Section 10; thence South 148.5 feet; thence East 1320 feet; thence South 2491.5 feet, which point is the Northeast corner of the Northwest quarter of the Southwest Quarter of Section 14, Township 7 North, Range 2 West; thence East along said Quarter Section line to the intersection of said line and Westerly right-of-way line of Utah Highway 84; th SW'ly alg said Hwy r-o-w line to the point of beginning.

\* \* \* \* \*

I, TAGE I. FLINT, Secretary of the Weber Basin Water Conservancy District, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Trustees of said District at a regular meeting held May 21, 2010.

  
Tage I. Flint, Secretary





## Auditor's Office

**To:** Summit County Council

**Cc:** Bob Jasper, County Manager; Blake Frazier, Summit County Auditor

**From:** Matt Leavitt, Summit County Auditor's Office

**Date:** August 20, 2010

**Subject:** Financial update

Summit County Council:

I have attached the latest trial balance, year to year comparison and year to date (July 31), numbers for certain funds which include:

- 10 – General
- 12 – Health
- 13 – Recreation
- 14 – Municipal
- 15 – Assessing & Collecting
- 31 – Bond redemption
- 40 – General capital improvements
- 41 – Municipal capital improvements
- 61 – Fleet lease

Changes in the report from the prior month show revenues 0.9% higher compared to last year, 14.0% increase from the previous month's report. The biggest changes in revenues from prior month's report being in charges for services and contributions. These revenue lines increased \$504 thousand, or 28% and \$296 thousand, or 37%.

Expenditures increased 23.1% from last month's report. Still, spending is down 1.8% compared to last year. With 58% of the year elapsed, overall budget to actual comparisons are 52% of budget (page 2). Government functions exceeding the 58% of year elapsed are Public Safety (62.8%) and Government Services (60.2%).

**In short, compared to last year as of July 31, revenues were up \$115 thousand, expenditures were down \$439 thousand.**

In addition, specific expense line items have been included in the report for the council to review (beginning on page3). These specific line items are:

- Salaries, wages & benefits
- Travel & training
- Professional & technical
- Equipment & fund related capital expenditures
- Material & supplies
- Dues, subscriptions & utilities

Matt Leavitt

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Coalville, Utah 84017  
Fax (435) 615-3036

Of note, salaries, wages & benefits are \$762 thousand (5.8%) below 2009 for the same period reported. Travel & training are down \$49 thousand (30.5%) from the prior year. Equipment and fund related capital expenditures are \$96 thousand (74.6%) more than the prior year.

Changes in fund balances are reported on page 6. Those combined fund balances reported are anticipated to be down by 9% at year end 2010 compared to those balances in 2007. The largest decrease occurs in Fund 14 Municipal Services. This decrease was due primarily to funding the improvements to Landmark Drive without incurring long-term debt. Increases in Fund 41 Capital Improvement Municipal are to be used for similar road improvement purposes. More information regarding fund balances will be available at the Council meeting on August 25.

As always, if there are questions that concern the council that members would like addressed, I am available to respond. I can be contacted by phone at 336-3017 or by email to [mleavitt@co.summit.ut.us](mailto:mleavitt@co.summit.ut.us).

**Summit County**  
**Administrative Budget Report: Year to Date Comparisons**  
**Budget Year: 2010**  
**As of: 31-Jul-10**

Revenue comparisons (2010 - 2009): 0.92%  
Expenditure comparisons (2010 - 2009): -1.86%

	PRIOR YEAR 2005	PRIOR YEAR 2006	PRIOR YEAR 2007	PRIOR YEAR 2008	PRIOR YEAR 2009	CURRENT YEAR 2010
<b>REVENUES</b>						
Taxes						
Property Taxes	2,368,687	2,786,773	1,916,375	1,799,019	1,313,188	1,584,193
Sales Taxes	3,854,610	4,100,490	4,537,317	4,498,619	3,809,922	3,612,293
Licenses And Permits	904,822	896,038	1,113,319	519,465	343,085	244,995
Intergovernmental	9,051,993	3,947,622	3,238,412	3,511,317	2,613,841	3,340,420
Charges for Services	2,329,139	2,596,088	2,695,269	2,878,288	2,516,260	2,282,476
Fines And Forfeitures	493,836	518,473	489,734	566,810	510,843	505,834
Miscellaneous	93,085	49,123	432,854	55,800	107,951	44,601
Contributions	1,261,509	1,754,767	1,387,876	1,126,952	1,376,215	1,092,127
<b>TOTAL REVENUES:</b>	<b>20,357,681</b>	<b>16,649,374</b>	<b>15,811,156</b>	<b>14,956,270</b>	<b>12,591,305</b>	<b>12,706,938</b>
<b>EXPENDITURES</b>						
General Government	3,761,147	4,113,942	4,718,209	4,891,991	4,640,999	4,687,240
Public Safety	5,359,754	5,691,047	6,351,185	7,201,539	7,391,432	7,228,160
Public Works	5,207,488	4,791,483	4,235,286	10,126,516	6,195,386	5,823,773
Health	1,571,618	2,336,281	1,530,145	1,581,543	2,096,334	1,978,875
Government Services	2,629,079	2,563,957	2,424,396	3,123,864	2,982,901	3,129,622
Other Depts.	166,920	185,430	204,105	257,780	294,417	314,560
<b>TOTAL EXPENDITURES:</b>	<b>18,696,006</b>	<b>19,682,140</b>	<b>19,463,326</b>	<b>27,183,234</b>	<b>23,601,470</b>	<b>23,162,230</b>
<b>NET REVENUES OVER (UNDER)</b>						
<b>EXPENDITURES</b>	<b>1,661,674</b>	<b>(3,032,766)</b>	<b>(3,652,171)</b>	<b>(12,226,963)</b>	<b>(11,010,165)</b>	<b>(10,455,292)</b>

**BUDGET TO ACTUAL BY GOVERNMENT FUNCTION, 50% OF THE YEAR REPORTED:**

	PRIOR YEAR 2007	PRIOR YEAR 2008	PRIOR YEAR 2009	CURRENT YEAR ACTUAL	CURRENT YEAR BUDGET	BUDGET TO ACTUAL VARIANCE
General Government	9,825,007	9,110,700	16,363,815	4,687,240	10,550,780	44.4%
Public Safety	11,668,855	13,148,026	13,654,987	7,228,160	11,512,846	62.8%
Public Works	9,465,480	15,180,094	10,558,071	5,823,773	12,201,030	47.7%
Health	4,013,611	3,998,250	4,531,447	1,978,875	3,627,822	54.5%
Government Services	4,617,917	4,959,723	5,181,801	3,129,622	5,195,948	60.2%
Other Depts.	440,288	468,685	457,455	314,560	1,287,953	24.4%
<b>TOTAL:</b>	40,031,159	46,865,477	50,747,576	23,162,230	44,376,379	52.2%

**EXPENDITURES DETAIL BY OBJECT AND GOVERNMENT FUNCTION:**

## SALARIES, WAGES &amp; BENEFITS

	PRIOR YEAR 2005	PRIOR YEAR 2006	PRIOR YEAR 2007	PRIOR YEAR 2008	PRIOR YEAR 2009	CURRENT YEAR 2010
General Government	2,757,377	3,161,351	3,441,889	3,709,411	3,735,254	3,612,212
Public Safety	3,411,019	3,684,262	4,190,783	4,812,164	5,197,328	5,020,518
Public Works	1,001,877	1,124,624	1,257,148	1,313,434	1,441,489	1,194,732
Health	927,541	983,496	1,069,764	1,135,346	1,239,803	1,003,688
Government Services	981,737	1,070,063	1,194,383	1,324,218	1,386,182	1,406,195
Other Depts.	-	-	-	-	-	-
<b>TOTAL:</b>	9,079,549	10,023,796	11,153,967	12,294,573	13,000,056	12,237,345

## TRAVEL &amp; TRAINING

	PRIOR YEAR 2005	PRIOR YEAR 2006	PRIOR YEAR 2007	PRIOR YEAR 2008	PRIOR YEAR 2009	CURRENT YEAR 2010
General Government	35,323	41,693	68,434	66,547	50,213	38,671
Public Safety	51,881	43,853	41,653	46,907	39,285	29,598
Public Works	12,125	12,730	13,124	19,061	14,874	8,071
Health	35,923	30,414	30,668	37,979	28,756	17,851
Government Services	17,497	19,748	29,383	30,892	27,820	17,456
Other Depts.	200	-	-	827	-	200
<b>TOTAL:</b>	152,948	148,438	183,261	202,213	160,948	111,847

## PROFESSIONAL &amp; TECHNICAL

	PRIOR YEAR 2005	PRIOR YEAR 2006	PRIOR YEAR 2007	PRIOR YEAR 2008	PRIOR YEAR 2009	CURRENT YEAR 2010
General Government	279,509	294,705	240,971	334,981	237,099	268,165
Public Safety	100,223	69,678	70,649	81,025	59,308	87,937
Public Works	655,029	666,089	711,887	1,078,448	1,402,222	1,449,825
Health	102,396	82,342	96,692	122,789	93,539	83,377
Government Services	100,514	62,678	147,176	92,301	77,656	62,879
Other Depts.	23,188	54,881	42,365	63,550	56,300	73,550
<b>TOTAL:</b>	1,260,857	1,230,373	1,309,740	1,773,093	1,926,124	2,025,735

EQUIPMENT AND FUND-RELATED CAPITAL EXPENDITURES	730 740 760					
	PRIOR YEAR 2005	PRIOR YEAR 2006	PRIOR YEAR 2007	PRIOR YEAR 2008	PRIOR YEAR 2009	CURRENT YEAR 2010
General Government	15,067	22,902	25,769	14,329	10,229	3,815
Public Safety	55,488	152,892	150,935	102,736	67,118	42,496
Public Works	17,393	12,565	41,682	23,194	3,164	14,693
Health	7,787	4,324	4,390	8,328	4,737	52,804
Government Services	131,614	39,523	102,798	54,092	41,205	111,495
Other Depts.	-	-	1,488	940	2,564	-
<b>TOTAL:</b>	227,349	232,206	327,063	203,619	129,017	225,304
MATERIALS & SUPPLIES	200 210 240 242 250					
	PRIOR YEAR 2005	PRIOR YEAR 2006	PRIOR YEAR 2007	PRIOR YEAR 2008	PRIOR YEAR 2009	CURRENT YEAR 2010
General Government	81,092	74,971	55,362	91,725	72,101	61,459
Public Safety	159,808	138,708	112,629	139,494	141,874	107,693
Public Works	184,675	168,398	190,172	213,049	202,538	172,297
Health	56,383	54,571	38,411	47,544	38,225	40,074
Government Services	69,798	66,583	71,867	75,833	64,243	69,674
Other Depts.	-	618	50	246	100	35
<b>TOTAL:</b>	551,756	503,850	468,491	567,891	519,081	451,233
DUES, SUBSCRIPTIONS & UTILITIES	270 275 280 290					
	PRIOR YEAR 2005	PRIOR YEAR 2006	PRIOR YEAR 2007	PRIOR YEAR 2008	PRIOR YEAR 2009	CURRENT YEAR 2010
General Government	18,944	16,920	16,410	18,335	14,301	19,898
Public Safety	58,501	47,324	49,879	49,039	47,026	40,275
Public Works	8,399	6,183	5,174	6,910	8,506	7,368
Health	4,768	7,106	5,459	5,915	7,196	5,535
Government Services	333,398	355,526	373,624	334,761	340,248	316,625
Other Depts.	13,726	11,983	17,219	14,704	11,966	9,960
<b>TOTAL:</b>	437,736	445,042	467,765	429,664	429,243	399,662

<b>FLEET LEASE FUND</b>						
<b>Year to Date Comparisons</b>						
	PRIOR YEAR 2005	PRIOR YEAR 2006	PRIOR YEAR 2007	PRIOR YEAR 2008	PRIOR YEAR 2009	CURRENT YEAR 2010
<b>REVENUES</b>						
All revenue sources (majority fleet lease payments)	1,434,819	1,671,537	1,724,836	1,875,906	2,170,905	2,240,413
<b>TOTAL REVENUES:</b>	<u>1,434,819</u>	<u>1,671,537</u>	<u>1,724,836</u>	<u>1,875,906</u>	<u>2,170,905</u>	<u>2,240,413</u>
<b>EXPENDITURES</b>						
General Government	79,570	45,853	112,383	73,990	19,768	41,243
Public Safety	339,657	489,948	419,460	338,269	399,360	693,460
Public Works	212,330	367,932	374,479	467,786	26,144	207,703
Health	-	-	39,601	17,656	23,864	-
Government Services	73,177	151,087	81,728	78,068	1,485	-
Other Depts.	131,861	-	-	10,980	-	-
<b>TOTAL EXPENDITURES:</b>	<u>836,596</u>	<u>1,054,819</u>	<u>1,027,650</u>	<u>986,748</u>	<u>470,621</u>	<u>942,406</u>
<b>NET REVENUES OVER (UNDER)</b>						
<b>EXPENDITURES</b>	598,223	616,718	697,186	889,157	1,700,284	1,298,008

**CHANGES IN FUND BALANCE***Combined reserved and unreserved fund balances.*

Fund	Description	PRIOR YEAR	PRIOR YEAR	PRIOR YEAR END	BUDGET	2010 ENDING
		2007	2008	2009	2010	FUND BALANCE
10	General	2,029,849	1,983,425	1,111,081	(185,354)	920,243
12	Health	1,284,340	1,322,677	1,243,110	(130,200)	1,100,528
13	Recreation	688,391	733,069	884,928	(130,200)	690,719
14	Municipal Services	10,597,043	11,852,488	3,241,365	(62,475)	1,638,078
15	Assessing & Collecting	1,477,370	2,021,569	2,188,852		2,295,421
25	Transient Room	1,364,026	2,007,810	2,487,059		2,771,482
26	Restaurant	2,639,055	2,956,736	3,104,227		3,223,602
29	RAP Tax	1,021,911	1,472,124	1,168,835		1,382,526
40	Capital Imp - General	1,513,560	1,475,868	928,153	(490,000)	1,916,589
41	Capital Imp - Municipal	1,914,099	2,535,297	4,297,718		4,704,222
55	Transit District	265,982	667,257	1,206,006	(37,402)	1,143,687
61	Fleet Lease	198,835	598,075	340,302		1,561,026
82	Service Area #6	1,209,967	1,128,655	807,472	(447,800)	193,285
83	Service Area #8	615,109	520,025	832,470		1,091,826
88	Building Authority	1,211,678	625,736	(1,315,201)		902,646

State law requires minimum fund balance of \$853,107 in general fund for year 2010.



## Auditor's Office

**To:** Summit County Council

**Cc:** Bob Jasper, County Manager; Blake Frazier, Summit County Auditor

**From:** Matt Leavitt, Summit County Auditor's Office

**Date:** August 27, 2010

**Subject:** Independent auditor's 2009 report

Summit County Council:

I have attached a copy of the 2009 comprehensive annual financial report, with the independent auditor's report. The independent auditor, Chuck Ulrich of Ulrich & Associates, will be present with Blake Frazier at the council meeting on September 1<sup>st</sup> to answer questions.

A quick index to pages that may be of interest to the Council:

- Independent auditor's report is on page 13.
- Management's discussion and analysis begins on page 15.
- The financial report begins on page 32.
- Statistical information related to Summit County begins on page 135.

An executive summary will be presented for the Council on September 1. The executive summary is being prepared in coordination with the independent auditors.

As always, if there are questions that concern the council that members would like addressed, I am available to respond. I can be contacted by phone at 336-3017 or by email to [mleavitt@co.summit.ut.us](mailto:mleavitt@co.summit.ut.us).

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Matt Leavitt

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Fax (435) 615-3036



Don B Sargent  
Community Development Director

## STAFF REPORT

**To:** Summit County Council  
**Report Date:** Thursday, August 26, 2010  
**Meeting Date:** Wednesday, September 1, 2010  
**Author:** Don Sargent, Community Development Director *ds*  
**Project Name:** Fee Study for Planning, Building and Engineering Departments  
**Type of Item:** Public Hearing/Possible Adoption of Resolution

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**EXECUTIVE SUMMARY:** This public hearing will serve as the continued review of the fee study completed by Daly Summit Consulting under a contract for the Building, Planning, and Engineering Departments. The fee study supports the need for these departments to increase their fees. Staff recommends that Summit County Council (the Council) conduct a public hearing and consider adopting an updated fee schedule in the form of a resolution.

### **A. Project Description**

In order to consider new permit fees for these departments, a Fee Study (attached as Appendix A) was completed by Daly Summit Consulting under contract. The study determined that the cost of providing services was not being collected with the current fee schedules and in many cases, grossly short of the cost of doing business. Any increase in fees associated with an updated fee schedule is considered by resolution.

### **B. Review**

The Fee Study was reviewed in work session with the Council in December 2009 and again in January 2010. The Council then conducted an initial public hearing on March 3, 2010 to discuss and receive public input on a proposal to enact an updated fee schedule based on the conclusions of the fee study (public hearing minutes attached as Appendix B).

A work session was held on March 24, 2010 to clarify and address several items that were identified at the public hearing (work session minutes attached as Appendix C). The final draft fee schedule and associated resolution was then reviewed in work session with the Council on August 4, 2010 in preparation for a final public hearing and possible adoption.

### **C. Background**

The last time fees for County Planning, Building and Engineering services were evaluated with comparison of actual review costs was in 2002. Although the fee analysis supported raising fees at that time, they were not increased and in some cases fees for permitting have not been increased in 16 years since 1994.

With the recent fee study, Daly Summit Consulting has gathered data from the Planning Building, and Engineering Departments, along with information from the Auditor's, Attorney's and other associated County departments to calculate the cost of providing services. The fee study matrix highlights the disparity between existing permit fees and the actual cost of providing services. The findings of the study show a gap between the cost of providing services and the costs received through application fees on 50 of the total 53 fees initially analyzed.

**D. Identification and Analysis of Issues**

The fee study allows the County the discretion to set new fees as determined appropriate. Issues discussed in the work sessions included implications of increasing fees, not increasing fees, how much the County should subsidize the fees as well as how much the applicant should be expected to pay for the cost of providing services as the direct user of the respective permits.

Based on the fee analysis and discussions in the work session, Staff has recommended updated fees to cover, on average one half of the current and actual cost of providing services. In support of the Council's vision statement of the County being more sustainable, Staff has also recommended a reduction of fees for renewable energy projects. The proposed Resolution and associated Fee Schedule (attached as Appendix D) reflect these and all other fee amounts.

The Resolution provides for the review and revision of the Fee Schedule every two years to ensure that the fees will cover actual costs of processing applications overtime. In addition, the Resolution includes a provision for the refund of Planning and Engineering Department fees in the amount not to exceed fifty percent of the application fee when the application is withdrawn. A refund for Building Department fees may be given in an amount not to exceed eighty percent of the building permit fees.

For your reference, below is an example of what the existing permit fees are for a 10-lot major subdivision compared to the proposed fee increases that would be required under the updated fee schedule.

**10-Lot Major Subdivision**

<b>CURRENT FEES</b>	<b>PROPOSED FEES</b>
Sketch Plan = \$10 / lot TOTAL = <b>\$100.00</b>	Sketch Plan = \$20 / lot TOTAL = <b>\$200.00</b>
Preliminary Plan = \$75 / lot TOTAL = <b>\$750.00</b>	Preliminary Plan = \$250 / lot TOTAL = <b>\$2,500.00</b>
Final Plat = \$75 / lot TOTAL = <b>\$750.00</b>	Final Plat = \$300 / lot TOTAL = <b>\$3,000.00</b>
GRAND TOTAL = <b>\$1,600</b>	GRAND TOTAL = <b>\$5,700.00</b>
	DIFFERENCE OF: <b>\$4,100.00</b>

**E. Recommendation(s)/Alternatives**

Staff recommends that the Council review the Fee Study and proposed Resolution and associated updated Fee Schedule, conduct a public hearing and consider adopting Resolution 2010-13 to enact the new fees.

Representatives from the Planning, Building and Engineering Departments, along with the fee study consultants will be in attendance at the public hearing to answer questions.

**Attachment(s)**

Appendix A: Daly Summit Fee Study

Appendix B: March 3, 2010 Public Hearing Minutes

Appendix C: March 24, 2010 and August 4, 2010 Work Session Minutes

Appendix D: Proposed Resolution and Fee Schedule

**CC:**

Dallas Monsen, Chief Building Official

Derrick Radke, County Engineer

Jennifer Strader, County Planner III

Bill VanderLinden, Assistant Building Official

Blake Frazier, County Auditor

Helen Strachan, Deputy County Attorney

Brooke Hontz/Lauren King Knowles, Daly Summit Consultants

## **Executive Summary**

The purpose of the Fee Analysis Study is to evaluate the total cost of providing Community Development Department and Engineering Department services compared to the current fees charged, and to use this information to provide updated fee recommendations. Summit County Community Development includes the: Planning Department, Building Department, and Community Development Administration services. The Summit County Engineering Department was also included as part of the fee analysis.

Summit County has not comprehensively examined nor adjusted its Community Development Services/Engineering application fees for over seven+ years. Rosenthal & Associates Inc, a financial consulting firm, completed a "Cost of Service Analysis" and an "Indirect Cost of Service Analysis" in 2002. The studies demonstrated that opportunities exist for the County to move toward greater cost recovery in land use, engineering, and building fee application processes. A complete revision to the County's Community Development Services/Engineering Department application fees has not occurred since the conclusion of the Rosenthal studies; and since 1994 in some cases. In the meantime, development and land use applications have increased in Summit County, as well as the costs to provide the services (personnel expenses, cost of living, inflation, etc).

Analysis of the County's actual revenue and spending for the past several years show that revenue brought in from the fees for Community Development/Engineering services have never covered more than 50% of the costs of operating the overall departments. While efficiency measures have been taken where possible to reduce and keep costs down, there are still significant gaps between costs to the County for processing development applications and the fees charged. Furthermore, the current fee schedules do not reflect the rate of inflation through present day (2010) from when they were last updated. These factors, as well as ongoing changes to the zoning code and staff review, results in a need to re-examine application fees in an attempt to recover a greater share of the cost of providing services.

Daly Summit Consulting has reviewed the historical information, studied other fee analysis reports prepared for the County, assessed other similar communities' fee structures, and conducted an analysis of the Community Development/Engineering Services application fees to provide an understanding of the actual cost per application type for the County as described in this document and attachments. This report's findings would help to bridge the gaps with appropriate increases in fees paid by the applicants who are requesting land use changes and/or submitting associated Community Development and/or Engineering applications for processing.

Staff's fee recommendations created for Summit County Community Development/Engineering services are based on the costs borne by the County to provide these services. The total cost of service includes the cost of work provided by each department directly, and the cost of additional support services provided by other departments. The total cost of services analysis is the data used for fee recommendations. A comparative analysis that looks at other western U.S. communities Community Development/Engineering fees as evaluated next to Summit County's was also completed. This information was reviewed as a "gut check" discussion and not utilized as the basis for fee recommendation.

The findings of the fee analysis are provided within this study and the proposed new fee schedule attachment. The intent is to utilize the fee spreadsheet attachment as a stand-alone document for use and reference as a hardcopy handout and possibly posted on the Summit County website. Our findings

show a gap between the cost of providing services and the costs received through application fees on 50 of the total 53 Community Development/Engineering applications analyzed. We recommend updating the Community Development/Engineering fees so that fees cover a higher percentage of the cost of providing services to applicants. The adjusted fees would meet a public need by allowing the County to ensure that new development and land use applications meets the public objectives while recovering the cost of the review from the direct user of the respective permits. Although increased fees will affect some applicants with limited resources, all of the proposed fee increases are in line with the rate of inflation and the cost of staff time and resources. The proposed changes are timely given that it has been approximately 16 years since the last time the entire fee schedule was updated. The proposed fees are the staff recommendations based on the Fee Analysis cost findings.

## **Purpose**

The purpose of this report is to evaluate the total cost of providing services compared to fees currently charged by the Summit County Community Development Department and Engineering Department. Community Development includes the: Planning Department, Building Department, and Community Development Administration.

## **Introduction and Background**

Summit County has not comprehensively examined nor adjusted its Community Development Services/Engineering application fees for over seven-plus years. Rosenthal & Associates Inc, a financial consulting firm, completed a "Cost of Service Analysis" and an "Indirect Cost of Service Analysis" in 2002. The studies demonstrated that opportunities exist for the County to move toward greater cost recovery in land use, engineering, and building fee application processes. A complete revision to the County's Community Development Services/Engineering Department application fees has not occurred since the conclusion of the Rosenthal studies; and since 1994 in some cases. In the meantime, development and land use applications have increased in Summit County, as well as the costs to provide the services (personnel expenses, cost of living, inflation, etc).

Analysis of the County's actual revenue and spending for the past several years show that revenue brought in from the fees for Community Development/Engineering services have never covered more than 50% of the costs of operating the overall departments – and in many cases covered considerably less. While efficiency measures have been taken where possible to reduce and keep costs down, there are still significant gaps between costs to the County for processing development applications and the fees charged. Furthermore, the current fee schedules do not reflect the rate of inflation through present day (2010) from when they were last updated. These factors, as well as ongoing changes to the zoning code and staff review, results in a need to re-examine application fees in an attempt to recover a greater share of the cost of providing services.

Daly Summit Consulting has reviewed the historical information, studied other fee analysis reports prepared for the County, assessed other similar communities' fee structures, and conducted an analysis of the Community Development/Engineering Services application fees to provide an understanding of the actual cost per application type for the County as described in this document and attachments. This report's findings would help to bridge the gaps with appropriate increases in fees paid by the applicants who are requesting land use changes and/or submitting associated Community Development/Engineering applications for processing.

## **Summary of Approach**

The fee recommendations created for Summit County Community Development/Engineering services are based on the costs borne by the county to provide these services. Staff reviewed the total costs of service for each application type with the consultant and then determined the appropriate recommended fee for County Council's review and approval. The total cost of service includes the cost of work provided by each department directly, and the cost of additional support services provided by other departments. The total cost of services analysis is the data used for fee recommendations. We also completed a comparative analysis that looks at other western U.S. communities Community Development fees as evaluated next to Summit County's. This information was reviewed as a "gut

check” discussion and not utilized as the basis for fee recommendation. The fee analysis methodology discussion is provided below, along with the fee comparative chart.

### **Fee Analysis Methodology**

The methodology used to determine the total cost of services is based on the direct and indirect costs of each application. Direct costs of an application are those costs (time, materials, etc) spent by the department issuing or processing the application. An application’s indirect costs are those expenses incurred by other departments during the process of review/approval of an application (interdepartmental review, legal analysis, etc.). It was extremely important to recognize and account for all the time spent on each type of application processed by the each of the Departments, as significant hours are tallied by the County’s many departments in order to do “business as usual”. The background data was generated by a collaborative effort with the Planning, Building, and Engineering departments.

To complete the total cost of services analysis, expenditure of staff time per application type was first identified. We examined the personnel inventory for each department, listing each employee by title and salary tier. Then the amount of time per application type was determined based upon detailed staff record maintained by the respective department.

In order to calculate the cost of the individual time associated with each hour of staff time per application, an analysis of the expenses directly and indirectly associated with each department per the Summit County Year-End Financials between 2003 and 2008 was conducted. 2008 was considered the baseline year and the expenses associated with all prior years were adjusted for its corresponding year’s Consumer Price Index (CPI). Then an average of the costs per year was determined. This average cost of expenses per year, per department was then divided by the total number of employees multiplied by the total hours per employee per year (2,080 which is a standard number of work hours per employee per year based upon the average work week of 40 hours times 52 weeks per year). Collectively, these expenses determined an average cost of each hour per employee.

A similar method was used to determine the cost per hour of supporting departments (indirect costs), with the exception that these total costs were prorated based upon the approximate amount of time and services from each department that are needed and used to support the various Community Development/Engineering departments. This hourly cost basis was then multiplied against the total number of staff hours per application type in order to determine the total average amount of time used to process each of the various types of applications. Since many of the applications are based upon the total number of lots, units, acres, commercial square footage or other; an analysis of the actual development product per project was then considered. This permitted the evaluation of average cost based upon the actual development program.

## **Legal Context**

### **State Code**

The County’s Community Development Department fees are administered within the context of U.C.A. **17-27a-509** Limit on fees – Requirements to itemize fees, which states the following:

“(1) A county may not impose or collect a fee for reviewing or approving the plans for a commercial or residential building that exceeds the lesser of:

- (a) the actual cost of performing the plan review; and
  - (b) 65% of the amount the county charges for a building permit fee for that building.
- (2) Subject to Subsection (1), a county may impose and collect only a nominal fee for reviewing and approving identical plans.
- (3) A county may not impose or collect a hookup fee that exceeds the reasonable cost of installing and inspecting the pipe, line, meter, or appurtenance to connect to the county water, sewer, storm water, power, or other utility system.
- (4) A county may not impose or collect:
- (a) a land use application fee that exceeds the reasonable cost of processing the application; or
  - (b) an inspection or review fee that exceeds the reasonable cost of performing the inspection or review.
- (5) Upon the request of an applicant or an owner of residential property, the county shall itemize each fee that the county imposes on the applicant or on the residential property, respectively, showing the basis of each calculation for each fee imposed.
- (6) A county may not impose on or collect from a public agency any fee associated with the public agency's development of its land other than:
- (a) subject to Subsection (4), a fee for a development service that the public agency does not itself provide;
  - (b) subject to Subsection (3), a hookup fee; and
  - (c) an impact fee for a public facility listed in Subsection [11-36-102\(13\)\(a\), \(b\), \(c\), \(d\),](#)
  - (e), or (g), subject to any applicable credit under Subsection [11-36-202\(2\)\(b\).](#)"

Code excerpt from: <http://www.le.state.ut.us/UtahCode/getCodeSection?code=17-27a-509>

#### **County Legal Parameters**

Summit County must follow the regulations set out by State statute for Planning, Engineering and Building fee assessment. The fee schedules currently in place for the Community Development/Engineering Departments reflect the state's requirements; however as discussed, the fees have not been updated for many years.

*Summit County Code* Titles 10 and 11 and more specifically, *Snyderville Basin Development Code* Chapter 10, Section 10-9-14 (Ord. 708, 12-10-2008), and the *Eastern Summit County Development Code* Chapter 7, Section 11-7-4 (Ord. 708, 12-10-2008) empower the Summit County Council to establish fees for the purpose of covering specific county costs incurred during the review and processing of development permits. The County Council is required to establish the fees by resolution.

The most recent Building, Plumbing, Mechanical, and Electrical Permit Fees were set by Summit County Resolution 94-21 passed in December 1994. According to discussions with staff, the fee schedule set in 1994 was purposely established lower than other regional communities and lower than could have been

charged at that time due to the County Commission's desires to encourage low income and/or affordable housing in Summit County.

On the Planning Department side, the first established fee structure resembling the modern code was created in 1991. In 1998 and 1999 the fee structure Summit County is essentially working under now was created due to the requirements to charge fees for new types of applications and significant changes to the code. 2006 brought a few updates and changes to the Planning fees with the most recent changes occurring to add one type of new permit in 2009.

Engineering's fee structure set in 1997 and 1999 reflected the basic types of permits the county saw during that time and the relatively low volume of permits being processed. In 2000 and again in 2006 the county added numerous types of permits and updated fees to reflect the changing landscape of development.

In the early 2000's, a need to assess the discrepancies between actual costs of doing business in the Building, Engineering, and Planning Departments and the costs of the applications was recognized by staff and the Commission. The building boom and economic boost of the preparations for the 2002 Winter Olympics created a busy and unusual situation for the Community Development/Engineering Departments from approximately 2000-2003. The demand for quick output and focus on hosting a great Olympics took the spotlight away from the fee issues. Rosenthal's important findings demonstrating the gap between costs and fees in 2002 were never adopted nor implemented.

### **County Financial Data**

In data provided by the Summit County Auditor's office, the percentage of department expenditures covered by the related revenue sources for Planning, Engineering and Community Development are expected to be less than 40% for 2009. Fees collected for the work completed by these departments do not cover 60% of their costs. In fact, the fees collected for Planning, Engineering and Community Development from 2003-2009 have typically covered less than 50% of the costs (for the dates 2007/2008 data was provided). The deficiencies between fees and costs have largely been supported by the County's General & Municipal Fund.

### **Fee Comparison**

The purpose of the fee comparison section is to provide a context for Summit County development fees by looking at other jurisdictions fee schedules. This section exists to provide verification that Summit County's proposed fee changes "fit" and are comparable to fee rates charged in other areas. The County is NOT required to match fees charged by other jurisdictions for like services; however, it is prudent to look to other communities as a gauge, especially when looking at possible fee increases.

The information presented here shows that every community takes a different approach to not only how much is charged for development application fees, but also diversity in the types of fees charged and the types of applications they support. For example, an applicant might apply for a pre-application conference in one community, whereas the same development application in another community would go directly to the sketch plan process. In addition, a fee comparison between communities does not discover what the costs are based upon, only what it charged. A fee in one community may be higher because they use a Senior Planner to review and process an application where another community

might use a Planner II. In other words, the costs in one community to actually provide the service could be dramatically different than the costs of providing services another similar community.

As part of the analysis, fee rates and structures from seven relevant jurisdictions throughout the west were reviewed comparatively to Summit County. The data collection consulted the published information available and included direct survey of some of the subject communities to learn the cost of fees to applicants in processing typical planning and development applications. Please see the Fee Comparison Chart below for the fee rate data.

<b>Fee Comparison: Summit County, Utah to other western U.S. communities (2008).</b>								
<b>Community and State</b>	<b>Summit County, Utah – Snyderville Basin</b>	<b>Summit County, Utah – Eastern County</b>	<b>Park City, Utah</b>	<b>Wasatch County, Utah</b>	<b>Routt County, Colorado</b>	<b>Summit County, Colorado</b>	<b>Jackson Hole, Wyoming</b>	<b>Teton County, Wyoming</b>
<b>Sample Application Type &amp; Cost</b>								
<b>Planning</b>								
Pre-Application Conference			\$610 (special meeting w/staff and PC wk session)	\$500 (special meeting, + other fees)	\$1,000	(Work Session) Planning Commission \$1,585. PC & BCC \$5,305	\$300 w/staff, \$500 w/PC and/or Council	\$100-\$600+
Conditional Use Permit	Res: \$50/lot Non-Res: \$200/acre or 1,000 SF	Res: \$75/lot Non-Res: \$250	\$720 (Discretionary)	\$200 + costs	\$ 600 + \$50 annual fee*	\$3,560	+\$500 to main applicat	\$400-\$2,000
Special Use Permit	\$100 (special event – one time use)			\$100 + costs (mass gathering is more)	\$ 800 + \$100 annual fee*			\$2,000
Sketch Plan	Res: \$10/lot, unit Non-Res: \$40/acre or 1,000 SF	Res: \$10/Unit Non-Res: \$40/ac.			\$500 + \$20/lot		\$2,500	\$5,000 (major only)
Appeals	\$100		\$365 for PC, Board of Appeals, and/or HDC, \$100 staff appeals	Case by case	Min basic fees and hrly fees at same rate as the original application	½ fee for the type of applic involved (BCC). \$1,585 fee (Admin Decision) Appeal Fee refunded to successful appellants	\$500 for Admin Decision	\$800

**SUMMIT COUNTY UTAH**

*Building, Community Development, Engineering, and Planning Departments  
Fee Analysis Report*

Preliminary Subdivision	Res: \$75/lot, unit Non-Res: \$75/acre or 1,000 SF	Res: \$75/Unit Non-Res: \$75/ac.	\$255/unit	Res: \$300 + \$100/lot/unit/eru, + costs Other: \$100/1,000 s f, + costs	\$2,000 + \$40/lot	\$3,560 + \$175/lot	See Sketch Plan	\$600-\$3,000* + \$50/lot over 20 lots, and \$50/1,000 s.f. if over \$15,000 s.f.
Final Subdivision Plat	\$60/lot, unit	Res: \$75/Unit Non-Res: \$75/ac.	\$180/unit	Res: \$50 lot/unit/eru, + costs Other: \$25/1,000 s f, + costs	\$1,000 + \$20/lot	\$1,740 + \$175/lot	\$1,000 + \$100 per lot max \$3,000	\$450

If we take a comparative look at the Preliminary Subdivision costs per jurisdiction we find Summit County charges less per application than the majority of other communities. In a scenario with 100 residential lots/units we observe the following costs:

Community and State	Summit County, Utah	Park City, Utah	Wasatch County, Utah	Routt County, Colorado	Summit County, Colorado	Jackson Hole, Wyoming	Teton County, Wyoming
Preliminary Subdivision	\$7,500	\$25,500	\$10,300 + costs	\$6,000	\$21,060	\$2,500 + fees/costs	\$7,600-\$8,000+

**Wasatch County, Utah**

Wasatch County is located in the north-central part of Utah, approximately 40 miles east of Salt Lake City. Within Wasatch County there are approximately 772,835 acres (1,207 square miles), of which about 70% are publicly owned. The public lands are administered by: U.S. Forest Service, U.S. Bureau of Reclamation, U.S. Bureau of Land Management, State Division of Lands, State Division of Parks and Recreation, and right-of-ways administered by the Utah State Department of Transportation. There are eight municipalities located within the County, including: Heber City (County Seat), Midway, Charleston, Wallsburg, Daniel, Independence, Hideout, and part of Park City. The County is bordered on the north by Summit County, on the east by Duchesne County, on the south and southwest by Utah County and the northwest by Salt Lake County. By area, Wasatch County is one of the smaller counties in the state with a total surface area of 1,207 square miles and a population estimated at 22,845 in 2008.

The fee schedule for Wasatch County provides for Community Development fees to be charged by the Planning and Zoning Department, Engineering Department, and/or the Building Inspection Department. The Planning fees are set up into two categories: development fees and other fees, with a total of 28 types of applications or processes listed. The county also charges for "costs" for most applications and these are described separately. Engineering fees for subdivisions and capital improvements are charged as 5% of the total estimated cost of the improvements. Additionally, the county charges for encroachment and excavation permits. The building permit fees charged are based on a basic total valuation of the structure formula. Plan review fee is 65% of the building permit fee. Other building department fees charged include: investigation fees, hourly fees charged for inspections outside normal business hours, re-inspection fees (hourly), other inspections (hourly), additional plan review due to

changes, and costs. <http://www.co.wasatch.ut.us/>, <http://www.ulct.org/ulct/> and <http://www.mountainland.org/>

### **Routt County, Colorado**

Routt County is a diverse environment offering mountain vistas and ranch lands. Located in northwest Colorado, the county encompasses a total of 2,231 square miles. Communities located in Routt County include Clark, Hahns Peak, Milner, Phippsburg, and Toponas, the towns of Hayden, Oak Creek and Yampa, and the city of Steamboat Springs. About 50% of the land in Routt County is publicly owned. The 2000 census reports the full time residential population of the county is approximately 19,690. During the winter months the resort town of Steamboat Springs thrives due to a world-class ski resort, while ranching, agriculture, forestry, mining and power generation provide a year-round economy in the surrounding areas.

Routt County's planning fee schedule categorizes the main fees charged into three groups: Minimum Basic Fees, Hourly Fees and Annual Fees. All applications pay the minimum basic fee for their proposal type. In addition, the applicant may have to pay hourly fees and/or annual fees if the workload exceeds the maximum time allotted to the application or if the application/project needs monitoring over the course of a year. The building fees charged are based on a total valuation of the structure formula. When a plan or other information is required to be submitted to the building department, a plan review fee of 65% of the building permit fee shall be paid at the time of submitting plans and specifications for review. <http://www.co.routt.co.us/index.php>

### **Summit County, Colorado**

Summit County is located among the high peaks of the Colorado Rockies, just on the west side of the Continental Divide. Colorado's main east-west transportation corridor bisects the County and enhances the proximity of the County to Denver and the Front Range communities. Included within the county are six municipalities (Blue River, Breckenridge, Dillon, Frisco, Montezuma, and Silverthorne), four major ski resorts (Arapahoe Basin, Breckenridge, Copper Mountain, and Keystone), National Forest and Bureau of Land Management lands, and two Congressionally-designated Wilderness Areas (Eagles Nest and Ptarmigan Peak). The County is relatively small in geographic terms, occupying a total land area of approximately 396,000 acres (about 619 square miles). In the context of ownership roughly 80 percent of the land in the County is public lands managed by the U.S. Forest Service and Bureau of Land Management. The remaining 20 percent is privately owned (this correlates to approximately 150 square miles). The majority of the private lands are found in narrow bands along the valley bottoms and adjacent to the major road corridors. It is along these major roadways that most of the existing and approved development occurs. Summit County's 2009 permanent resident population is estimated at 29,000. <http://www.co.summit.co.us/Planning/overview.html>

Summit County, Colorado's Planning Department Development Review schedule is organized by type of application (zoning, PUD, Subdivision, etc.) and then (if appropriate) by residential, other structural or non-structural use. Summit CO also charges hourly rates for additional time spent on an application and non-standard reviews.

### **Town of Jackson and Teton County, Wyoming**

Jackson, Wyoming sits at 6,500 feet above sea level. The population of the Town of Jackson is 8,452, with the remaining population of Teton County at 10,345. Jackson Hole is a common nickname for the area and refers to the entire valley which is surrounded by Yellowstone National Park on the north, the Tetons on the west, the Gros Ventres on the east and the Wyoming Range on the south. Jackson/Teton County contains roughly 2.6 million acres of federally protected and resource-rich land. With 73,000 acres (or 3%) of land in the county available for private development, there are limited resources available to meet the demands of the many people who want to live in and visit the area.

<http://www.ci.jackson.wy.us/content/index.cfm> and <http://tetonwyo.org/AgencyHome>

The Town of Jackson's Fee Schedule is relatively straight forward with only 19 total Planning application types. Each type of application has further clarification (residential vs. non-residential or with or without CUP) within each grouping. Jackson's Town Council may also reduce, defer, or waive application fees if the project advances community goals (e.g. publicly sponsored/funded project, project with extraordinary charitable, civic, educational, etc benefits). Teton County summarizes their development permit applications, other permits and amendments, and fees into about 32 main categories. The county notes that "Application fees are based upon the estimated costs processing the application (Planning Staff time, advertising and overhead)".

### **Summary of Findings**

Revenue collected by Summit County to provide Building, Community Development, Engineering and Planning services is, in many cases, grossly short of the costs of doing business. The intent of this study is for the County to utilize the fee spreadsheet attachment as a stand-alone document for use and reference as a hardcopy handout and possibly posted on the Summit County website. Our findings show a gap between the cost of providing services and the costs received through application fees on 50 of the total 53 Community Development/Engineering fees analyzed. We recommend updating the Community Development/Engineering fees so that they cover a higher percentage of the cost of providing services to applicants. The adjusted fees would meet a public need by allowing the County to ensure that new development and land use applications meets the public objectives while recovering the cost of the review from the direct user of the respective permits. Although increased fees will affect some applicants with limited resources, all of the proposed fee increases are in line with the rate of inflation and the cost of staff time and resources. The proposed changes are timely given that it has been approximately 16 years since the last time the entire fee schedule was updated. The proposed fees are the staff recommendations based on the consultant developed Fee Analysis cost findings.

Summit County Application Fee Schedule

CURRENT APPLICATION TYPES	Side	Planning			Engineering		
		Current Fees	Fee Based Upon Cost	Staff Recommendations for New Fee	Current Fees	Fee Based Upon Cost	Staff Recommendations for New Fee
Ag Exemption	E	\$0	\$42	\$0	-	-	-
Agriculture Protection Area	E	\$60	\$926	\$100	-	-	-
Administrative Appeal (in this instance, fees are not combined)	S/E	\$100	\$2,021	\$400 - if Planing Dept Review Only, \$600 if Eng & Plan Review	\$100	\$172	\$400 - if Eng Dept Review Only, \$600 if Eng & Plan Review
Board of Adjustment Application/Appeal	S/E	\$100	\$2,021	\$400	\$100	\$172	\$170
Cluster Bonus/ Agriculture Preservation Subdivision	E	2 Step \$10/Lot - Sketch \$75/Lot - Final	2 Step \$31/Lot - Sketch \$237/Lot - Final	2 Step \$30/Lot - Sketch \$200/Lot - Final	2 Step \$5/Lot - Sketch \$25/Lot - Final	2 Step \$0/Lot - Sketch \$15/Lot - Final	2 Step \$0/Lot - Sketch \$15/Lot - Final
Conditional Use Permit	S/E	Res: \$50/lot Non-Res: \$200/acre or 1,000 SF	Res: \$674/lot Non-Res: \$2,694/acre or 1,000 SF	Res: \$400 Comm.: \$1,000/ disturbable acre or 1,000 SF	-	Res: \$23/lot Non-Res: \$92/acre or 1,000 SF	Res: \$20 Comm.: \$90/acre or 1,000 SF
Condominium Plat	S/E	\$60/Lot, unit	\$404/Lot, unit	\$200/Lot, unit	\$25/Lot, unit	\$37/Lot, unit	\$35/Lot, unit
Construction Plan	S/E	-	-	-	Res: \$10/Lot Non-Res: \$10/acre or 1,000 SF + 1.5% Insptn Fee	Res: <10 Lots = \$100 10 Lots or more = \$250 Non-Res: <100K SF = \$175 100K SF or more = \$400 +1.5% Inspection Fee	Res: <10 Lots = \$100 10 Lots or more = \$250 Non-Res: <100K SF = \$175 100K SF or more = \$400 +1.5% Inspection Fee
Development Agreement	S/E	\$500	\$3,368	\$1,000 at Application + \$2,000 Prior to Council Mtg.	-	\$86	\$85
Development Agreement Amendment	S/E	\$500	\$2,021	\$1,000	-	\$86	\$85
Development Code Amendment	S/E	\$500	\$2,021	\$2,000	-	-	-
Final Site Plan	S	Res: \$65/lot Non-Res: \$150/acre or 1,000 SF	Res: \$34/lot Non-Res: \$78/acre or 1,000 SF	Res: \$30/lot Non-Res: \$75/acre or 1,000 SF	Res: \$25/lot Non-Res: \$40/acre or 1,000 SF	Res: \$3/lot Non-Res: \$5/acre or 1,000 SF	Res: \$3/lot Non-Res: \$5/acre or 1,000 SF
Final Subdivision Plat	S/E	\$60/Lot, unit	\$281/Lot, unit	\$200/Lot, unit	\$25/Lot, unit	\$15/Lot, unit	\$15/Lot, unit
General Plan Amendment	S/E	\$500	\$2,694	\$2,500	-	-	-
Lot Line Adjustment	S/E	\$50	\$1,347	\$500	\$50	\$43	\$40
Lot of Record	S/E	-	\$253	\$100	-	-	-

Summit County Application Fee Schedule

CURRENT APPLICATION TYPES	Side	Planning			Engineering		
		Current Fees	Fee Based Upon Cost	Staff Recommendations for New Fee	Current Fees	Fee Based Upon Cost	Staff Recommendations for New Fee
Low Impact Permit	S/E	\$50 - SF Res \$250 - Major Project	\$253 - SF Res \$1,347 - Major Project	\$210 - Res \$870 - Non-Residential	-	\$46 - SF Res \$137 - Major Project	\$40 - Res \$130 - Non-Residential
Major Development	S/E	<u>SKETCH:</u> Res: \$10/lot, unit Non-Res: \$40/acre or 1,000 SF <u>PRELIM:</u> Res: \$75/lot, unit Non-Res: \$75/acre or 1,000 SF <u>FINAL:</u> \$60/lot, unit	<u>SKETCH:</u> Res: \$24/lot, unit Non-Res: \$95/acre or 1,000 SF <u>PRELIM:</u> Res: \$315/lot, unit Non-Res: \$315/acre or 1,000 SF <u>FINAL:</u> \$281/lot, unit	<u>SKETCH:</u> Res: \$20/lot, unit Non-Res: \$955/acre or 1,000 SF <u>PRELIM:</u> Res: \$250/lot, unit Non-Res: \$250/acre or 1,000 SF <u>FINAL:</u> \$200/lot, unit	<u>SKETCH:</u> Res: \$5/lot, unit Non-Res: \$40/acre or 1,000 SF <u>PRELIM:</u> Res: \$30/lot, unit Non-Res: \$40/acre or 1,000 SF <u>FINAL:</u> \$25/lot, unit	<u>SKETCH:</u> Res: \$0/lot, unit Non-Res: \$0/acre or 1,000 SF <u>PRELIM:</u> Res: \$30/lot, unit Non-Res: \$30/acre or 1,000 SF <u>FINAL:</u> \$15/lot, unit	<u>SKETCH:</u> Res: \$0/lot, unit Non-Res: \$0/acre or 1,000 SF <u>PRELIM:</u> Res: \$30/lot, unit Non-Res: \$30/acre or 1,000 SF <u>FINAL:</u> \$15/lot, unit
Minor Development	S/E	<u>SKETCH:</u> Res: \$10/lot, unit Non-Res: \$40/acre or 1,000 SF <u>FINAL:</u> \$60/lot, unit	<u>SKETCH:</u> Res: \$24/lot, unit Non-Res: \$95/acre or 1,000 SF <u>FINAL:</u> \$281/lot, unit	<u>SKETCH:</u> Res: \$30/lot, unit Non-Res: \$125/acre or 1,000 SF <u>FINAL:</u> \$200/lot, unit	<u>SKETCH:</u> Res: \$5/lot, unit Non-Res: \$40/acre or 1,000 SF <u>FINAL:</u> \$25/lot, unit	<u>SKETCH:</u> Res: \$0/lot, unit Non-Res: \$0/acre or 1,000 SF <u>FINAL:</u> \$15/lot, unit	<u>SKETCH:</u> Res: \$0/lot, unit Non-Res: \$0/acre or 1,000 SF <u>FINAL:</u> \$15/lot, unit
Plat Amendment	S/E	\$100	\$1,347	Admin Process: \$360 Public Process: \$760	\$100	\$43	\$40
Preliminary Plan	S/E	Res: \$75/lot Non-Res: \$75/acre or 1,000 SF	Res: \$315/lot, unit Non-Res: \$315/acre or 1,000 SF	Res: \$250/lot, unit Non-Res: \$250/acre or 1,000 SF	Res: \$40/lot Non-Res: \$30/acre or 1,000 SF	Res: \$30/lot, unit Non-Res: \$30/acre or 1,000 SF	Res: \$30/lot, unit Non-Res: \$30/acre or 1,000 SF
Rezone	S/E	\$500	\$2,694	\$2,000	-	-	-
Sign Permit	S/E	\$50	\$253	\$100	-	-	-
Sketch Plan	S/E	Res: \$10/lot Non-Res: \$40/acre or 1,000 SF	Res: \$24/lot Non-Res: \$95/acre or 1,000 SF	Res: \$20/lot Non-Res: \$955/acre or 1,000 SF	Res: \$5/lot Non-Res: \$40/acre or 1,000 SF	-	-
SPA Plan	S/E	Res: \$50/lot Non-Res: \$150/acre or 1,000 SF	Res: \$25/lot Non-Res: \$75/acre or 1,000 SF	Res: \$25/lot Non-Res: \$75/acre or 1,000 SF	Res: \$40/lot Non-Res: \$40/acre or 1,000 SF	Res: \$15/lot Non-Res: \$15/acre or 1,000 SF	Res: \$15/lot Non-Res: \$15/acre or 1,000 SF
Special Event Permit	S/E	\$100 per Day (\$250 Max)	\$337	Single-Location: \$250 Mobile/Multi-Location Event: \$400	-	\$64	\$60
Special Exception	S/E	\$250	\$0	\$400	-	-	-
Temporary Use Permit	S/E	Res: \$75 Non-Res: \$250	Res: \$449 Non-Res: \$1,497	Res: \$400 Non-Res: \$1,000 + \$100 Renewal Fee	-	-	-
Vested Rights Determination	S/E	Res: \$100/lot Non-Res: \$150/acre or 1,000 SF	Res: \$1,347/lot Non-Res: \$2,021/acre or 1,000 SF	Res: \$500/lot Non-Res: \$550/acre or 1,000 SF	-	-	-

Council Member Robinson made a motion to appoint Tom Clyde and Tonya Hansen to three-year terms on the Eastern Summit County Planning Commission, with terms to expire February 28, 2013. The motion was seconded by Council Member Ure and passed unanimously, 5 to 0.

Council Member Robinson made a motion to appoint Chris Ure to fill the unexpired term of Kaycee Simpson on the Eastern Summit County Planning Commission, with the term to expire February 28, 2011. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0. Council Member Ure recused himself from the vote due to a conflict of interest.

• Public Input

Chair McMullin opened the public input.

Kaycee Simpson asked if Tom Clyde lives in Wasatch County and noted that Mr. Clyde's home is on the Wasatch County side of the river. Chair McMullin stated that they would confirm whether Mr. Clyde lives within the boundaries of Summit County.

Chair McMullin closed the public input.

3/3/10

**PUBLIC HEARING – CONSIDERATION AND POSSIBLE APPROVAL OF NEW DEVELOPMENT APPLICATION FEES FOR BUILDING, ENGINEERING, AND PLANNING DEPARTMENTS BY ADOPTION OF 1) RESOLUTION #2010-03: AMENDMENT TO DEVELOPMENT PERMIT APPLICATION FEES FOR THE SNYDERVILLE BASIN DEVELOPMENT CODE AND THE EASTERN SUMMIT COUNTY DEVELOPMENT CODE; 2) RESOLUTION #2006-09A: AMENDMENT TO ENGINEERING DIVISION PERMIT REVIEW FEES**

Mr. Sargent presented the staff report and provided a background on the fees and previous updates to the fees and explained that the Community Development Department costs were not being covered. A consultant was hired to assess the fees and whether they cover the plan review and engineering processes, and it was determined that current fees do not cover those costs. The County believes development should pay for itself and that development review fees should cover the costs of processing development applications for the benefit of the applicant or developer and should not be subsidized by the general citizenry. Staff recommends that the proposed fees cover one-half of the actual costs, as trying to cover all the costs at this time might be too much for applicants to absorb. It has also been suggested that the fees be reviewed every two years to start to bring the fees more in line with actual costs. Staff also recommends a green fee discount for projects that incorporate sustainability measures, such as wind turbines, solar panels, etc. The discount for a residential application would be 50% of the fee, and for commercial development, the discount would be 25%. Mr. Sargent explained that Staff is still working on building permit fees and several language clarifications and recommended that the Council hold a public hearing on the proposed fees and consider either a conditional approval or direction to Staff to finalize and refine the resolution language and incorporate the building permit fee schedule. Chair McMullin confirmed with Mr. Sargent that a public hearing would also be required for the building permit fees and language changes.

Council Member Robinson asked how the green fee discount would apply and suggested that Staff incorporate a set fee for applications that incorporate those sustainability elements rather than calling it a discount. There would be no reason to incorporate the language saying it is a discount, because the applicant would never pay the higher price. He also requested that the additional \$2,000 fee for development agreements be paid at the time of County Council approval rather than prior to County Council action, so the applicant pays the fee when the agreement is actually consummated rather than before it gets to the Council where the application could perhaps be turned down. He believed that would provide motivation to get the development agreement signed. Council Member Hanrahan noted that Staff's resources would be expended on the process whether the applicant gets an approval or not. Chair McMullin stated that she disagreed with Council Member Robinson, because the point is to recoup costs incurred by Staff, and someone could decide not to sign the development agreement, even though the costs have been incurred. Council Member Robinson stated that he wanted to see the applicant pay for something when it is finally accomplished rather than paying for it all up front.

Council Member Ure stated that he believed there should be a philosophical discussion as to where they draw the line when charging fees. Mr. Jasper explained that Staff's job is to impartially follow the rules. The Council adopts the rules, and Staff administers them and makes policy decisions based on them. Developers typically hire people who are experts at the rules, and they know what the rules are and what they can do. Before a developer buys a piece of property to develop, they should know what can be done, and there is no reason why a developer could not get through the process in some way, even though they may not get everything they want. Saying that someone does not have to pay unless they get everything they want is not part of the regulatory process. Council Member Robinson responded that, normally, a developer would option the land rather than buying it, and the County's zoning is not hard and fast and has a subjective element to it. The developer goes through a lot of process, and what they end up with is nothing like where they started. He suggested that some portion of the fee be paid upon signing so the developer is not totally risking everything.

Chair McMullin opened the public hearing.

Glen Lent, a resident of Silver Springs, stated that he is the developer of the Weilenman CORE Rezone and requested that the Council reconsider the fee increases for CORE or workforce housing projects. He stated that there are a lot of strikes against a developer in Summit County, such as expensive land, strong community opposition, environmental challenges, no guarantees, and expensive up-front costs. He asked that the County not raise the existing fees for proposed CORE Rezone projects. He stated that he is trying to help the community by providing a large amount of affordable housing, and under the proposed fee schedule, his fees would increase from \$23,000 to \$59,000. The hard thing about a CORE Rezone is that there are no guarantees when an application is submitted because of the subjectivity of that process. He was ultimately concerned about affordable housing in the County and questioned whether anyone would ever want to develop affordable housing if the fees are so high that they create a barrier to entry. He suggested that some of the fees for a CORE project be waived on the front end and placed on the back end. He noted that an applicant might apply for 200 units and only receive 60 and asked if he would get a refund in that case. He believed more fees should be placed on the back end of the process when the entitlements are actually secured.

Council Member Robinson noted that a CORE project contains both an affordable and a market rate component and asked if Mr. Lent is suggesting a differential fee for the affordable component of the project or for the entire project. Mr. Lent responded that it could be done either way. Council Member Robinson commented that it would seem consistent to provide a lower rate for the workforce housing portion of the project and the standard rate for the market rate component and was in favor of Staff coming up with a recommendation along those lines.

**Council Member Elliott made a motion to continue the public hearing for the development permit application fees for the Snyderville Basin and Eastern Summit County Development Codes and Engineering Division permit review fees. The motion was seconded by Council Member Ure and passed unanimously, 5 to 0.**

Chair McMullin explained that the cost of development was part of the analysis underlying the CORE Rezone, and it would not make sense to discount the affordable component when the costs have already been taken into account. She would definitely not want to see a discount in mandatory affordable housing. She explained that the developer of a CORE Rezone is already being compensated for the affordable element of the development because of the incentivized market units at much higher density than they would ever get otherwise.

Mr. Sargent explained that it would be difficult to develop a discounted fee for CORE Rezone projects, because there is no data to review. Staff's review process for CORE Rezone projects has been substantially more intense than any other type of residential project, and the County would lose substantial money in costs if those fees were reduced. He estimated that Staff spends three times on a CORE Rezone project what they would spend on a regular subdivision. He explained that the incentive for a CORE Rezone is the additional market rate units that would be provided.

Council Member Elliott asked if there is language that would allow the County to discount fees for non-profit organizations whose purpose is to provide affordable housing. Mr. Sargent replied that there is not, but they would be open to considering that. Council Member Elliott suggested that Mr. Sargent proceed with what he has proposed and stated that all development should help pay the costs incurred in the application and development process. The fact that the County is currently only asking development to pay half the costs should be some sort of relief to everyone. She believed it was prudent and wise to review and increase fees every two years. She agreed that the CORE Rezone is an incentive to build affordable housing, and the community provides the incentive by giving more density, which is a heavy price to pay. She did not believe the CORE incentive density should be discounted in any way.

Council Member Hanrahan asked if the sewer district, water companies, and other providers give discounts or waivers to someone building affordable housing. Mr. Sargent replied that he was not aware of any discounts. Council Member Hanrahan referred to the waivers for Newpark and asked about the current system for waivers. Mr. Sargent replied that the County does not have a policy in place. Council Member Hanrahan stated that he would like to continue the discussion about incentivizing affordable housing through discounted fees.

Chair McMullin commented that, if a project were truly a project to provide affordable housing only, she would consider a discount, but a CORE Rezone is not an affordable project. It is an affordable/market rate project, with the market rate units much more dense to accommodate the affordable component, and she would disagree with a discount in that context. She also disagreed with a discount in the scenario where the affordable housing is mandatory.

Mr. Jasper stated that he would like to have an opportunity to talk to Staff about back-end fees as opposed to front-end fees.

**DISMISS AS THE SUMMIT COUNTY COUNCIL AND CONVENE AS THE BOARD OF EQUALIZATION**

**Council Member Robinson made a motion to dismiss as the Summit County Council and to convene as the Summit County Board of Equalization. The motion was seconded by Council Member Ure and passed unanimously, 5 to 0.**

The meeting of the Summit County Board of Equalization convened at 7:30 p.m.

**STIPULATION APPROVALS**

**Board Member Robinson made a motion to approve the stipulations. The motion was seconded by Board Member Ure and passed by a vote of 4 to 1, with Board Members Hanrahan, McMullin, Robinson, and Ure voting in favor of the motion and Board Member Elliott voting against the motion.**

Board Member Elliott stated that she voted against the motion because the Council is not getting the information they have asked for.

**DISMISS AS THE BOARD OF EQUALIZATION AND RECONVENE AS THE SUMMIT COUNTY COUNCIL**

**Board Member Robinson made a motion to dismiss as the Board of Equalization and to reconvene as the Summit County Council. The motion was seconded by Board Member Hanrahan and passed unanimously, 5 to 0.**

The meeting of the Board of Equalization adjourned at 7:32 p.m.

**Council Member Robinson made a motion to adjourn. The motion was seconded by Council Member Hanrahan and passed unanimously, 5 to 0.**

The meeting adjourned at 7:32 p.m.

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*Council Chair, Claudia McMullin*

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*County Clerk, Kent Jones*

3/24/10

**CONTINUED DISCUSSION REGARDING PROPOSED RESOLUTION TO INCREASE FEES FOR THE PLANNING AND ENGINEERING DEPARTMENTS**

Community Development Director Don Sargent explained that Staff is still determining some of the fee amounts as they relate to the cost of providing services. He requested input from the Council Members regarding the five points in his staff report that came up during the public hearing on the updated fees.

With regard to the reduction in fees for workforce housing, Staff noted that is already address in the Code through a fee waiver. Council Member Robinson requested that Staff provide the section of the Code that explains how the fee waiver works when the fees are brought back to the Council for approval.

Mr. Sargent explained that Staff believes charging a fee for agricultural exempt applications for agricultural buildings could discourage farmers and ranchers from coming in to get a permit, which could result in a violation or the County not knowing that the structures are being built. He believed that not charging a fee would provide an incentive for people to file this type of application.

With regard to development agreement applications, the Council Members indicated that they agreed with Staff's position as discussed in the staff report. Mr. Sargent reviewed Staff's proposal for periodically reviewing and incrementally increasing fees as shown in the staff report. With regard to a fee exemption provision, Mr. Sargent suggested that they put a notice on each application form stating that fees are not refundable.

The Council took a break from 5:45 p.m. to 6:00 p.m.

**REGULAR SESSION**

Chair McMullin called the regular meeting to order at 6:00 p.m.

- **Pledge of Allegiance**
- **Public Input**

Chair McMullin opened the public input.

There was no public comment.

Chair McMullin closed the public input.

**SUMMIT COUNTY, UTAH  
RESOLUTION NO. 2010-13**

**AMENDMENT TO PLANNING, BUILDING, AND ENGINEERING APPLICATION FEES**

**WHEREAS**, the Snyderville Basin Development Code, Title 10, and the Eastern Summit County Development Code, Title 11 empower the Summit County Council to establish fees for the purpose of covering specific County costs incurred during the review and processing of any development permit application, and

**WHEREAS**, on July 12, 2006, the previous legislative body, the Summit County Commission, adopted Resolution 99-11A, creating development permit application fees for the 1998 Snyderville Basin Development Code and the 1996 Eastern Summit County Development Code, and

**WHEREAS**, on July 22, 2009, the Summit County Council adopted Ordinance No. 723 that added a Special Exception Process to the Snyderville Basin and Eastern Summit County Development Codes; and

**WHEREAS**, on August 12, 2009, the Summit County Council adopted Resolution No. 2009-22 creating the Special Exception Application Fee that is required to be submitted with an associated special exception application; and

**WHEREAS**, certain Summit County ordinances require the Engineering Department to review and administer permit applications and to inspect the work permitted under these ordinances; and

**WHEREAS**, on July 12, 2006, the Summit County Commission adopted Resolution 2006-09, creating permit application fees and bond requirements for the Engineering Department; and

**WHEREAS**, Utah Code Annotated Title 58, Chapter 56 provides for the statewide adoption of construction Codes; and

**WHEREAS**, these codes provide for the payment of building permit fees, plan check fees, plumbing permit fees, mechanical permit fees, and electrical permit fees upon the issuance of permits authorizing building construction within Summit County; and

**WHEREAS**, on December 19, 1994, the Summit County Commission adopted Resolution No. 94-21, creating building, plumbing, mechanical, and electrical permit fees; and

**WHEREAS**, since the adoption of the aforementioned resolutions, the interim County Manager contracted with Daly Summit Consulting on September 17, 2009 to conduct a fee study to determine the actual costs of providing development permit application services, and

**WHEREAS**, the Summit County Council determined that the fee study, attached hereto as **Exhibit A** and incorporated herein, documents and supports the need for an adjustment to certain permit application fees.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Council of the County of Summit, State of Utah [hereinafter the "Council"] resolves as follows:

**Section 1:**

- a. The Council hereby repeals Summit County, Utah Resolution No 99-11A in order to establish an amended fee schedule for the Snyderville Basin Development Code and the Eastern Summit County Development Code.
- b. The Council hereby repeals Summit County, Utah Resolution No. 2009-22 in order to establish an amended fee for special exceptions within the Snyderville Basin and Eastern Summit County Development Code.
- c. The Council hereby repeals Summit County, Utah Resolution No 2006-09 in order to establish appropriate revisions to the fee and bond schedules for the Engineering Department.
- d. The Council hereby repeals Summit County, Utah Resolution No. 94-21 in order to establish an amended fee schedule for the Building Department.

**Section 2:**

The Council, hereby establishes new fee schedules for the Planning, Building, and Engineering Departments attached hereto as **Exhibit B**. Indicated Engineering Fees shall be credited to the Summit County Engineering Department and all other fees shall be credited to the Summit County Community Development Department.

**Section 3: Refund of Fees**

*Planning Department Fees and Engineering Department Fees*

A refund may be given in an amount not to exceed fifty percent of the application fee or fees paid, when the application is withdrawn, in writing, prior to any of the following:

- 1. Issuance of any notice of public hearing or prior to begin placed on agenda of the County Manager, Planning Commission, Board of Adjustment, or County Council.
- 2. Completion of the review of any documents or plans submitted with the application.
- 3. An inspection or site visit requested by the applicant or performed by Staff.

*Building Department Fees*

A refund may be given in an amount not to exceed eighty percent of the building permit fees paid, at the discretion of the Building Official, if work has not commenced on the permitted project and more than six months have not passed since the granting of the permit. Plan review fees are not refundable.

**Section 4: Additional Fees**

In the event the Director of Community Development, Building Official, or County Engineer determines that a specific project requires additional resources (e.g. specialized consultant, special mapping, etc.) to review extraordinary conditions related to the development proposal, additional fees to cover the cost of these additional resources shall be assessed to the applicant.

**Section 5: Review and Revision of Fee Schedule**

The Community Development Department and Engineering Department shall review the fee schedule every two (2) years after the effective date of this resolution, and recommend revisions to the fee schedule to ensure that the fees cover the actual cost of processing applications, but is no case exceeds that amount. In no case shall there be longer than a five (5) year period without the review and recommendation of the Planning, Building and Engineering Department regarding necessary changes to the fee schedule.

**Section 6: Effective Date**

This Resolution shall take effect immediately upon its adoption.

APPROVED, ADOPTED, PASSED and ordered published by the Summit County Council, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2010

**SUMMIT COUNTY COUNCIL, SUMMIT COUNTY, UTAH**

By: \_\_\_\_\_  
**Claudia McMullin, Chair**

- Councilor Hanrahan** voted \_\_\_\_\_
- Councilor Elliott** voted \_\_\_\_\_
- Councilor McMullin** voted \_\_\_\_\_
- Councilor Ure** voted \_\_\_\_\_
- Councilor Robinson** voted \_\_\_\_\_

## **Exhibit "B"**

### **PLANNING DEPARTMENT FEE SCHEDULE**

- 1) **Agricultural Protection Area:** \$100
- 2) **Administrative Appeal:** \$400 for Planning Department review, \$600 for Planning and Engineering Department review
- 3) **Board of Adjustment Application:** \$400
- 4) **Conditional Use Permit**
  - a. **Residential:** \$400
  - b. **Non-Residential:** \$1,000 /acre of disturbed land or 1,000 square feet of building footprint area (whichever is greater).
    1. If the parcel is less than one acre, the fee shall be \$1,000
  - c. **Wind Turbine, Solar, or Recycling Facility**
    1. Residential: \$200
    2. Non-Residential: \$500 acre of disturbed land or 1,000 square feet of building footprint area (whichever is greater).
      - a. If the parcel is less than one acre, the fee shall be \$500
- 5) **Condominium Plat:** \$200 /lot or unit
- 6) **Development Agreement:** \$1,000 paid with initial application, plus an additional \$2,000 to be paid prior to County Council action
- 7) **Development Agreement Amendment:** \$1,000
- 8) **Development Code Amendment:** \$2,000
- 9) **Final Site Plan**
  - a. **Residential:** \$30 /lot or unit
  - b. **Non-Residential:** \$75 /acre of disturbed land or 1,000 square feet of building footprint area (whichever is greater).
    1. If the parcel is less than one acre, the fee shall be \$75
- 10) **Final Subdivision Plat:** \$300 /lot or unit
- 11) **General Plan Amendment:** \$2,500
- 12) **Lot Line Adjustment:** \$500
- 13) **Lot of Record Determination:** \$50 /parcel
- 14) **Low Impact Permit**
  - a. **Residential:** \$210
  - b. **Non-Residential:** \$870
  - c. **Wind Turbine, Solar, or Recycling Facility**
    1. Residential: \$105

2. Non-Residential: \$435 /acre of disturbed area or 1,000 square feet of building footprint area (whichever is greater).
  - a. If the parcel is less than one acre, the fee shall be \$435

**15) Plat Amendment**

- a. Administrative process (if no public hearing is held): \$360
- b. Public process (if a public hearing is held): \$760

**16) Preliminary Plan**

- a. **Residential:** \$250 /lot or unit
- b. **Non-Residential:** \$250 /acre of disturbed area or 1,000 square feet of building footprint area (whichever is greater).
  1. If the parcel is less than one acre, the fee shall be \$250

**17) Public Hearing Notification and Publication:** \$2.00/individual notice and actual cost of newspaper publication.

**18) Rezone (Zone District Map Amendment):** \$2,000

**19) Sign Permit:** \$100/sign

**20) Sketch Plan**

- a. **Residential:** \$20 /lot or unit
- b. **Non-Residential:** \$95 /acre of disturbed area or 1,000 square feet of building footprint area (whichever is greater).
  1. If the parcel is less than one acre, the fee shall be \$95

**21) SPA Plan**

- a. **Residential:** \$25 /lot
- b. **Non-Residential:** \$75 /acre of disturbed area or 1,000 square feet of building footprint area (whichever is greater).
  1. If the parcel is less than one acre, the fee shall be \$75

**22) Special Event Permit**

- a. **Single Location Event:** \$250
- b. **Mobile/Multi-Location Event:** \$400

**23) Special Exception:** \$400

**24) Temporary Use Permit**

- a. **Residential:** \$400
- b. **Non-Residential:** \$1,000 first-time fee (\$100 renewal fee for each time permit is renewed)

**25) Vested Rights Determination**

- a. **Residential:** \$500 /lot or unit
- b. **Non-Residential:** \$550 /acre of disturbed area or 1,000 square feet of building footprint area (whichever is greater).
  1. If the parcel is less than one acre, the fee shall be \$550

## **ENGINEERING DEPARTMENT FEE AND BONDING SCHEDULE**

- 1) **Board of Adjustment Application: \$170**
- 2) **Conditional Use Permit**
  - a. **Residential: \$20**
  - b. **Non-Residential: \$90 /acre of disturbed land**
    1. If the development parcel is less than one acre, the fee shall be \$90
  - c. **Wind Turbine, Solar, Recycling Facility**
    1. **Residential: \$10**
    2. **Non-Residential: \$45 /acre of disturbed land**
      - a. If the development parcel is less than one acre, the fee shall be \$45
- 3) **Condominium Plat: \$35 /lot or unit**
- 4) **Construction Plan**
  - a. **Residential of less than 10 lots: \$100**
  - b. **Residential of 10 lots or more: \$250**
  - c. **Non-Residential of less than 100,000 square feet of disturbed land: \$175**
  - d. **Non-Residential of 100,000 square feet or more of disturbed land: \$400**
  - e. **Engineering Construction Inspection Fee**
    1. For projects whose estimated construction cost is less than or equal to \$500,000, the fee is 1.5% times the construction cost.\*
    2. For projects whose estimated construction cost is more than \$500,000, the fee is \$7,500 plus 0.1% times the construction cost.\*

\* Construction costs to be included in the fee calculation are all "Civil" Improvements less sewer, water, and landscaping; it does not include building or structure improvement costs.
- 5) **Development Agreement: \$85**
- 6) **Development Agreement Amendment: \$85**
- 7) **Final Site Plan**
  - a. **Residential: \$5 /lot or unit**
  - b. **Non-Residential: \$5 /acre of disturbed land**
    1. If the development parcel is less than one acre, the fee shall be a minimum of \$45
- 8) **Final Subdivision Plat: \$15 /lot or unit**
- 9) **Lot Line Adjustment: \$40**
- 10) **Low Impact Permit**
  - a. **Residential: \$40**
  - b. **Non-Residential: \$130**
  - c. **Wind Turbine, Solar, Recycling Facility**
    1. **Residential: \$20**
    2. **Non-Residential: \$65 /acre of disturbed land**
      - a. If the development parcel is less than one acre, the fee shall be \$65

- 11) **Plat Amendment:** \$40
- 12) **Preliminary Plan**
  - a. **Residential:** \$30/lot or unit
  - b. **Non-Residential:** \$30 /acre of disturbed land
    - 1. If the development parcel is less than one acre, the fee shall be a minimum of \$45
- 13) **Public Hearing Notification and Publication:** \$2.00/individual notice and actual cost of newspaper publication
- 14) **Road Vacation Petition:** \$300
- 15) **SPA Plan**
  - a. **Residential:** \$15 / lot
  - b. **Non-Residential:** \$15 /acre of disturbed land
    - 1. If the development parcel is less than one acre, the fee shall be a minimum of \$15
- 16) **Ordinance 181-D Excavation Encroachments and Structures in the County Right of Way**
  - a. **Excavation Permit:** \$25 Base Fee for the first 100 linear feet plus \$5 per additional 100 linear feet
  - b. **Driveway Encroachment Permit**
    - 1. \$100 per Encroachment
    - 2. \$100 Re-inspection Fee
  - c. **Structure Encroachment Permit:** \$50 first structure plus \$10 per additional structure
  - d. **Excavation Completion Bond:** \$250 per 100 feet of trench (\$250 min)
  - e. **Asphalt Cut Repair Bond:** \$250 plus \$25 per square foot
  - f. **Driveway Bond**
    - 1. \$250 per Encroachment for lots having average slopes of less than 10%
    - 2. \$500 per Encroachment for lots having average slopes between 10% and 15%
    - 3. \$2,000 per Encroachment for lots having average slopes over 15%
  - g. **Road Closure Permit:** \$25
- 17) **Ordinance 315-C Excavation, Grading, and Filling on Private Property**
  - a. **Grading Permit**
    - 1. **Less than 5,000 cubic yards:** \$40/application
    - 2. **Equal to or more than 5,000 cubic yards:** \$110/application
  - b. **Revegetation Bond:** 120% of the estimated cost to complete revegetation
  - c. **Completion Bond:** 120% of the estimated cost to complete restoration
- 18) **Ordinance 212-A Floodplain Development**
  - a. **Application Review:** \$100 per application
  - b. **Floodplain Determinations:** \$20 per request
- 19) **Ordinance 381-A Storm Water Pollution Prevention Plan and Erosion Control Plan**
  - a. **Sites Less Than One Acre:** \$25 per application
    - 1. \$100 Re-inspection Fee
  - c. **Sites of 1 Acre or More:** \$25 per Application + \$10 per additional acre
    - 1. \$100 Re-inspection Fee
  - d. **SWP3 and ECP Bond:** 120% estimated cost to implement

**BUILDING DEPARTMENT FEE SCHEDULE**  
**(fees are based on cost per square foot)**

**1) Building Valuations**

- a. **Agricultural Buildings:** \$20 per square foot
- b. **Commercial Structures per the International Building Code (IBC):** Cost per square foot as reported in the Building Safety Journal published by the International Code Council (ICC)
- c. **Residential Structures per the International Residential Code (IRC):** Cost per square foot is based on the table listed below:

**Residences (single family and townhouses)**

250 – 1300 = \$98.95	1801 – 1900 = \$104.89	2401 – 2500 = \$110.82
1301 – 1400 = \$99.94	1901 – 2000 = \$105.88	2501 – 2600 = \$111.81
1401 – 1500 = \$100.93	2001 – 2100 = \$106.87	2601 – 2700 = \$112.80
1501 – 1600 = \$101.92	2101 – 2200 = \$107.86	2701 – 2800 = \$113.79
1601 – 1700 = \$102.91	2201 – 2300 = \$108.55	2801 – 2900 = \$114.78
1701 – 1800 = \$103.90	2301 – 2400 = \$109.83	2901 – 3000 = \$115.77
		3001 & up = \$116.76

- d. **Garages:** \$37.87 per square foot
- e. **Decks:** \$5 per square foot

**2) Building Fees**

- a. **Agricultural Buildings:** \$6 per \$1,000 of valuation or fraction thereof
- b. **Commercial Structures built per the IBC:** Fees determined using Appendix L of the currently adopted edition of the IRC and based on the valuations calculated using Section 1 above.
- c. **Residential Structures built per the IRC:** Fees determined using Appendix L of the currently adopted edition of the IRC and based on the valuations calculated using Section 1 above.

**3) Plan Review Fees**

- a. **Agricultural Buildings:** No fee
- b. **Commercial Structures:** 65% of building permit fee
- c. **Residential Structures:** 65% of building permit fee
- d. **Detached garages with no living space, decks/porches for existing structures, and accessory buildings:** 15% of building permit fee

**4) Plumbing Permit Fees**

- a. **Permit Issuance Fee:** \$10
- b. **System Fee (does not include \$10 issuance fee):**
  - i. **Agricultural Buildings:** \$0.025 per square foot
  - ii. **Commercial Structures per the International Plumbing Code (IPC):** \$0.03 per square foot
  - iii. **Residential Structures per the IRC:** \$0.025 per square foot

- 5) **Mechanical Permit Fees**
- a. **Permit Issuance Fee: \$10**
  - b. **System Fee (does not include \$10 issuance fee):**
    - i. **Agricultural Buildings: \$0.025 per square foot**
    - ii. **Commercial Structures per the International Mechanical Code (IMC): \$0.03 per square foot**
    - iii. **Residential Structures per the IRC: \$0.025 per square foot**
- 6) **Electrical Permit Fees**
- a. **Permit Issuance Fee: \$10**
  - b. **System Fee (does not include \$10 issuance fee):**
    - i. **Agricultural Buildings: \$0.025 per square foot**
    - ii. **Commercial Structures per the National Electric Code (NEC): \$0.035 per square foot**
    - iii. **Residential Structures per the IRC: \$0.03 per square foot**
- 7) **Alternative Energy Permits: These permits are separate from the permits issued for new construction and are based on 50% of the actual permit cost. These permits include, but are not limited to, solar hot water, photovoltaic, geo-thermal, and wind generated power.**
- a. **Photovoltaic System: \$350**
  - b. **Geo-Thermal: \$250**
  - c. **Solar Hot Water: \$125**
  - d. **Wind Generator: \$125**
  - e. **Permit Issuance: 10% of review fee**
- 8) **Utah State Surcharge: A 1% surcharge on all permits to be collected and remitted to the State of Utah as per UCA 58-54-9-3, as amended**
- 9) **Other Inspections and Fees**
- a. **Inspections outside of normal office hours: \$100 per hour (minimum of one hour)**
  - b. **Re-Inspection fee assessed under the provisions of Chapter 1 of both the IBC and IRC: \$100 per occurrence**
  - c. **Inspections and permits for which no fee is specifically indicated: \$100**
  - d. **Additional plan review required by changes, additions, or revisions to approved plans: \$100 per hour (minimum of one hour)**



## STAFF REPORT

To: Summit County Council  
 From: Basin Open Space Advisory Committee (BOSAC) & Snyderville Basin Special Recreation District (SBSRD)  
 Report Date: August 26, 2010  
 Meeting date: September 1, 2010  
 Re: Public Hearing for Open Space/Trails Bond

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**EXECUTIVE SUMMARY:** On July 7, 2010 the Summit County Council unanimously adopted a resolution which authorized the calling of an election for an Open Space and Trails General Obligation Bond up to \$25 Million. The purpose of this meeting is to hold a public hearing and receive input from the public regarding this bond.

**BACKGROUND:** In 2004 the residents of the Snyderville Basin voted and approved a \$10 Million bond for the purpose of acquiring open space. From the expenditure of those bond funds, the County was able to leverage those funds 3:1 to acquire and place conservation easements on approximately 1,372 acres of property in the Snyderville Basin (Exhibit A). The leveraging success and the properties acquired have supported BOSAC and the SBSRD to recommend that a second open space and trails bond be considered.

In April of 2010 the Summit County Planning Department in conjunction with the SBSRD held two community open houses to seek feedback from the public regarding the Snyderville Basin General Plan. During the two Open Houses, surveys were completed by residents in the area and the findings of those are attached in Exhibit B (Community Priorities Survey Results) and Exhibit C (SBSRD Recreation Survey). The Community Priorities survey found that an overwhelmingly majority voted for open space with the second highest topic being recreation.

A work session was held with the County Council on May 5, 2010 to discuss a second open space bond and the idea was received favorably. Since that date BOSAC and the SBSRD Board have both voted to recommend that an open space/trails bond be approved by resolution by the County Council to be placed on the November ballot. The BOSAC committee has discussed that \$17 Million would go towards the purchase of open space and conservation easements, with the remaining \$8 Million reserved for trail construction and related trail facilities. The SBSRD has prepared a summary of proposed trail projects for the bond to fund and is attached in Exhibit D.

On July 7, 2010 the Summit County Council unanimously adopted a resolution which authorized the calling of an election for an open space/trails general obligation bond up to \$25 Million and called a public hearing to receive input from the public (Exhibit E).

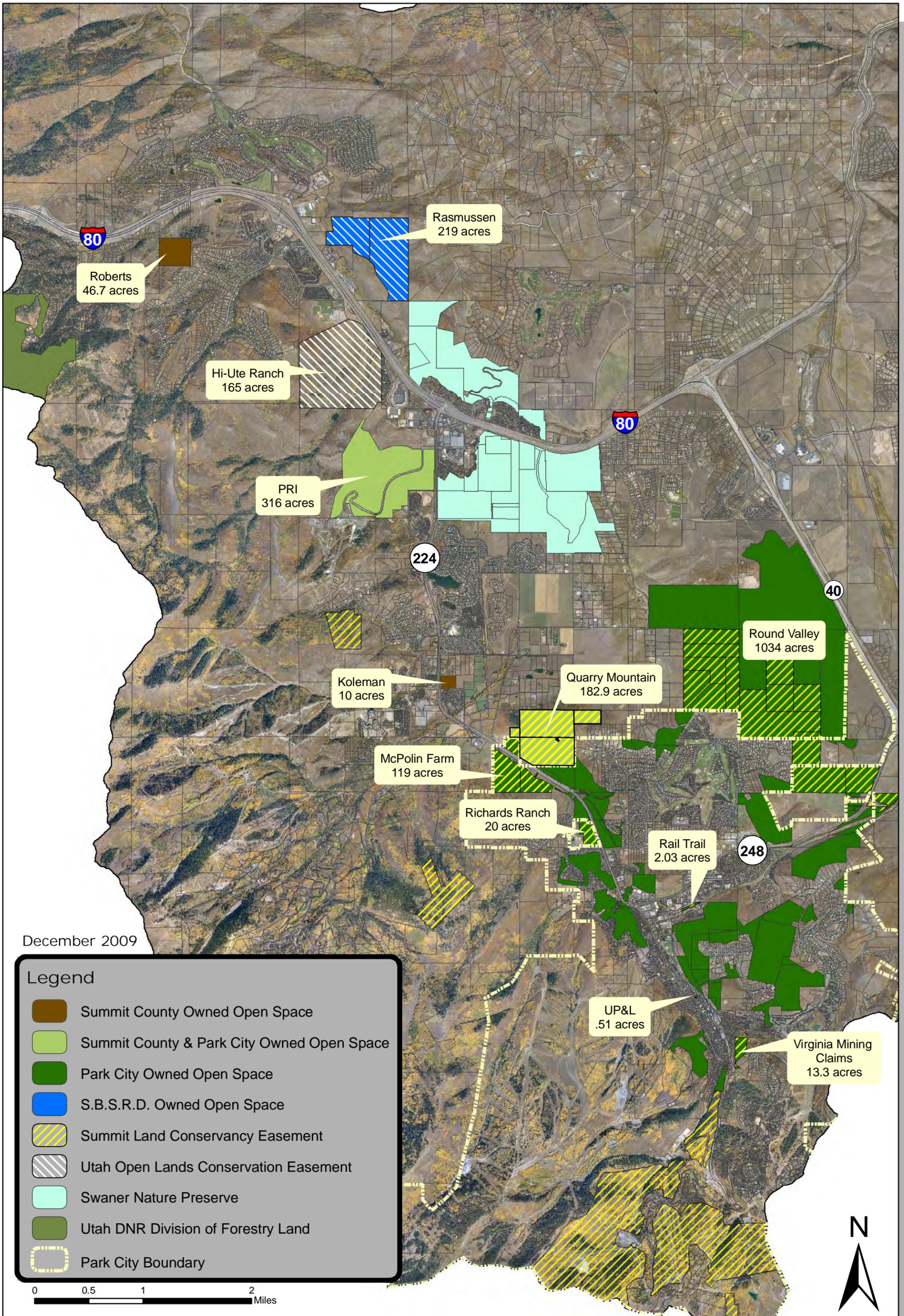
**RECOMMENDATION:** BOSAC and the SBSRD Board have both recommend that the County Council vote to approve the attached resolution (Exhibit D), permitting a \$25 Million open space/trails bond be placed on the ballot for the November 2010 election. The County Council now has the authority to maintain the bond initiative as previously approved, reduce the maximum amount of the bond, or remove the bond initiative from the November ballot.

### ATTACHMENT(S):

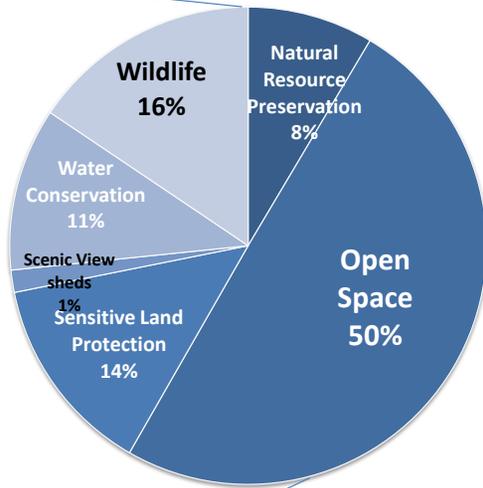
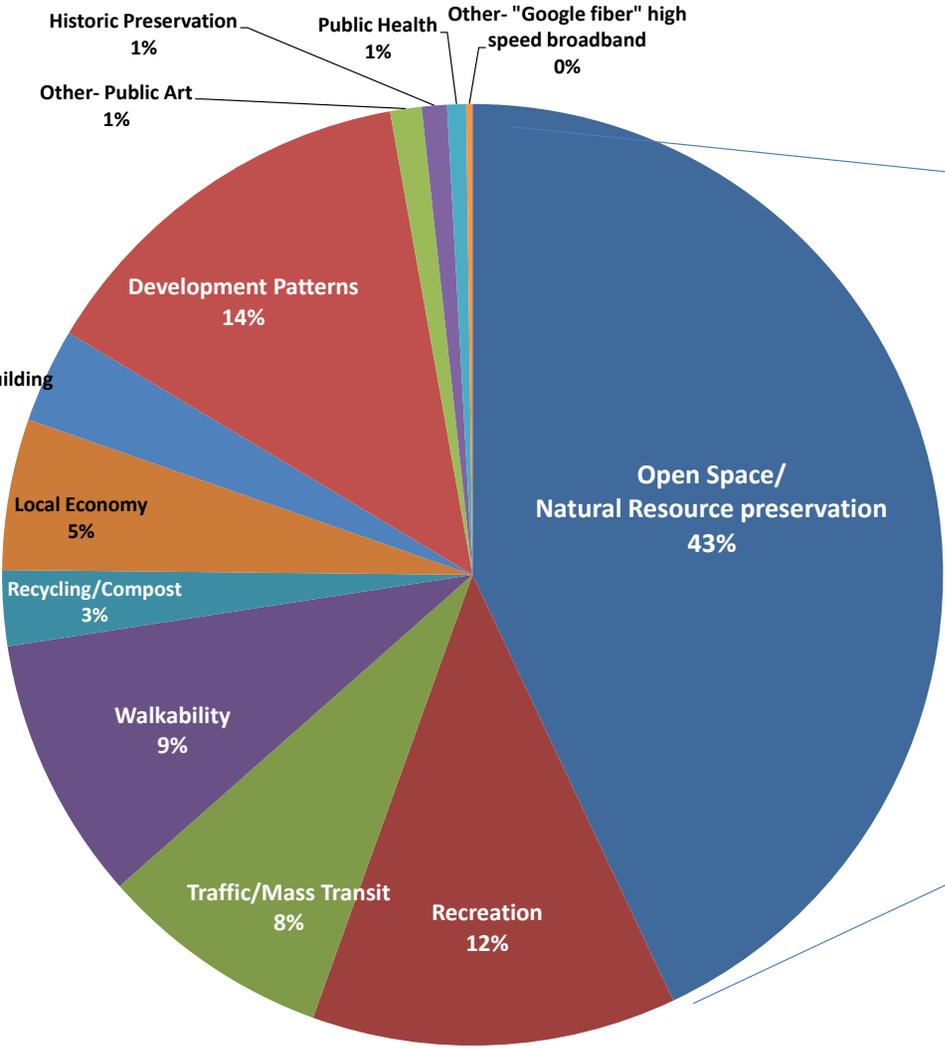
**Exhibit A:** Open Space Map  
**Exhibit B:** Community Priorities Survey results (3 pgs)  
**Exhibit C:** SBSRD Recreation Survey results (6 pgs)  
**Exhibit D:** Proposed trail projects  
**Exhibit E:** Resolution 2010-11



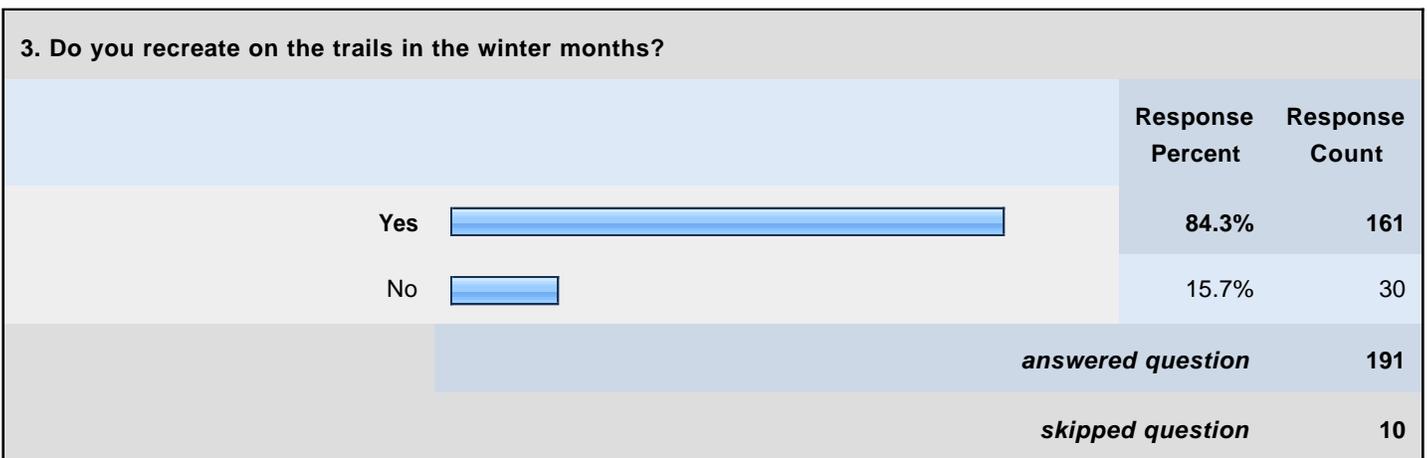
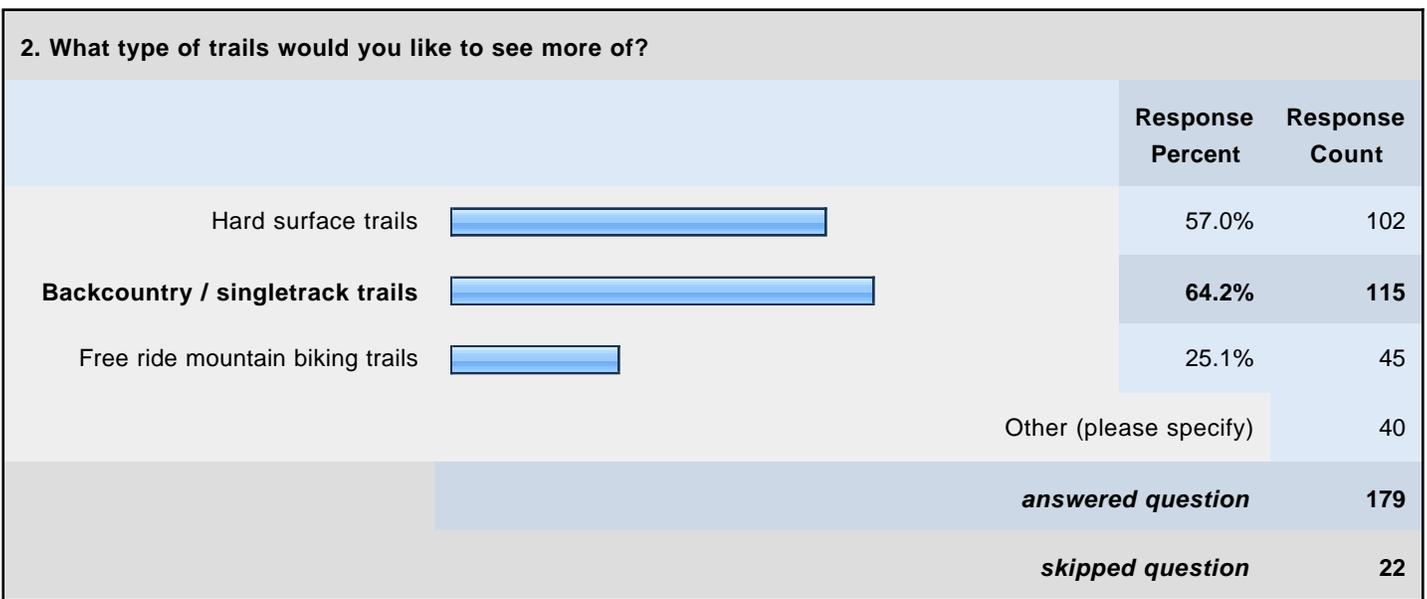
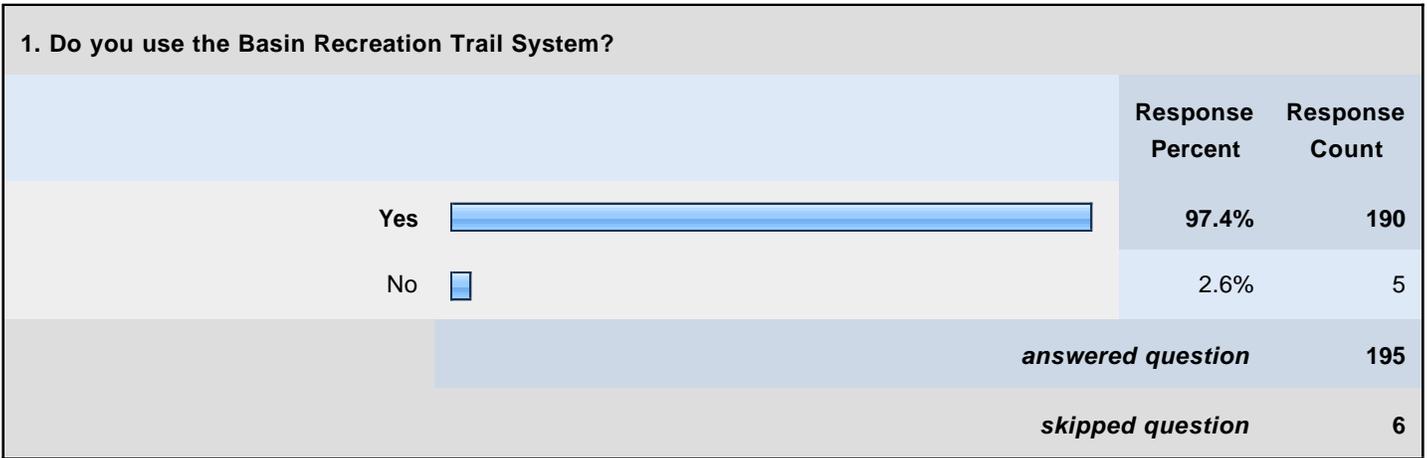
# Snyderville Basin & Park City Municipal Open Space



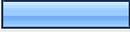
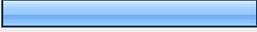
# Community Priorities



YOUR THOUGHTS MAKE A DIFFERENCE !



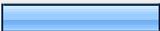
4. If you do recreate on the trails during the winter months, how?

	Response Percent	Response Count
Nordic Skiing 	75.0%	117
Running 	19.2%	30
Biking 	10.9%	17
Walking 	59.0%	92
Exercising Dog 	38.5%	60
Other (please specify)		27
<b>answered question</b>		<b>156</b>
<b>skipped question</b>		<b>45</b>

5. As we grow and expand our Park Systems, do you believe we need more passive or active recreation options in our Parks? (Passive being picnic areas & pavillions, playgrounds and open fields for general play. Active areas being tennis courts, sports fields, basketball, volleyball, skating or skateboarding areas, splashpads.

	Response Percent	Response Count
PASSIVE 	51.6%	97
ACTIVE 	61.2%	115
Other (please specify)		6
<b>answered question</b>		<b>188</b>
<b>skipped question</b>		<b>13</b>

**6. There is a growing perception that off leash fenced dog parks are important in the community.**

	Response Percent	Response Count
AGREE 	76.2%	138
DISAGREE 	23.8%	43
	Comments	11
<b>answered question</b>		<b>181</b>
<b>skipped question</b>		<b>20</b>

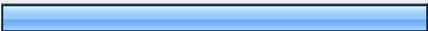
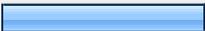
**7. Do you feel that parking needs are met at:**

	YES	NO	Response Count
Willow Creek Park:	76.2% (109)	23.8% (34)	143
Trailside Park :	91.4% (127)	8.6% (12)	139
Ecker Hill Middle School:	62.6% (92)	37.4% (55)	147
<b>answered question</b>			<b>165</b>
<b>skipped question</b>			<b>36</b>

**8. Do you currently use The Fieldhouse Recreation Center?**

	Response Percent	Response Count
YES 	75.8%	150
NO 	24.2%	48
<b>answered question</b>		<b>198</b>
<b>skipped question</b>		<b>3</b>

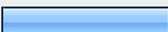
**9. If you do currently use the Fieldhouse please rate your overall customer experience there**

	Response Percent	Response Count
<b>Excellent</b> 	<b>64.7%</b>	<b>97</b>
Good 	30.7%	46
Average 	4.0%	6
Poor 	0.7%	1
<b>answered question</b>		<b>150</b>
<b>skipped question</b>		<b>51</b>

**10. As we plan for the final phase build out of the Basin Recreation Fieldhouse, what would you like to see included in the final phase?**

	Response Percent	Response Count
Another indoor field 	25.3%	47
An indoor basketball gymnasium 	38.7%	72
An indoor pool 	32.3%	60
A climbing wall 	28.5%	53
<b>An expanded fitness area</b> 	<b>62.9%</b>	<b>117</b>
A multipurpose room 	30.6%	57
No Change 	2.2%	4
Other (please specify)		46
<b>answered question</b>		<b>186</b>
<b>skipped question</b>		<b>15</b>

11. What recreational activities NOT currently offered would you like to see from Basin Recreation? (circle as many as you like)

		Response Percent	Response Count	
Running groups		19.0%	27	
Skiing groups		19.0%	27	
Basketball for adults		22.5%	32	
Outdoor volleyball leagues		14.1%	20	
Tennis groups		25.4%	36	
Parent / Child classes		12.7%	18	
More youth sports		10.6%	15	
Geocaching		9.2%	13	
<b>Sport Specific conditioning classes</b>		<b>31.7%</b>	<b>45</b>	
More SENIOR specific activities		11.3%	16	
More TEEN activities		14.8%	21	
	Other (please specify)		27	
			<b>answered question</b>	<b>142</b>
			<b>skipped question</b>	<b>59</b>

**12. What methods do you utilize to find out about ongoing activities offered through Basin Recreation?**

	Response Percent	Response Count
Our Website	50.8%	100
Our Way to Play Newsletter	44.2%	87
Play Magazine	33.0%	65
<b>The Park Record</b>	<b>55.3%</b>	<b>109</b>
KPCW	41.1%	81
Information posted at The Fieldhouse	20.8%	41
In the Schools	5.1%	10
Word of mouth	26.9%	53
In the Parks	2.5%	5
Our Way to Play Newsletter	0.0%	0
I have not known what has been going on at Basin Recreation	2.5%	5
Other	2.5%	5
Other (please specify)		7
	<b>answered question</b>	<b>197</b>
	<b>skipped question</b>	<b>4</b>

**13. Additional INPUT**

	Response Count
	51
	<b>answered question</b>
	<b>51</b>
	<b>skipped question</b>
	<b>150</b>

Coalville, Utah

July 7, 2010

A regular meeting of the County Council of Summit County, Utah (the "Council") acting as the governing board of the Snyderville Basin Special Recreation District (the "District") was held on Wednesday, July 7, 2010, at the hour of 3:45 p.m. at its regular meeting place, at which meeting there were present and answering roll call the following members who constituted a quorum:

Claudia McMullin	Chair
Chris Robinson	Vice Chair
John Hanrahan	Councilmember
Sally Elliott	Councilmember
David Ure	Councilmember

Also present:

Kent Jones	County Clerk
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Absent: *None*

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the County Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this July 7, 2010, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in writing, was fully discussed, and pursuant to motion duly made by Councilmember Elliott and seconded by Councilmember Hanrahan, was adopted by the following vote:

AYE: Unanimous

NAY: None

The resolution was then signed by the Chair and recorded by the County Clerk in the official records of the County. The resolution is as follows:

RESOLUTION NO. 2010-11

A RESOLUTION PROVIDING FOR A SPECIAL BOND ELECTION TO BE HELD ON NOVEMBER 2, 2010, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT, SUMMIT COUNTY, UTAH (THE "DISTRICT"), A PROPOSITION REGARDING THE ISSUANCE OF NOT TO EXCEED \$25,000,000 GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF ACQUIRING RECREATIONAL OPEN SPACE PROPERTY, CONSTRUCTING TRAILS AND RELATED IMPROVEMENTS, AND PAYING RELATED COSTS AND EXPENSES; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING; APPROVING THE FORM OF AND DIRECTING THE PUBLICATION OF A NOTICE OF ELECTION AND THE BALLOT PROPOSITION; AND RELATED MATTERS.

WHEREAS, the Administrative Control Board of the Snyderville Basin Special Recreation District, Summit County, Utah (the "District"), has requested that the Council, acting as the governing body of the District, call a special bond election within the District on November 2, 2010, to authorize the issuance of General Obligation Bonds (the "Bonds") in the total principal amount of up to \$25,000,000 and to levy a tax to pay the same; and

WHEREAS, the Council desires to submit a proposition concerning the issuance of the Bonds to the vote of the qualified electors of the District pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended and applicable provisions of the Utah Election Code, Title 20A, Utah Code Annotated 1953, as amended and the Special Service District Act, Title 17D, Chapter 1, Utah Code Annotated 1953, as amended (collectively, the "Act");

NOW, THEREFORE, It Is Hereby Resolved by the County Council of Summit County, acting as the governing body of the Snyderville Basin Special Recreation District, Summit County, Utah, as follows:

Section 1. Definition of Terms. The terms defined or described in the recitals hereto shall have the same meaning when used in the body of this Resolution.

Section 2. Election Call. On November 2, 2010, there shall be held in the District a special bond election (the "Bond Election") between the hours of 7:00 a.m. and 8:00 p.m., at which there shall be submitted to the qualified electors of the District the proposition appearing in the ballot proposition portion of the Notice of Election as substantially set out in Section 5 hereof. The County will hold the Bond Election in conjunction with the general election. The terms defined or described in the recitals hereto shall have the same meaning when used in the body of this Resolution.

Section 3. Voting Places and Election Judges. For purposes of the Bond Election, the voting precincts, the voting places, the election judges, and alternate election judges will be the same as those designated for the general election to be held on November 2, 2010, and shall be specified in the Notice of Election when published.

Section 4. Authorization and Reimbursement of Expenses. The Bond Election shall be conducted and the registration therefor shall be governed in conformity with the laws of the State of Utah, including particularly the Act, and the officials of the County or the District, as applicable, shall and are hereby authorized and directed to perform and do all things necessary to the proper calling and conduct of the Bond Election and the canvass of the results thereof.

In the event the proposition is approved at the Election, the District reasonably expects to reimburse from proceeds of Bonds, capital expenditures advanced by the District to construct and equip the improvements therein described in a principal amount of not more than \$25,000,000.

Section 5. Public Hearing. The County shall hold a public hearing on September 1, 2010, to receive input from the public with respect to (a) the issuance of the Bonds and (b) the potential economic impact that the improvements, facilities, or properties to be financed with bond proceeds will have on the private sector, which hearing date shall not be less than fourteen (14) days after notice of the public hearing is first published and shall not be sooner than thirty (30) days or later than five (5) business days before the first publication of the Notice of Election as described in this Resolution, such notice to be published (i) once a week for two consecutive weeks in The Park Record, a newspaper of general circulation within the County, (ii) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (iii) on the website described in Section 45-1-101, Utah Code Annotated 1953, as amended. The "Notice of Public Hearing" shall be in substantially the following form:

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, that on July 7, 2010, the County Council of Summit County ("County"), acting as the governing body of the Snyderville Basin Special Recreation District, Summit County, Utah (the "District"), adopted a resolution (the "Resolution") in which it authorized the calling of an election (the "Election") concerning the issuance of the District's General Obligation Bonds (the "Bonds") and called a public hearing to receive input from the public with respect to (a) the issuance of the Bonds and (b) any potential economic impact that the improvements, facilities or properties financed in whole or in part with the proceeds of the Bonds (see below) may have on the private sector.

### TIME, PLACE, AND LOCATION OF PUBLIC HEARING

The County shall hold a public hearing on September 1, 2010, at the hour of 6:00 p.m. at the Richins Building, 1855 West Ute Blvd., Park City, Utah. The purpose of the hearing is to receive input from the public with respect to (a) the issuance of the Bonds and (b) any potential economic impact that the improvements, facilities, or properties financed in whole or in part with the proceeds of the Bonds may have on the private sector. All members of the public are invited to attend and participate.

### PURPOSE FOR ISSUING THE BONDS, MAXIMUM AMOUNT AND SECURITY

The Bonds are to be issued in the aggregate principal amount of not to exceed \$25,000,000 for the purpose of financing all or a portion of the costs of acquiring recreational open space property, constructing trails and related improvements, and paying costs of issuance of the Bonds. The Bonds shall be secured by ad valorem property taxes of the District to the extent authorized by law.

The Bonds may be issued in one or more series and be sold from time to time, all as the Council may determine.

DATED this July 7, 2010.

/s/ Kent Jones  
County Clerk

Published in the Park Record on: August 7 and 14, 2010

Section 6. Notice of Election. In accordance with Section 11-14-202 of the Act, a Notice of the Bond Election shall be published in The Park Record three (3) times, once a week for three (3) consecutive weeks, the first publication to be not less than twenty-one (21) nor more than thirty-five (35) days before the Bond Election. All such notices shall be given in substantially the following form (with such amendments, changes, or alterations as may be required to conform such notices to the Act (including amendments thereto prior to such publication) and actual election information to be confirmed prior to the first publication of such notice):

## ELECTION NOTICE

To all qualified electors of the Snyderville Basin Special Recreation District, Summit County, Utah:

Take notice that on November 2, 2010, a special bond election (the "Bond Election") will be held in the Snyderville Basin Special Recreation District, Summit County, Utah (the "District"), at the places set out below for the purpose of submitting to the qualified electors of the District the question contained in the following ballot proposition:

OFFICIAL BALLOT FOR THE SNYDERVILLE BASIN SPECIAL RECREATION  
DISTRICT, SUMMIT COUNTY, UTAH  
SPECIAL BOND ELECTION  
November 2, 2010

/s/ Kent Jones  
County Clerk

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PROPOSITION\*

Shall the Snyderville Basin Special Recreation District, Summit County, Utah, (the "District"), be authorized to issue general obligation bonds of the District in an amount not to exceed Twenty-Five Million Dollars (\$25,000,000) (the "Bonds") for the purpose of financing all or a portion of the costs of acquiring recreational open space property, constructing trails and trail-related improvements, and paying related costs and expenses reasonably incurred in connection with the authorization and issuance of said Bonds; said Bonds to be due and payable in not to exceed twenty-five (25) years from the date of said Bonds; and to retire said Bonds, shall the District be authorized to levy a tax on all taxable property within the District?

Property Tax Cost of Bonds. If the Bonds described in the election Proposition are issued as planned, a property tax to pay debt service on the Bonds will be required over a period of twenty (20) years in the estimated annual amount of \$99 on a \$652,000 residence and in the estimated amount of \$182 on a business property having the same value as said residence.

The information in this notice with respect to increases in taxes is an estimate only based on current assumptions of the District as to the financing plan and estimates, including estimated market interest rates for the bonds and the taxable values of property within the County. The information is intended to provide an elector with some indication of the impact the issuance of the Bonds may have on taxes paid. However, there is no limit on the tax rates the District may be required to levy to pay debt service on the bonds.

FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS

AGAINST THE ISSUANCE OF GENERAL OBLIGATION BONDS

Voting at the special bond election shall be by electronic ballot.

For purposes of this Bond Election, the polling places for the Bond Election shall be the same as the polling places for the County election held on said date and are as follows:

<u>Voting Precincts</u>	<u>Polling Place</u>
15-Peoa (Promontory area)	Oakley Town Hall 960 West Center, Oakley
7-Park West 36-Ranch Road South	Sheldon D. Richins Bldg. 6505 North Landmark Dr.
26-Ranch Place 42-Snyders Mill 16-Silver Springs	St. Luke's Episcopal Church 4595 N. Silver Springs Dr.
38-Highland Estates East 23-Highland Estates West	Trailside Administration Bldg. 5715 Trailside Drive
27-Jeremy West 37-Jeremy East 40-Moose Hollow	Jeremy LDS Church 3010 W. Saddle Back Road
8-Silver Creek 34-Bitner	Basin Recreation Fieldhouse At Newpark
9-Pinebrook South 39-Pinebrook North 41-Pinebrook West 10-Summit Park West 30-Summit Park East	Ecker Hill Middle School 2645 West Kilby Road

The polls will be open from 7:00 a.m. to 8:00 p.m.

There will be no special registration of voters for the Bond Election; all persons registered to vote in the general election shall be considered registered to vote in the Bond Election and the official register last made or revised shall constitute the register for the Bond Election. The County Clerk will make available at the polling places a registration list or copy thereof listing all registered electors entitled to use such polling places.

Voting will be allowed to take place at the times, places, and manner as provided by the Utah Election Code, Title 20A, Utah Code Annotated 1953, as amended. For information about alternate times and forms of voting (including by absentee ballot),

voters may contact the County Clerk's office, located at 60 North Main, Coalville, Utah. Pursuant to Section 20A-3-604, Utah Code Annotated 1953, as amended, the schedule for early voting including dates, times, and locations, shall be noticed and published by the Clerk.

NOTICE is given that on October 14, 2010, at 10:00 a.m., in the County Clerk;s Office, located at 60 North Main, in Coalville, Utah, the Summit County Clerk will conduct a test of the voting and/or counting devices, as applicable, to be used for the general election. Any interested person may witness the testing procedure.

NOTICE is given that on November 10, 2010, that being a day no sooner than seven (7) days nor later than fourteen (14) days after the Bond Election, the County Council will meet at its regular meeting place at 7:00 p.m. to canvass the returns and declare the results of the Bond Election.

Pursuant to applicable provisions of the Local Government Bonding Act, the period allowed for any contest of the Bond Election shall end forty (40) days after November 10, 2010 (the date on which the returns of the election are to be canvassed and the results thereof declared). No such contest shall be maintained unless a complaint is filed with the Clerk of the County Court of Summit County within the prescribed forty (40) day period.

GIVEN by order of the County Council of Summit County, Utah, this July 7,



ATTEST:

By: Claudia McMullin  
Chair

By: Kerith [Signature]  
County Clerk

Publication Dates in The Park Record:

Section 7. Mailing of Voter Information Pamphlet. The Council hereby authorizes the County Clerk to mail at least seven (7) but not more than thirty (30) days before the scheduled Bond Election, a voter information pamphlet to each household with a registered voter who is eligible to vote on the Bonds. Said voter information pamphlet shall include: (a) the date and place of the Bond Election, (b) the hours during which the polls will be open, (c) the title and text of the ballot proposition, and (d) an explanation of the property tax impact, if any, on the issuance of the Bonds including (i) expected debt service on the Bonds to be issued, (ii) a description of the purpose, remaining principal balance, and maturity date on any outstanding general obligation bonds of the County, (iii) funds other than property taxes available to pay debt service on general obligation bonds, (iv) timing and expenditure of bond proceeds, (v) property values, and (vi) any additional information the Council determines may be useful to explain the property tax impact of issuance of the Bonds.

Section 8. Election Supplies and Ballots. The ballots to be used at the Bond Election shall comply in all respects with the requirements of Title 20A, Chapter 6 and Section 11-14-206, Utah Code Annotated 1953, as amended, and the proposition and election instructions with respect to the Bond Election shall be in substantially the form contained in the Notice of Election set forth in Section 6 hereof.

Section 9. Qualified Electors. Only registered, qualified electors of the District eighteen (18) years of age or older shall be permitted to vote at the Bond Election.

Section 10. Challenged Electors. Any person seeking to vote at any polling place designated for the conduct of the Bond Election whose qualifications to vote are challenged for reasons indicated in Section 20A-3-202(1)(b) of the Act by any one or more of the Election Officials or by any other person, shall be allowed to vote with a provisional ballot and the counting of that person's vote shall be determined in accordance with applicable law.

When a person's right to vote is challenged as provided in the paragraph above, the Election Officials shall follow the procedures set forth in Section 20A-3-105.5 of the Act.

Section 11. Appointment of Election Officials and an Election Officer. The election officials (the "Election Officials") shall each be a qualified elector of the District. Pursuant to Section 20A-1-102 and 20A-5-400.5 of the Act, the County Clerk will act as the election officer (the "Election Officer").

Section 12. Absentee Ballots/Early Voting. Any qualified elector of the District may vote by absentee ballot in accordance with Section 20A-3-301, et. seq. and, if applicable, Section 20A-3-401 et seq. of the Act.

Section 13. Canvass. Immediately after the polls are closed and the last qualified voter has voted, the Election Officials shall account for the ballots in accordance with the procedures of Title 20A, Chapter 4, Part 1 and Part 2 of the Act and

the County Clerk (or designee) shall conduct the counting of the ballots as required by said procedures and deliver the results to the County. The Council, acting as the governing body of the District, shall meet as a Council of Canvassers no sooner than seven (7) nor later than fourteen (14) days after the date of said election on November 10, 2010, at the hour of 7:00 p.m., at its regular meeting place in Coalville, Utah, and if the majority of the votes at the Bond Election are in favor of the proposition submitted, then the County Clerk shall cause an entry of that fact to be made upon its minutes. Thereupon, the District shall be authorized and directed to issue such Bonds.

Section 14. Registration of Electors. The County Clerk shall, in accordance with Section 20A-5-401 of the Act, prepare an official register of voters for each polling place that will participate in the Bond Election.

Section 15. Severability. It is hereby declared that all parts of this Resolution are severable, and if any section, clause, or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause, or provision shall not affect the remaining sections, clauses, or provisions of this Resolution.

Section 16. Conflict. All resolutions, orders, and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation, or part thereof heretofore repealed.

Section 17. Captions. The headings herein are for convenience of reference only and in no way define, limit, or describe the scope or intent of any provisions or sections of this Resolution.

Section 18. Recording of Resolution; Effective Date; Notice to Lieutenant Governor. Immediately after its adoption, this Resolution shall be signed by the Chair and County Clerk, shall be recorded in a book for that purpose, and shall take immediate effect. The County Clerk shall immediately furnish a certified copy of this Resolution to the Lieutenant Governor and Election Officer (the County Clerk) in accordance with Section 11-14-201 of the Act by no later than August 19, 2010, a date at least 75 days before the Bond Election.

Section 19. Further Authority. The Council hereby authorizes the Chair to make changes to any notice or the ballot proposition described herein to cure any ambiguity or defect therein or to make any other changes to such notice or ballot proposition as may be required or allowed by the laws of the State of Utah.

Section 20. Compliance with Applicable Law. The Council intends that, to the extent the Act is amended effective prior to the holding of the Bond Election, the provisions of this resolution be interpreted to comply with the amended Act.

PASSED AND APPROVED this July 7, 2010.

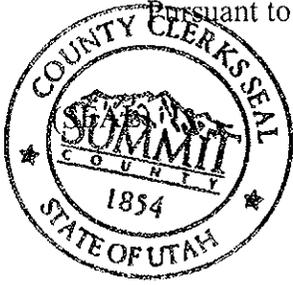


By: Claudia McMullin  
Chair

ATTEST:

By: Kendall [Signature]  
County Clerk

Pursuant to motion duly made and seconded, the meeting was adjourned.



By: Claudia McMullin  
Chair

ATTEST:

By: [Signature]  
County Clerk

STATE OF UTAH            )  
  : ss.  
COUNTY OF SUMMIT    )

I, Kent Jones, hereby certify that I am the duly qualified and acting County Clerk of Summit County, Utah.

I further certify that the above and foregoing constitutes a true and correct copy of the proceedings of a meeting of the County Council, acting as the governing body of the Snyderville Basin Special Recreation District, including a resolution adopted at said meeting held on July 7, 2010, as said proceedings and resolution are officially of record in my possession.

I further certify that I have filed a certified copy of the within Resolution with the Summit County Clerk as described in Section 16 herein.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of the County, Utah, this July 7, 2010.



By:   
County Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Kent Jones, the undersigned County Clerk of Summit County, Utah (the "County"), do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the public meeting, held on July 7, 2010, by the County as follows:

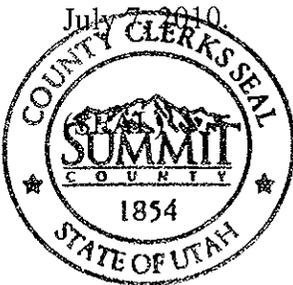
(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the County's principal offices on July 6, 2010, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Park Record on July 6, 2010, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) On the Utah Public Notice Website (<http://pmn.utah.gov>).

(d) In addition, the Notice of 2010 Annual Meeting Schedule for the County Council (the "Council") (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the Council to be held during the year, by causing said Notice to be posted on December 28, 2009, at the principal office of the Council and by causing a copy of said Notice to be provided to at least one newspaper of general circulation within the County on December 28, 2009, and on the Utah Public Notice Website (<http://pmn.utah.gov>).

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this



By: Kent Jones  
County Clerk

SCHEDULE 1

NOTICE OF MEETING



**AMENDED AGENDA  
SUMMIT COUNTY COUNCIL  
Wednesday, July 7, 2010**

NOTICE is hereby given that the Summit County Council will meet in regular session

**Wednesday, July 7, 2010, at the County Courthouse, 60 North Main Street, Coalville, UT 84017**

All times listed are general in nature and are subject to change by the Council Chair

**2:45 p.m. Closed Session Conference Room #2 (earlier start time)**

- Pending litigation

**3:45 p.m. Work Session, Conference Room #2 *Public comment may or may not be accepted***

- Review of Council mail, calendar, and minutes
- Discussion of "Cops' Grant"; Sheriff Dave Edmunds (30 minutes)
- Discussion of Summit County website updates; Ron Boyer, I.T. Director (30 minutes)

**5:00 p.m. Regular Session, Consideration of Approvals, Council Chambers**

- Pledge of Allegiance
- Resolution #2010-11 to call a special bond election for open space and trails within the Snyderville Basin; Ashley Koehler, Sustainability Coordinator
- Request for fund transfer to authorize hiring of seasonal chipper crew; Kevin Callahan, Public Works Administrator
- Request from Colony representatives to re-open public hearing on current application; Kimber Gabryszak, County Planner
- Manager's report
- Approval of Minutes: June 9, 2010
- Council comments and questions

**6:00 p.m. Council Chambers**

- Public Input

Individuals with questions, comments, or needing special accommodations pursuant to the Americans with Disabilities Act regarding this meeting may contact Karen Brostrom, at 336-3025, 615-3025, 783-4351 x3025.

**Distribution:** B  
**Posted:** July 6, 2010  
**Next Regular Meeting:** July 14, 2010

**Summit County Council**  
P.O. Box 128  
60 North Main  
Coalville, UT 84017  
(435) 336-3025  
[kbrostrom@co.summit.ut.us](mailto:kbrostrom@co.summit.ut.us)  
[www.summitcounty.org](http://www.summitcounty.org)

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

Kent Jones  
County Clerk

www.summitcounty.org/clerk  
kentjones@co.summit.ut.us



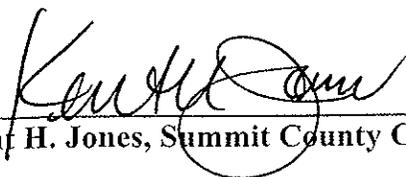
Phone: (435) 336-3204  
FAX: (435) 336-3030  
60 North Main  
Coalville, UT 84017

## 2010 Annual Notice of Scheduled Meetings Board of Summit County Council

Pursuant to section 52-4-202, Utah Code, notice is hereby given that the Board of County Council, Summit County, Utah, will hold regular meetings on Wednesday, during the 2010 calendar year as follows:

January	6, 13, 20, 27
February	3, 10, 17, 24
March	3, 10, 17, 24, 31
April	7, 14, 21, 28
May	5, 12, 19, 26
June	2, 9, 16, 23, 30
July	7, 14, 21, 28
August	4, 11, 18, 25
September	1, 8, 15, 22, 29
October	6, 13, 20, 27
November	3, 10, 17, 24
December	1, 8, 15, 22, 29

Unless otherwise noticed, all meetings will begin at 2:00PM and will be held in the Council Chambers at the Summit County Courthouse, 60 North Main, Coalville, Utah.

  
Kent H. Jones, Summit County Clerk



Posted: December 28, 2009  
Published: Park Record January 2, 2010  
Summit County News January 1, 2010

## PROOF OF PUBLICATION OF ELECTION NOTICE

Attached to this page is the Proof of Publication, indicating by the affidavit of the publisher that the Election Notice which was contained in the Resolution adopted by the County Council on July 7, 2010, was published once a week for three (3) consecutive weeks in The Park Record.