

RESOLUTION 2015 - _____

**A RESOLUTION OF THE SUMMIT COUNTY COUNCIL GRANTING AUTHORITY
TO THE SUMMIT COUNTY TREASURER TO WAIVE INTEREST AND PENALTIES
ON PAST DUE TAXES UNDER SPECIAL CIRCUMSTANCES**

WHEREAS, UCA §59-2-1211 grants authority to the legislative body of a political subdivision in the State of Utah to set conditions for property tax abatement and/or relief; and,

WHEREAS, UCA §59-2-1211 authorizes the legislative body of a political subdivision in the State of Utah to designate another officer or executive office to grant abatement and/or relief; and

WHEREAS, the Summit County Treasurer's office receives several requests annually for abatement and/or reduction of interest and penalties associated with delinquent tax accounts; and,

WHEREAS, the Summit County Council finds that in certain, quantifiable circumstances, abatement and/or reduction from accumulated interest and penalties could be granted; and,

WHEREAS, the Summit County Council finds that it is in the best interest of the County and its citizens to allow abatements or reductions in property tax penalties and/or interest under quantifiable circumstances;

NOW THEREFORE, BE IT RESOLVED the Summit County Council authorizes and grants authority to the Summit County Treasurer to grant relief and/or abatement for penalties and interest on delinquent tax accounts subject to the following guidelines:

GENERAL PROVISIONS

1. Primary residence of the property owner shall be the only type of property eligible for consideration.
2. Treasurer's office shall prepare and annual report of all abatements and/or reductions in penalties and/or interest granted to petitioning taxpayers. This report shall be submitted to the Summit County Council for their review at the conclusion of each fiscal year.
3. The authority granted by this resolution shall expire at 12:01 AM on January 1, 2021.

FACTORS WHICH MAY BE CONSIDERED:

1. Substantial expenses actually incurred by the property owner related to uninsured property damage or costly repairs to the property rendering it uninhabitable.

2. Substantial expenses related to death or illness in the household of the property owner which substantially reduced the amount of household income.
3. Consideration given to owners whose notices were not received in a timely fashion due to an error in mailing by Summit County.
4. Increases in property taxes due to a Board of Equalization or Utah State Tax Commission ruling.
5. No penalties assessed for FDIC owned properties (Federal Statute). FDIC will pay interest.
6. Changes in taxes due to errors and/or omissions on the part of Summit County.

APPROVED, ADOPTED, AND PASSED and orders published by the Summit County Council,

ATTEST:

COUNTY COUNCIL
SUMMIT COUNTY, STATE OF UTAH

Kent Jones, Summit County Clerk

By:

Kim Carson, Chair

APPROVED AS TO FORM:

David L. Thomas
Chief Civil Deputy



Staff Report

To: Summit County Council
Report Date: June 22, 2015
Meeting Date: July 1, 2015
From: Heather Nalette & Brian Bellamy
Project Name: Amendment of Summit County Employee Chart of Positions
Type of Item: Decision

A. Background

On December 17, 2014 the Summit County Council adopted the Chart of Positions in conjunction with the 2015 budget. This request is proposing one change to the adopted 2015 Chart of Positions. This change will increase the employee count by one.

The change is:

1. Assistant County Manager Anita Lewis in recognizing the need to adequately staff the North Summit and Park City senior centers is requesting to add one (1) part time cook. The county has contracted the position in the past and allowed the individual to use the center kitchen, supplies and equipment. This position, if done correctly, needs to run through the County's hiring procedures, therefore necessitating the need to amend the Chart of Positions. It is suggested the North Summit and Park City senior centers employ one (1) cook at no more than 30 hours a week. This position would be classified as a cook II position with a pay range between \$13.74 - \$19.25 an hour. This change would reallocate the contract monies through payroll.

B. Recommendation

Staff recommends the council approve the changes regarding the Chart of Positions.

Chart of Part-time Positions

3/4/ 2015

Department	Position	2009	2010	2011	2012	2013	2014	2015	
		Parttime							
Attorney's Office	Victim Advocate	1					1	1	< 24 hours
	Prosecuting Attorney						1	1	< 30 hours
	Civil Attorney					1	1		< 24 hours
	CJC Director					1	1	1	< 20 hours
	Paralegal	1	1	1	1	1	1	1	< 32 hours
	Legal Secretary	1	1	1	1	1	1	1	< 24 hours
Subtotal		3	2	2	2	4	6	5	
Auditor's Office	Auditing Tech III			1	1	1	1	1	< 20 hours
Subtotal				1	1	1	1	1	
Clerk's Office	Elections Clerk	1	1	1	1	1	1	1	< 30 hours
Subtotal		1							
Council	Chair	1	1	1	1	1	1	1	
	Vice-chair	1	1	1	1	1	1	1	
	Council Member	3	3	3	3	3	3	3	
Subtotal		5							
County Managers Office									
	Senior Coordinator						1	1	
	Senior Secretary							1	< 30 hours
	Senior Cook							1	< 30 hours
	Emergency Manager					1	1	1	< 30 hours
Subtotal						1	2	4	
Engineering	Engineer Sec/Asst Tech	1	1	1	1	1	1	1	< 20 hours
	Engineering Tech	1	1	1	1	1	1	1	< 20 hours
Subtotal		2	2	2	2	2	2	1	

Chart of Part-time Positions

3/4/ 2015

Department	Position	2009	2010	2011	2012	2013	2014	2015	
		Parttime	Parttime	Parttime	Parttime	Parttime	Parttime	Recommend Committee	
Health Department	Clinical Assistant	1	1			1	0	0	
	Early Intervention Interpret	0	0	0	0	0	1	1	< 29 hours
	Nurse Practitioner	1	1						
	Physical Therapist	1	1	1	1	1	1	1	< 20 hours
	Speech Language Patholog	1	1	1	1	1	1	1	< 24 hours
	Occupational Therapist	1	1	1	1				
	Registered Dietician	1	1	1					
	Health Educator	2	2	2	2	2	2	2	< 20 hours
	WIC Nurse	1	1	1	1	1	1	1	< 30 hours
Subtotal		9	9	7	6	6	6	6	
Personnel	HR Tech						1	1	<20 hours
Subtotal							1	1	
Library	Library Clerks	5	6	6	4	4	4	4	< 20 hours
Subtotal		5	6	6	4	4	4	4	
Sheriff's Office	Corrections Nurses	2	2	2					
	Deputy						1	1	
Subtotal		2	2	2	0	0	1	1	
Solid Waste	Landfill Spotters	1	1	1	1	1	1	1	< 20 hours
Subtotal		1	1	1	1	1	1	1	
Totals		28	28	27	22	25	30	30	

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, JUNE 10, 2015
SUMMIT COUNTY COURTHOUSE
60 NORTH MAIN STREET, COALVILLE, UTAH

PRESENT:

Kim Carson, Council Chair
Roger Armstrong, Council Vice Chair
Claudia McMullin, Council Member
Chris Robinson, Council Member
David Ure, Council Member

Tom Fisher, Manager
Anita Lewis, Assistant Manager
Robert Hilder, Attorney
David Thomas, Deputy Attorney
Kent Jones, Clerk
Karen McLaws, Secretary

CLOSED SESSION

Council Member Robinson made a motion to convene in closed session to discuss litigation. The motion was seconded by Council Member Armstrong and passed unanimously, 5 to 0.

The Summit County Council met in closed session for the purpose of discussing litigation from 12:25 p.m. to 12:45 p.m. Those in attendance were:

Kim Carson, Council Chair
Roger Armstrong, Council Vice Chair
Claudia McMullin, Council Member
Chris Robinson, Council Member
David Ure, Council Member

Tom Fisher, Manager
Anita Lewis, Assistant Manager
David Thomas, Deputy Attorney
Jami Brackin, Deputy Attorney

Council Member Robinson made a motion to dismiss from closed session and to convene in regular session. The motion was seconded by Council Member Armstrong and passed unanimously, 5 to 0.

REGULAR MEETING

Chair Carson called the regular meeting to order at 12:45 p.m.

**PUBLIC HEARING AND POSSIBLE APPROVAL OF RESOLUTION 2015-13
APPROVING THE ACQUISITION OF THE ERCANBRACK LIVESTOCK RANCH
CONSERVATION EASEMENT; ERIN BRAGG, CONSERVATION DIRECTOR AT
SUMMIT LAND CONSERVANCY**

Erin Bragg with the Summit Land Conservancy explained that this public hearing is part of the process required for one of the funding sources for placing a conservation easement on the Ercanbrack livestock ranch. She explained that the LeRay McAllister Critical Land Conservation Fund has some money this year, and the Summit Land Conservancy submitted a pre-application that has been approved. They will now submit a full application. One of the criteria is that the Council give its approval and confirm that this project is within the scope of their priorities and will be accepted by the community if it is funded. She explained that, in the past, projects were funded, and the governing body was not supportive of the project.

Council Member Ure asked what the project consists of and whether it will pass through the ESAP committee. Ms. Bragg explained that they will take this proposal to ESAP but have not done so yet, because ESAP is a smaller portion of the funding for the project. They have requested NRCS funding, which would cover about 75% of the project, the LeRay McAllister Fund will provide 6% of the funding, and ESAP's portion would be about 4% or 5%. If the larger funding sources do not come through, they will not carry it through this cycle and will wait until they receive the large funding sources. Council Member Ure asked what development rights are being given up and whether ESAP would accept those development rights. Ms. Bragg replied that the property has 21 development rights, and the owner will retain two cabin sites, so they will give up 19 development rights. Council Member Ure asked about the value per acre of the property. Ms. Bragg explained that they do not have a current appraisal, because the NRCS requires a current appraisal within one year of the closing date, and they do not want to incur the cost of additional appraisals. It is estimated that the value would be about \$1,500 per acre. She explained that they should know their ranking with the NRCS by Friday, and if it is high enough, they will proceed with an appraisal. Council Member Ure stated that he supports the conservation easement but has concerns about the process. He asked what percentage of the money would go to the Summit Land Conservancy to oversee the conservation easement. Ms. Bragg explained that they do not require stewardship funding from the landowner. They will need about \$30,000 to \$40,000 for stewardship of the conservation easement, which they will raise as part of their public funding. It will go into the Conservancy's restricted stewardship fund, and the interest will pay for the stewardship. Council Member Ure verified with Ms. Bragg that the \$1,500 per acre would go to the Ercanbrack family. Ms. Bragg confirmed that it would, minus the family's contribution of approximately 8% reduction in price. Council Member Ure stated that it would be helpful in the future to understand the process before discussing the item.

Council Member Robinson asked what other entities would contribute to the conservation easement. Ms. Bragg replied that some funds would come from DWR and ESAP. The largest funding sources would be NRCS and the LeRay McAllister Critical Land Conservation Fund. Council Member Robinson noted that NRCS requires 16.67% in non-federal matching funds before approving an application, and that is a reason why the County does not see more

conservation easements. Ms. Bragg explained that they have those funds in the Conservancy's reserves, but they will raise the additional funds during the process.

Council Member Ure asked about the possibility of the water being separated from the land in the future. He felt strongly that the water needs to be tied to the land. Ms. Bragg explained that the NRCS requires that enough water rights be tied to the land for it to continue in production. She explained that they are looking into water rights and water use nationwide. Council Member Ure expressed concern that no one has written up all the requirements, and this is the only opportunity the Council will have to review this proposal.

Council Member Robinson noted that the NRCS process does not involve local government at all. However, the Quality Growth Commission has made it a requirement of the LeRay McAllister process to obtain local government consent. The fact that they happen to be asking for ESAP money is a separate process, and the purpose of today's hearing is to get a resolution passed to let the Quality Growth Commission know that the Council agrees with an easement being placed on this property.

Chair Carson opened the public hearing.

There was no public comment.

Chair Carson closed the public hearing.

Council Member Ure made a motion to approve Resolution 2015-13 approving the acquisition of the Ercanbrack Livestock Ranch Conservation Easement. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.

WORK SESSION

Chair Carson called the work session to order at 1:05 p.m.

- **Discuss recommendations of the Summit County Restaurant Tax Committee**

Brooke Hontz stated that this year they were fortunate to have a very large fund to work with. They had requests of a little over \$2.6 million and had \$2.1 million to grant. They did not recommend full funding this year and have retained about \$29,000 in the fund for the reasons outlined in the committee's report.

Chair Carson commented that she appreciated having the previous years' funding amounts for each applicant.

Randy Barton with the Egyptian Theater explained that the Save Our Stages application was denied due to the Code requirements. He would like to see the Council appoint a small group or committee to look into some of the issues organizations like his have with RAP and Restaurant Tax funding to see if they can make some recommendations about how the process can be improved before the next funding cycle.

Council Member McMullin addressed the RAP tax split and recalled that the Council changed that split a few years ago to a 50-50 split. Mr. Barton recalled that was a voter-approved split, and the cultural organizations were not notified of that decision. Council Member McMullin corrected herself and recalled that when it was placed on the ballot the last time, it was proposed as a 50-50 split. Assistant Manager Anita Lewis recalled that was a compromise between the recreation and culture RAP committees and was supported by both. Mr. Barton expressed concern that those who would experience a reduction in funding were never notified. Council Member McMullin explained that, if he voted, he would have seen it.

With regard to the audit, Ms. Lewis recalled that they changed the audit requirements to a tiered requirement depending on the amount of funding the entity receives. Mr. Barton responded that, with the scandals that have been occurring in America, the audit process has become very expensive, and they spent \$18,000 on an audit last year to receive \$60,000 in RAP Tax funds. He believed they may need alternatives to a formal audit.

Council Member McMullin asked Mr. Barton to clarify his question about the amount of funds being made available. Mr. Barton explained that he is baffled, because there has been a boom in growth in the County, but RAP Tax funds have not increased significantly in the last 12 years. He believed the amount should be much higher. Chair Carson suggested that they get the County Auditor to look into that.

- **Discuss recommendations of the Summit County Recreation, Arts, and Parks (RAP) Tax Cultural Committee**

Ben Castro, Chair of the RAP Cultural Committee, reported that they had requests of \$1.2 million and had \$695,216 available to grant. They adopted a scoring system requested by the County Council.

Council Member McMullin asked what it means when the committee applies points based on organizational capacity. Mr. Castro replied that they look at the organizations outreach to the entire County and leadership. He verified that they also look at what percentage of the organization's funding comes from RAP grant funds, and they looked at reducing the audit requirements depending on the amount of funding the entity received. Council Member McMullin asked why someone might receive a low score for cultural vibrancy. Mr. Castro explained that it would depend on the type of programming offered by the organization and the type of programming they provide as defined in the tax Code itself. If they do not meet the criteria that have been established, they would receive a lower score. Council Member McMullin asked what would cause an organization to get a low score for organizational capacity. Mr. Castro replied that they would look at the number of board members, when the board members meet, if they have meeting minutes, what they do for community outreach, and how they interact with other cultural organizations. Council Member McMullin asked how the score relates to the amount requested. Mr. Castro explained that one organization received 100% of what they requested, because they do not have another funding source. All the other applications receive a percent of what they requested depending on how they scored.

Chair Carson stated that it would be helpful to her to see how much the entity requested and received the previous year.

- **Update on UDOT projects, including repair on the Hobson and Judd Lane bridges over I-80, Project on SR-224, and I-80 reconstruction; Matt Zundel, Resident Engineer**

Matt Zundel with UDOT recalled that the eastbound lanes of the I-80 Silver Creek to Wanship project was completed last year, and they are very pleased with the work the contractor did. This year they are working on the westbound lanes. They started in April, and he anticipated that the project would be finished in the fall. He explained that they are laying 12 inches of concrete on a cement-treated asphalt base, which will also allow them to correct some of the super elevations on the highway curves. He explained that, with the high amount of truck traffic on I-80, an asphalt surface wears through much more rapidly than a concrete surface. It is believed that this concrete surface may last up to 40 years. They also switched to a concrete surface because of failure of the asphalt surface due to water stripping the oil off the aggregate, causing the asphalt to disintegrate. He explained that they can grind the surface of the concrete every 10 to 15 years, which also helps it to last longer.

Mr. Zundel discussed the bridge demolition of the Silver Creek bridge over the Rail Trail and reported that they have removed the bridge and started to build it back up. The foundation and the columns are in place.

Mr. Zundel reported on the bridge work being done at Hobson Lane and Judd Lane. Work started June 1, and should continue through the fall of this year. He explained that the work on Hobson Lane will be completed before they start work on the Judd Lane bridge. Hobson Lane is the school bus route, and they want to get that bridge completed before school starts. The contractor prefers to work during the day, because it is safer, and traffic will be restricted to one lane each direction during the construction. They will not reduce speeds through that area, because they want to try to keep traffic moving and keep it from backing up.

Council Member Ure asked if it would be possible to increase the speed limit on I-80 during holidays and weekends when no construction is occurring. Mr. Zundel explained that, during holidays, they have the tow trucks ready to get cars out of the way quickly if there is an accident or breakdown. He did not believe they could increase the speed much and acknowledged that it does slow things down when they get a lot of volume during the weekend or on a holiday.

Mr. Zundel described a project from the Marsac roundabout to Guardsman's Pass that is currently out for bid. The scope of the project is to remove about an inch of asphalt and replace it with new asphalt. With the amount of traffic and truck volume on that road, it should last about 10 years. That project should start about July 27 and continue into mid-September. There will be lane closures down to one-way traffic controlled by flaggers. The work will be done during the daytime, Monday through Saturday, and they will accommodate special events, such as the Tour of Utah.

- **Update from Sundance; Sarah Pearce**

Sarah Pearce with the Sundance Institute explained that Sundance tries to find the highest quality films they can from all over the world and improve the excellence of the operation each year. She reported that over 46,000 people attended the festival this year, 67% of whom were from out of state. Out-of-state visitors created an economic impact of over \$83 million. She explained that they analyze spending by category, and food and beverage spending was up by \$2 million this year and retail purchases were up by \$1 million. She explained that they are supported by 20 official sponsors and hundreds of in-kind providers, but what they spend is not included in their report, although they know they spend a lot of money. \$6.9 million went directly into State and local tax revenues, over 1,300 jobs were created to support the Sundance Film Festival, and over 50 Utah vendors were hired to assist with the event.

Ms. Pearce reported that the Festival is trending toward a younger demographic, and they included more children's films this year. This year more than 30,000 non-residents attended, and it was the first visit to the State for more than 9,000 of them. It was determined that the publicity value of media stories about the Festival was \$66.7 million. She explained that they included the Utah Festival Host logo on their banner this year, which was prominently seen in photographs. She reported that they had 3,735 international visitors from 30 countries, and they also take Utah on the road to international festivals in London and Hong Kong as part of Utah tourism promotional opportunities. She discussed the community enrichment associated with the Festival and that they make screenings available to Utah residents and students.

Council Member McMullin acknowledged the Sundance Theater Lab and noted that the Tony Award for Best Musical came from the Sundance Theater Lab. Ms. Pearce explained that the artists support the labs and help people hone their craft.

- **Presentation regarding Bevill exempt soils and the landfills; Jaren Scott, Solid Waste Administrator**

Chair Carson explained that the County has not received an official request from the EPA for use of the County's landfills, but the Council is aware that has been part of the discussions for cleanup of the contaminated soils in the County. She explained that they are exploring their options at this time.

Solid Waste Administrator Jaren Scott stated that he is not an expert on Bevill soils; he is an expert on landfills, and he will discuss how Bevill soils may impact the landfill. He reported that the current cell will be full in the fall of 2017, and the County has already started construction of a new cell, which is projected to last from 2017-2055. He explained that 25% of the space in the landfill will be used for cover material, with 15% being excavated from the site, and 10% being overburden from Utelite. He expressed concern that accepting the Bevill exempt material will shorten the life of the landfill, and getting permits and developing a new site for another landfill is becoming extremely more difficult and very expensive. Mr. Scott reported that he has communicated with Allan Moore and Matt Sullivan with the State Department of Environmental Quality, and they have confirmed that the landfill could accept materials that are Bevill exempt.

Council Member Armstrong asked what created the exemption. Deputy County Attorney Dave Thomas explained that it was a political exemption. In 1980, six categories of waste were determined, and one category had to do with mining waste. He clarified that the exemption is an exemption from the statutory definition of hazardous waste, which does not mean the soils are not hazardous; it only means they will not be regulated under Subtitle C of RCRA. The soils could be as hot as any other hazardous waste, but they are exempt from the RCRA regulations. If states or local governments want to regulate them, they can. When the federal government analyzed it and found there were so many of these soils, especially mine tailings, and the costs were so prohibitive to regulate them, they exempted them, and it is up to the local government to regulate them if they want to. The State of Utah has decided to follow the EPA regulations. If the County takes these materials into its landfill and they leach into the watershed, the County would become the responsible party for cleanup.

County Manager Tom Fisher commented that the Council will have to determine what level of risk it is willing to accept. He assumed they could set a threshold of what they want or do not want. Mr. Thomas confirmed that they could, and they could look at the liner in the cell and other steps to mitigate the risk. Council Member Armstrong stated that he understands they would not only be liable for managing the landfill depository for the life of the landfill, but after they close it, there is another 30-year obligation to manage the site to be sure it stays clean. Mr. Scott confirmed they would have to cap the landfill properly and continue to monitor the water and the site for another 30 years.

Council Member Ure asked about the additional cost to put the liner in place if they decide to accept the Bevill exempt soils. Mr. Scott explained that they would create their own definition, because there is nothing else in place for accepting these materials. The liner the County will put in meets the liner requirements for a new best-practice landfill. Mr. Thomas explained that the Council would have to decide what level of risk it is willing to take, because the Bevill exempt material would simply be solid waste. They would have to see if the proposed liner satisfies best practices for accepting mine tailings or if they need to do something else. The better the liner, the more costly it will be, which should decrease the risk, but there is no specific requirement.

Mr. Scott discussed some of the precautions and special measures that would have to be taken if the Bevill exempt material is brought into the landfill, especially relating to employee safety. He also discussed impacts that could occur in the event of a catastrophic event, such as an earthquake, that could cause materials to migrate. He noted that the 3-Mile landfill is in the Weber watershed, and contamination could affect a major water source for many people, with no way to quantify the County's liability if the drinking water were contaminated. He also discussed environmental concerns related to moving contaminated soils from one location to another. He noted that there are factors that could cause any liner to fail. He reported that, since he has been a County employee, they have not accepted any soils from the Park City area at the landfill. There have been claims that some material was accepted previous to that, but he has not been able to find any evidence that it was.

Mr. Scott discussed other possibilities for disposal of the Bevill exempt soils and noted that they do not have to be deposited in a Class 1 facility. The landfill in Henefer is a Class 4 facility and can accept soils and construction materials. They could develop and line a cell in Henefer or in a

different site to accept this material, which would keep the Class 1 landfill from being used up. Chair Carson noted that Henefer would also not be in the Weber River drainage. Another option would be to cooperatively develop a site in another location that would be a safer alternative.

Council Member Armstrong asked why the waste from Park City would have to go to the County's landfill and why it could not go to any Class 1 landfill. Mr. Thomas replied that it could. Council Member Armstrong asked how mine tailings become declassified as Bevill exempt. Mr. Thomas explained that the EPA has a classification guide that is quite extensive, and he has not had a discussion with EPA and does not know how they define everything. It was his understanding that they would separate out what they classify as hazardous waste from that which is Bevill exempt. The hazardous waste would have to go to a CERCLA depository, and the Bevill exempt waste could go anywhere. If the material meets the EPA's checklist for Bevill exempt materials, it would be classified as Bevill exempt. He stated that an environmental scientist could probably explain the difference between Bevill exempt and hazardous waste as it applies to mine tailings.

Chair Carson asked how they could determine that the soils coming into the landfill qualify as Bevill exempt. She did not want to take the word of whoever brings it to the landfill. Mr. Scott replied that they could sample the soil and send it to the lab to test it. He stated that his staff does not accept any soils into the landfill.

Council Member Armstrong stated that he did not know why they would want to move potentially toxic soils from a moderately sensitive area to a watershed. Mr. Thomas explained that the County could set its own parameters regarding the level of contamination it is willing to take. Council Member Armstrong asked at what cost to the County. Mr. Scott explained that the generator of the materials is supposed to do the sampling and send a lab report to the County. Mr. Thomas explained that the Council would decide what level of risk it is willing to take. If they want no risk, there may need to be a different solution. If there is a small amount of risk, perhaps they could encapsulate a minimum amount of contamination.

Council Member Robinson stated that the biggest concern for him is that sites for landfills are hard to come by. Using a Class 1 landfill to dispose of Bevill exempt waste that could go into some other location would potentially use up a scarce landfill resource. He believed a better solution would be to find other places to take Bevill exempt materials that would not be adjacent to major waterways. Council Member Ure commented that, if they were to go the expense of upgrading a Class 4 landfill to be able to receive Bevill exempt materials, it would make it almost the same as a Class 1 landfill. Council Member Robinson stated that there is still a lot they need to understand and suggested that they may want to get a consultant to help them better understand this issue.

Mr. Scott explained that there are places to take the soils now, but they are far away. If the County fills its landfill with this type of waste, it will find itself having to take its waste far away.

Council Member Armstrong agreed that they do not want to use up their Class 1 landfill and then have to find another site. He agreed that they do not have enough information and that they should hire a consultant to give them the information they need.

Park City Council Member Liza Simpson offered to send the Council Members an email that she believed would answer some of their questions. She stated that Park City has an email from 2010 saying that the County would accept the waste.

Chair Carson stated that the Council needs to set a strong policy regarding what they do and do not want and how to deal with it if or when they do get it. She asked what ordinance is currently on the books. Community Development Director Patrick Putt explained that the Eastern Summit County Development Code includes a definition for a Municipal Landfill that expressly states it is for non-hazardous material only. He interprets that as meaning any hazardous material, including Bevill exempt, would not meet that definition. Accommodating this use in the 3-Mile Canyon facility would necessitate a Code change to identify the appropriate land use, define it in the appropriate way, and set up a process for it.

Mr. Thomas explained that, as they found when they went through the hazardous pipeline process, each federal statute has its own definition of what is hazardous. Chair Carson asked if the County has a definition of hazardous. Mr. Thomas replied that they do not have a definition of hazardous waste, but as they change the Development Code, they would probably need a specific definition of hazardous waste as it applies to hazardous materials. Council Member Armstrong confirmed with Mr. Scott that the landfill currently does not accept any kind of hazardous material.

REGULAR MEETING – (Continued)

- **Pledge of Allegiance**

APPOINT MEMBERS TO THE PEOA RECREATION SPECIAL SERVICE DISTRICT

Council Member Ure made a motion to appoint Jenny Sue Jorgensen and Jim Ayers to the Peoa Recreation Special Service District, with their terms to expire August 31, 2019. The motion was seconded by Council Member Armstrong and passed unanimously, 5 to 0.

COUNCIL COMMENTS

Council Member Armstrong reported that he met with the Joint Transportation Advisory Board (JTAB) yesterday, and the short-range transportation development plan is under way. They have looked at a variety of candidates and narrowed the selection to three candidates. They hope to have the first draft in October and the final plan in January. He asked them to look at express service from Kimball Junction to Park City and an internal circulator. For the Kimball Junction Transit Center, they are looking at about five weeks for the design and are waiting for estimates for an accelerated production schedule. They are looking at a Heber-Kamas transit study, and he asked them to talk to Mayor Marchant for additional information regarding a needs analysis. They also discussed fleet replacement, and are looking at replacing 12 buses. There was some discussion about CNG versus diesel, and he asked them to consider how this fits in with the short-range transportation plan. Mr. Fisher stated that he thought the decision had been made between CNG and diesel, because the facilities cannot handle CNG buses. Council Member

Armstrong stated that he was not certain they had reached a resolution regarding that. Chair Carson asked if there was any discussion about electric buses. Council Member Armstrong stated that Salt Lake offered to loan a CNG bus and an electric. Chair Carson stated that she thought that would be a great idea before they make a decision that involves a 12-year investment. With regard to the RFQ for an organization to conduct a ride the bus campaign, they have narrowed the choices to three and hope to start research in July. He also reported that JTAB is meeting monthly now instead of quarterly to keep the process moving forward.

Council Member Robinson asked what the Council is thinking about Mountain Accord and holding a work session or receiving public input. He would like to start getting the word out starting today. Chair Carson stated that there is a meeting tomorrow, and she has scheduled a meeting with Mr. Fisher, Ms. Lewis, and Council Member Robinson. She did not want to hold a work session on a public hearing until they have the information to make it worthwhile. Council Member Armstrong asked the media to help get the word out when they do schedule a meeting, because they are getting down to the final stages at this point, and getting as much public input as possible will be critical.

Chair Carson reported that the Park City Chamber Bureau Annual Meeting is Wednesday, July 15, and Staff can RSVP for the Council Members.

The Council Members discussed the upcoming meeting schedule and dates they will not be in attendance.

Chair Carson reported that she attended both fundraisers for Jeremy Morgan the previous Saturday, and both were well attended, with an outpouring of support for him and his family.

MANAGER COMMENTS

Mr. Fisher reported that he and Diane Foster, Mr. Putt, and Derrick Radke interviewed four candidates for regional transportation planning director, and he will meet with Brian Bellamy to prepare an offer. He also reported that Mr. Putt is putting together a proposal for a master event license procedure for large events similar to what is done in Park City.

APPROVAL OF MINUTES

MAY 27, 2015

Council Member Armstrong made a motion to approve the minutes of the May 27, 2015, Summit County Council meeting as written. The motion was seconded by Council Member Armstrong and passed unanimously, 4 to 0. Council Member Ure abstained from voting on the motion, as he did not attend the May 27 meeting.

PUBLIC INPUT

Chair Carson opened the public input.

There was no public input.

Chair Carson closed the public input.

TRAVEL TO THE SITE OF THE RIBBON CUTTING

At 3:05 p.m., the Council Members traveled to attend the US-40 underpass ribbon cutting ceremony.

COUNCIL MEMBERS TO ATTEND THE US-40 RECREATION/WILDLIFE UNDERPASS RIBBON CUTTING CEREMONY

The Council Members attended the US-40 Recreation/Wildlife Underpass ribbon cutting ceremony from 4:00 p.m. to 4:45 p.m.

The County Council meeting adjourned at 4:45 p.m.

Council Chair, Kim Carson

County Clerk, Kent Jones

June 19, 2015

Logan Wilde, Chair
MORGAN COUNTY COUNCIL
48 West Young Street, Room 18
Post Office Box 886
Morgan, Utah 84050-0886

Kim Carson, Chair
SUMMIT COUNTY COUNCIL
Post Office Box 980665
Park City, Utah 84098-0665

Re: Petition for Minor Adjustment to County Boundary

Dear Mr. Wilde and Ms. Carson:

The undersigned represents Zions First National Bank ("Zions") regarding the following matters.

On behalf of Zions, we submit this letter as a petition to Morgan and Summit counties to make a minor adjustment to the common county boundary as permitted by Utah Code Ann. § 17-2-209. The minor adjustment proposed is necessary in that the current county boundary appears to dissect a portion of a residence, as graphically shown on the plat submitted herewith. Submitted herewith are the following:

1. County boundary Agreement dated December 20, 1989.
2. Building permit and Certificate of Occupancy.
3. Proposed county line adjustment plat.
4. Boundary Agreement between Zions First National Bank and Kenneth L. and Sue Rae Olson.
5. Parcel descriptions and county line description.
6. Proposed Notice of Impending Boundary Action and Joint Resolution.

The proposed adjustment affects two parcels of property: (1) Morgan County parcel number 01-001-056-03 owned by Kenneth L. Olson and Sue Rae Olson (the "Olson Parcel") and (2) Summit County parcel number SS-BDY-16-1 owned by Zions (the "Zions Parcel"). The

Logan Wilde, Chair
Kim Carson, Chair
Page 2
June 19, 2015

common boundary between these parcels is the county line, but the physical location of the county boundary is uncertain with respect to these parcels.

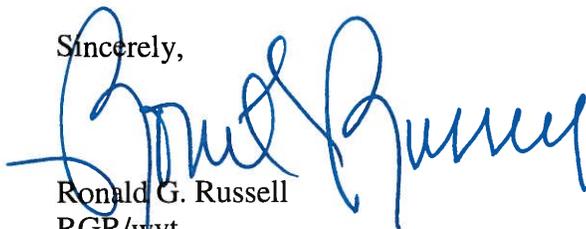
The county boundary is defined by the enclosed Agreement dated December 20, 1989 between Morgan and Summit counties as the "summit" of the mountain range. Under paragraph 3 of that Agreement, both counties acknowledged that "'adjustments' will be required in order that owners of property located in the respective counties may not be subject to double taxation or inconvenienced more than is required to correct the boundaries. . . ."

In this instance, Summit County issued a building permit for the construction of the residence, performed building inspections, and issued a certificate of occupancy as shown by the enclosed building permit and Certificate of Occupancy. Zions made a construction loan for the construction of the residence and understood and expected that the residence would be located on the Zions Parcel in Summit County. The Zions Parcel is located in a "saddle" area at the top of Toll Gate Canyon where the "summit" is not readily apparent. After Zions became the owner of the Zions Parcel through foreclosure, a survey determined that the residence straddles the county line. Litigation between Zions and the Olsons ensued. In settlement of that lawsuit, Zions and the Olsons have agreed to fix the boundary at a location that is both at the "summit" of the mountain range and avoids having the county line dissect the residence.

The proposed boundary location makes practical sense for several reasons. First, the proposed boundary resolves the taxation problem presented by having part of the structure located in each county. Second, Summit County zoning permits a single family residence on the Zions Parcel, but Morgan County's zoning does not permit a residence to be constructed on the Olson Parcel. Third, and most significantly, the new boundary has been agreed upon by the only two affected parties and resolves the pending litigation.

Accordingly, Zions requests that this matter be scheduled for hearing at the earliest possible date and that a joint resolution be adopted by both counties approving the proposed minor boundary adjustment where indicated by the plat submitted herewith.

Sincerely,



Ronald G. Russell
RGR/wvt

Enclosures

c: Teresa Lake (Morgan County Deputy Clerk/Auditor)
Brenda D. Nelson (Morgan County Recorder)
Jann L. Ferris, Esq. (Morgan County Attorney)
David L. Thomas, Esq. (Summit County Chief Civil Deputy Attorney)
MaryAnn Trussell (Summit County Recorder/Surveyor)
Paul M. Belnap, Esq. (Attorney for Kenneth and Sue Rae Olson)

EXHIBIT "1"

AGREEMENT

THIS AGREEMENT made this 20th day of December, 1989, by and between MORGAN COUNTY, and SUMMIT COUNTY, Bodies Corporate and Politic of the State of Utah, hereinafter referred to as "Morgan" and "Summit".

WHEREAS, in July, 1914, a boundary line committee of Summit and Morgan arrived at a recommended boundary line to be used for tax assessment and other purposes, and

WHEREAS, since said time the counties have used the recommended line, and

WHEREAS, as a result of improvement in surveying techniques, it is now possible to mark with some degree of exactitude the line between the two counties as described by the Utah State Legislature in Title 17, Chapter 1, Utah Code Annotated, and

WHEREAS, the County Commissions of the respective counties have now agreed that the boundary line established by reason of the agreement of July, 1914, be rescinded and that the parties to this agreement from the first of January, 1990, return to and recognize as the boundary line between the two counties the line described in the legislative enactments establishing Summit and Morgan,

NOW, THEREFORE, it is agreed as follows:

1. Parties agree that from and after the first day of January, 1990, the boundary line between Morgan and Summit will be as described in Title 17, Chapter 1, Section 18, Utah Code Annotated, describing Morgan County, and Title 17, Chapter 1, Section 25, Utah Code Annotated, describing Summit County.

319125
Summit & Morgan
90 JAN 16 AM 11:14
At 11:35
BY: [Signature]
RECORDED

100 551 PAGE 48-50

2. Parties hereby rescind the agreement setting the boundary lines established by the boundary line committees and accepted by the County Commissioners in July, 1914, and establish the boundary line of Morgan County, as far as it is contiguous with Summit County, as follows:

Beginning at the point on the summit of the Wasatch range of mountains nearest to the eastern headwaters of the Ogden River, thence southwesterly along the summit of said range passing south around the headwaters of the Ogden River to the summit of the main Wasatch range southeast of Ogden City; thence southerly along the summit of said range crossing the Weber Canyon and river to the summit of the cross range through which the upper canyon of East Canyon Creek runs; thence easterly along the summit of said last mentioned range to, and thence northerly along, the summit of the range between East Canyon creek and the Weber river to the Weber river; thence northeasterly across said river and along the summit of the high land between Lost and Echo Canyon creeks to the summit of the Wasatch range separating the valley of the Bear river from the valley of the Weber River; thence northwesterly along the last mentioned summit to the point of beginning.

and that the boundary line of Summit County, as far as it is contiguous with Morgan County, be described as follows:

Beginning in the northern boundary of the state at longitude 110 degrees west, thence west to the southwest corner of Wyoming; thence north to a point east of the point where the north side of the Union Pacific railroad crosses the summit first west of Bear River Valley; thence west to the north side of said railroad; thence southwesterly along the north side of said road to a point one mile east of Wasatch station; thence northerly to the nearest point of the summit of the range of mountains between Bear River and Weber Valleys; thence southwesterly along said last mentioned summit to its intarsection with the summit of the high land between Echo and Lost creeks; thence southwesterly down said last mentioned summit to and directly across the Weber River; thence southerly along the summit of the range separating East canyon from Weber valley to the summit of the cross range through which the upper canyon of East Canyon creek runs; thence westerly to the summit of the Wasatch range; thence southeasterly along said summit to the summit of the range next south of the headwaters of Silver and East Canyon creeks; thence easterly along said last mentioned summit to the point where it is crossed by the road between Rhodes valley and Salt Lake City; thence

southerly to the middle of the channel of the Provo river at the high bluff below Goddard's ranch; thence easterly along the middle of said channel to the headwaters of the said river farthest east; thence east to the summit of the Uintah range; thence northeasterly to the one hundred and tenth meridian of west longitude; thence north to the point of beginning.

3. Parties agree that a number of adjustments will be required in order that owners of property located in the respective counties may not be subject to double taxation or inconvenienced more than is required to correct the boundaries to those established by the legislature of the State of Utah. To accomplish this, the County Commissions of Morgan and Summit agree that they will cooperate that the ends sought in this Agreement may be accomplished with a minimum of inconvenience to all concerned.

IN WITNESS WHEREOF, we have hereunto caused the respective county seals to be attached.

ATTEST:

Priscilla Addison
Clerk of Morgan County

MORGAN COUNTY

By *Jeffrey D. Anderson*
Chairman
Morgan County Commission

APPROVED AS TO FORM

Thomas C. Gentry
County Attorney



James R. Gentry
Clerk of Summit County

SUMMIT COUNTY

By *James R. Gentry*
Chairman
Summit County Commission
State of Utah
County of Summit } ss

AS TO FORM

Franklin P. Henderson
Deputy Summit County Attorney

I, Douglas R. Geary, Clerk of Summit County and of the District and Circuit Courts for Summit County do hereby certify that the foregoing is a full, true and correct copy of the SUMMIT (MORGAN) COUNTY AGREEMENT matter filed STANDARD FILE

889 551 PAGE 50



is the same appears of record and upon file in my office. IN WITNESS WHEREOF I have hereunto set my hand and affix my seal this 10th day of JANUARY, 1972.

Douglas R. Geary
Clerk
Deputy Clerk

EXHIBIT "2"

5/16/06
DEPOSITION
EXHIBIT
10
zelch

SUMMIT COUNTY BUILDING PERMIT APPLICATION

PHONE 435-336-3124 NOTE: 24 hours notice is required for all inspections

Applicant to fill out left side only

OFFICE USE ONLY

Owner of Property Brian Zelch + Korrie Katz	
Phone 801-860-1007	
Mailing Address P.O. Box 572599 84157 <small>murray</small>	
Building Address 16 Canyon RD	
Subdivision Name: Pine meadow Ranch	
Proposed Use of Structure S.F.D.	Assessors Parcel No. SS-BD4-16-1
Total Property Area (In Acres or Sq. Ft.) 3.25	Total Bldg Site Area Used 4210 <small>Sq. Ft.</small>
Dwelling Units Now on Lot? 0	Accessory Bldgs. Now on Lot? 0
Architect/Engineer Lyman Rowley / Lynn Bergeron	Phone
Address 489 W OREM BLVD. OREM, UT 84057	
General Contractor Brian Zelch (owner)	Phone 8018601007
Address P.O. Box 572599	State Lic. No.
Electrical Contractor	Phone
Address	State Lic. No.
Plumbing Contractor	Phone
Address	State Lic. No.
Mechanical Contractor	Phone
Address	State Lic. No.

Plan Check No. 70	Date Issued 5-25-06	Permit Number 06299
\$200.00 Application Fee Paid		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Building Fee Schedule		
Sq. Ft of Bldg:	Valuation: 187,146.03	
Main Floor 2448	Building Fee	1486.55
2nd Floor 396	Plan Check Fee	906.26
Finished Bemt	Electrical Fee	149.77
Garage 1815	Plumbing Fee	81.10
Decks 1218	Mechanical Fee	81.10
Other	Demolition Fee	
Building Description:		Double Fee
No. of Dwellings	1	
No. of Buildings	1	
No. of Stories	1	
Occ. Group R-31 U		
Type of Construction V-B		
Roof Snow Load		
No. of Bathrooms	1% Surcharge	17.99
Fire Sprinklers Required:		
Yes <input type="checkbox"/> No <input type="checkbox"/>	Total	2782.76

Permit Issuance Approved By:
[Signature] **5/19/06**
Building Department's Representative Date

SPECIAL APPROVALS	REQUIRED	RECEIVED
Fire Department		
<input checked="" type="checkbox"/> Water or Well Permit	RED	RED
<input checked="" type="checkbox"/> Sewer or Septic Tank	RED	RED
Road Approach Permit	00-5-78	<i>[Signature]</i>
Recreation District		
Other (specify)		
Special Requirements or Comments:		

NOTICE:
Construction may require installation of underground utilities. Summit County will not allow open excavation of roadways after October 1st. This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days anytime after work is commenced. I hereby certify that I have read and examined and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury.

Signature of Contractor *[Signature]* Date **5-9-06**
Signature of Owner(s) *[Signature]* Date

Zoning Approval:
Zone: **AG-100**
Cert of Survey Required
Cert of Elevation Required
[Signature] **5/25/06**
Zoning Department's Representative Date

County Engineer:
Flood Zone: A B C
[Signature] **3-30-06**
County Engineer's Representative Date



CERTIFICATE OF OCCUPANCY

THIS CERTIFICATE OF OCCUPANCY IS ISSUED BY:
SUMMIT COUNTY BUILDING DEPARTMENT
60 NORTH MAIN
COALVILLE, UT 84017

DATE: August 20, 2009

PERMANENT TEMPORARY

BUILDING ADDRESS: 2540 S. Canyon Rd. Wanship, Utah

PERMIT # 06292

NAME OF OWNER: Korrie Katz

ADDRESS OF OWNER: same as above

THE BUILDING OR PORTION(S) OF THE BUILDING AT THE ABOVE LISTED ADDRESS HAS BEEN INSPECTED FOR COMPLIANCE WITH SUMMIT COUNTY BUILDING CODES AND OCCUPANCY IS HEREBY GRANTED.

OCCUPANCY GROUP (S): R-3/U

TYPE OF CONSTRUCTION: V-B

COMPLETE BUILDING:

BUILDING MINUS BASEMENT:

OTHER (DESCRIBE):

USE OF THIS STRUCTURE FOR ANY OTHER USE, CONVERSION TO ANOTHER OCCUPANCY, ENLARGEMENT, OR ADDITION TO WITHOUT PRIOR APPROVAL BY SUMMIT COUNTY, AS EVIDENCED BY THE ISSUANCE OF A NEW BUILDING PERMIT, IS A VIOLATION OF SECTION 106 OF THE UNIFORM BUILDING CODE AND IS PUNISHABLE BY LAW.

APPROVAL:

Kathy Peck
for _____
BUILDING OFFICIAL

8-20-09
DATE

Community Development Department – Building Division
Summit County Courthouse, 60 North Main, PO Box 128, Coalville, Utah 84017
(435) 336-3122 (Fax) 435 336-3046
kpeck@co.summit.ut.us

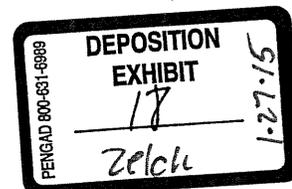
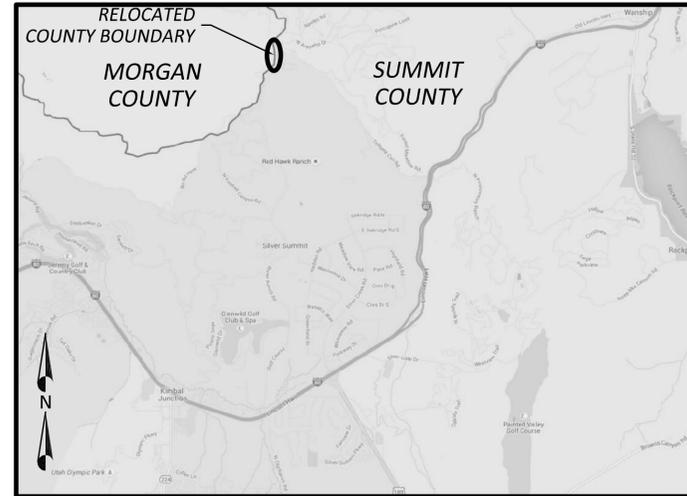


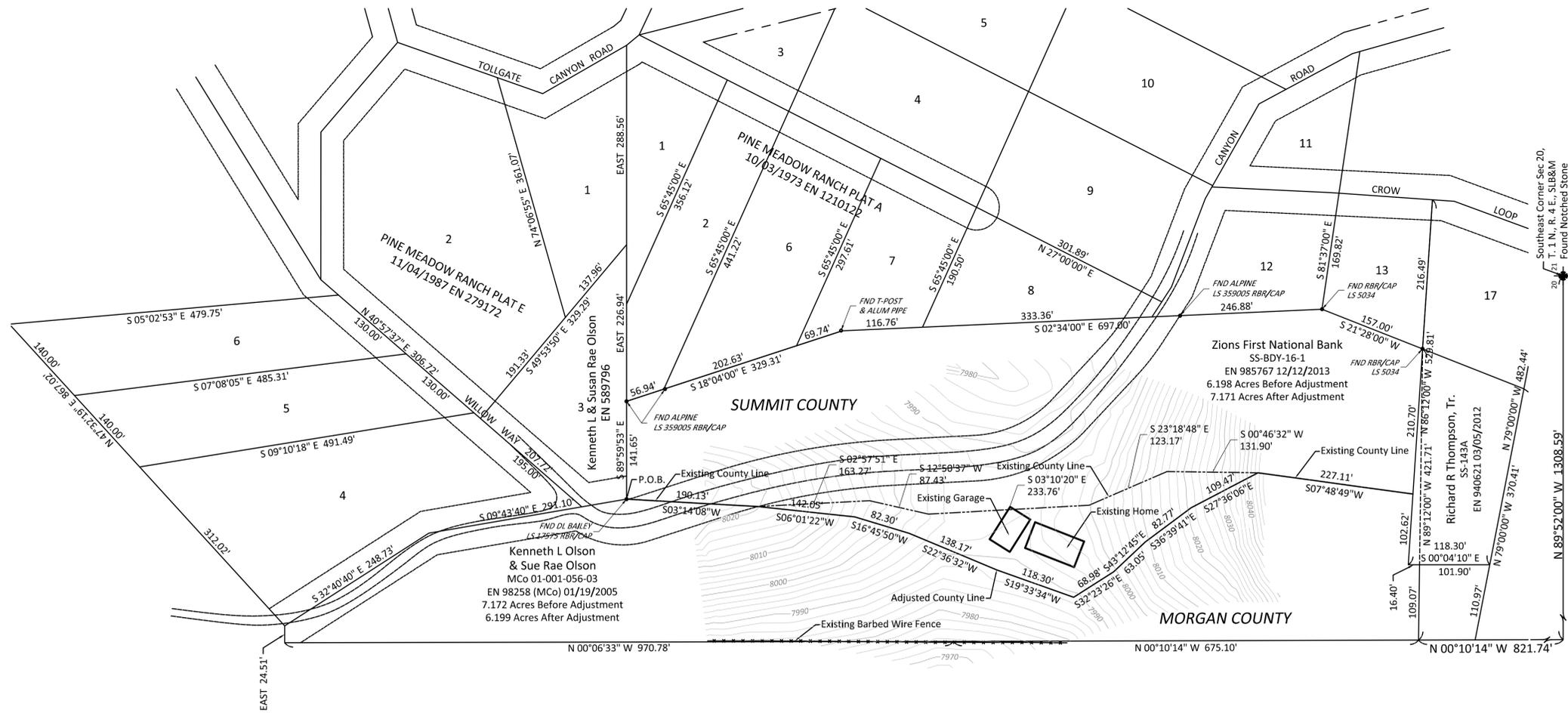
EXHIBIT "3"

TOLLGATE CANYON SUMMIT/MORGAN COUNTY BOUNDARY ADJUSTMENT

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT/MORGAN COUNTY, UTAH.



VICINITY MAP



SURVEYOR'S CERTIFICATE

I, John B. Stahl, do hereby certify that: (I) I am a professional land surveyor licensed in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act; and (II) I have prepared this Final Local Entity Plat of the property described on this plat in accordance with Section 17-23-20.



JUNE 6, 2015

BOUNDARY ADJUSTMENT DESCRIPTION

Beginning at a point on the Morgan/Summit County line, said point being the Southwest corner of Lot 3, Pine Meadow Ranch, Plat E, recorded November 4, 1987 as Entry 279172 in the Summit County records and being located in the Southeast Quarter of Section 20, Township 2 North, Range 4 East, Salt Lake Base and Meridian; and running thence along the existing Morgan/Summit County line and following the summit of the ridge South 03°14'08" West 190.13 feet; thence leaving said existing County line and following the adjusted County line the following eight (8) courses: (1) South 06°01'22" West 142.05 feet, (2) South 16°45'50" West 82.30 feet, (3) South 22°36'32" West 138.17 feet, (4) South 19°33'34" West 118.30 feet, (5) South 32°23'26" East 68.98 feet, (6) South 43°12'45" East 63.05 feet, (7) South 36°39'41" East 82.77 feet, and (8) South 27°36'06" East 109.47 feet to a point on the existing County line and the summit of the ridge; thence along the existing County line and summit of ridge South 07°48'49" West 227.11 feet to a point on the north boundary of the Richard R. Thompson Living Trust property recorded as Entry 940621 in the Summit County records, said point being North 86°12' West 201.70 feet from the Northwest corner of Lot 17, Pine Meadow Ranch, Plat A, recorded October 3, 1973 as Entry 1210122, said point also being the terminus of that portion of the Morgan/Summit County line herein described.

BASIS OF BEARING

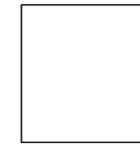
The basis of bearings for this survey was established by a rotation from the found and accepted DL Bailey rebar and cap marking the southwest corner of Lot 3, Pine Meadow Ranch, Plat E, and a best-fit analysis of found lot corner markers as shown. The Geodetic Position of the southwest corner of Lot 3 was determined by OPUS as LAT 40°48'15.08339" LONG -111°30'51.22709" on the reference frame of NAD 83(2011) Epoch:2010.00000 having Utah State Plane North Zone coordinates of North(Y) 1052288.198(m) and East(X) 498799.257(m). All distances are adjusted to an average project grid elevation of 8000 feet above mean sea level. Rotate survey bearings +0°06'59" clockwise to obtain State Plane Grid bearings.

MORGAN COUNTY SURVEYOR

This plat has been reviewed on behalf of the county surveyors and is hereby certified as a Final Local Entity Plat pursuant to Utah Code 17-23-20.

Approved this ___ day of _____, 20__.

Von R. Hill
Acting Morgan County Surveyor



SUMMIT COUNTY SURVEYOR

This plat has been reviewed on behalf of the county surveyors and is hereby certified as a Final Local Entity Plat pursuant to Utah Code 17-23-20.

Approved this ___ day of _____, 20__.

Wade Wilde
Acting Summit County Surveyor



ACCEPTANCE AND JOINT RESOLUTION

Morgan and Summit Counties, for reasons and purposes stated in a Joint Resolution being concurrently recorded herewith, desire to adjust a portion of the county line between their two counties. The two counties hereby resolve that the legislative bodies of both counties adopt and confirm this Final Local Entity Plat and the legal description contained herein as properly depicting the adjusted portion of the boundary line between said counties. This boundary adjustment has been accepted as provided by Utah Code Section 17-2-209.

The County of Morgan approves this Local Entity Plat of TOLLGATE CANYON SUMMIT/MORGAN COUNTY BOUNDARY ADJUSTMENT as shown hereon, and as set forth in the Joint Resolution between Morgan and Summit Counties.
Approved this ___ day of _____, 20__.

The County of Summit approves this Local Entity Plat of TOLLGATE CANYON SUMMIT/MORGAN COUNTY BOUNDARY ADJUSTMENT as shown hereon, and as set forth in the Joint Resolution between Morgan and Summit Counties.
Approved this ___ day of _____, 20__.

LOGAN WILDE, CHAIR
MORGAN COUNTY COUNCIL

ATTESTED TO BY:

STACY LAFITTE
MORGAN COUNTY CLERK

KIM CARSON, CHAIR
SUMMIT COUNTY COUNCIL

ATTESTED TO BY:

KENT JONES
SUMMIT COUNTY CLERK

TOLLGATE CANYON SUMMIT/MORGAN COUNTY BOUNDARY ADJUSTMENT

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT/MORGAN COUNTY, UTAH.

MORGAN COUNTY RECORDER

SUMMIT COUNTY RECORDER

EXHIBIT "4"

COPY NOT FOR RECORDING

AFTER RECORDING PLEASE RETURN TO:

Ronald G. Russell, Esq.
PARR BROWN GEE & LOVELESS
101 South 200 East, Suite 700
Salt Lake City, Utah 84111-3105

BOUNDARY AGREEMENT

This Boundary Agreement is made and entered into this 15th day of JUNE, 2015 between Zions First National Bank, N.A. ("Zions") and Kenneth L. and Sue Rae Olson ("Olsons").

RECITALS:

A. Zions is the owner of the following property located in Summit County, State of Utah (hereinafter referred to as the "Zions Property"):

Beginning at the Northwest corner of Lot 12, Pine Meadow Ranch Plat A, according to the Official Plat thereof, on file and of record in the Office of the Summit County Recorder, said point also being located at a point North 89°52' West 1,308.59 feet, North 0°10'14" West 821.74 feet, North 0°10'14" East 675.10 feet, North 0°06'33" West 970.78 feet; East 24.51 feet; South 32°40'40" East 248.73 feet; South 9°43'40" East 291.10 feet; and South 89°59'53" East 141.65 feet from the Southeast corner of Section 20, Township 1 North, Range 4 East, Salt Lake Base and Meridian; thence along the West boundary of said Plat A, South 18°04' East 329.31 feet; South 2°34' East 697.00 feet; and South 21°28' West 157.00 feet; thence North 89°12' West 99.81 feet to the boundary line between Summit and Morgan Counties; thence along the Summit County boundary line the following courses; North 03°04'01" East 167.56 feet; North 06°58'28" East 241.81 feet; North 03°37'35" West 434.36 feet; and North 22°18'56" West 338.67 feet, more or less, to the point of beginning.

A non exclusive easement and right of way over and across Tollgate Canyon and Canyon Road, as the roads are shown within the bounds of the Pine Meadow Ranch Subdivisions, as the same are recorded in the Office of the Summit County Recorder, as granted in that certain Grant of Easement recorded March 21, 2005 as Entry No. 729869 in Book 1686 at page 574 of Official Records.

Summit County Parcel Identification Number: SS-BDY-16-1.

B. Olsons are the owners of the following-described property located in Morgan County, State of Utah (hereinafter referred to as the "Olson Property"):

Beginning at a point 1308.59 feet North 89°52'00" West and 821.74 feet North 00°10'14" West from the Southeast corner of Section 20, Township 1 North,

COPY NOT FOR RECORDING

Range 4 East, Salt Lake Base and Meridian; thence along an old fence line North 00°10'14" East 675.10 feet and 00°06'33" West 970.78 feet; thence East 24.51 feet; thence South 32°40'40" East 248.73 feet; thence South 09°43'40" East 291.10 feet; thence South 89°59'53" East 141.65 feet to the Northwest corner of Pine Meadow Ranch Plat "A", thence along the West boundary of said Plat "A" (Summit County) South 18°04'00" East 329.31 feet; thence South 02°34'00" East 697.00 feet; thence South 21°28'00" West 157.00 feet; thence North 89°12'00" West 421.71 feet to the point of beginning.

Less and excepting that portion lying in Summit County.

Morgan County Parcel Identification Number: 01-001-056-03.

C. The Zions Property and the Olson Property are adjacent to one another and share a common boundary, which is the line that divides Summit and Morgan counties.

D. The county boundary line is described in an agreement dated December 20, 1989 between Morgan County and Summit County recorded in the Summit County Recorder's office as Entry No. 319142, in Book 551, at Page 48 as running along the "summit" of the range of mountains. Because portions of the Zions Property and the Olson Property sit within a saddle, there is uncertainty as to the exact location of the county line and said line has not been definitively determined.

E. Zions and Olsons desire to fix with certainty the boundary line that exists between their respective properties as set forth in this Boundary Agreement.

NOW, THEREFORE, in consideration of the mutual promises and benefits to be derived therefrom, the parties hereto agree as follows:

1. Agreement on Physical Location of Boundary. Zions and Olsons agree that the county line, which is the boundary between their respective properties, shall be the line more particularly described as follows (hereinafter referred to as the "Boundary Line"):

Beginning at a point on the Morgan/Summit County line, said point being the Southwest corner of Lot 3, Pine Meadow Ranch, Plat E, recorded November 4, 1987 as Entry 279172 in the Summit County records and being located in the Southeast Quarter of Section 20, Township 2 North, Range 4 East, Salt Lake Base and Meridian; and running thence along the existing Morgan/Summit County line and following the summit of the ridge South 03°14'08" West 190.13 feet; thence leaving said existing County line and following the adjusted County line the following eight (8) courses: (1) South 06°01'22" West 142.05 feet, (2) South 16°45'50" West 82.30 feet, (3) South 22°36'32" West 138.17 feet, (4) South 19°33'34" West 118.30 feet, (5) South 32°23'26" East 68.98 feet, (6) South 43°12'45" East 63.05 feet, (7) South 36°39'41" East 82.77 feet, and (8) South 27°36'06" East 109.47 feet to a point on the existing County line and the summit of the ridge; thence along the existing County line and summit of ridge South 07°48'49" West 227.11 feet to

a point on the north boundary of the Richard R. Thompson Living Trust property recorded as Entry 940621 in the Summit County records, said point being North 86°12' West 201.70 feet from the Northwest corner of Lot 17, Pine Meadow Ranch, Plat A, recorded October 3, 1973 as Entry 1210122, said point also being the terminus of that portion of the Morgan/Summit County line herein described.

2. Conveyance by Zions. Zions hereby quitclaims to Olsons all property that is located within the boundaries of the Olson Property which lies westerly of the Boundary Line in Morgan County.

3. Conveyance by Olsons. The Olsons hereby quitclaim to Zions all property that is located within the boundaries of the Zions Property and which lies easterly of the Boundary Line in Summit County.

4. Successors and Assigns. This Boundary Agreement shall be binding upon and inure to the benefit of Zions, Olsons, and their respective heirs, successors, and assigns.

5. County Approval. This Boundary Agreement shall be effective upon (i) the recording of a Certificate of Boundary Adjustment issued by the Lieutenant Governor pursuant to Utah Code Ann. § 17-2-209(b) and § 67-1a-6.5, if the counties treat the process of locating the county line as a minor boundary adjustment, or (2) upon agreement of the county surveyors pursuant to Utah Code Ann. § 17-50-105, if said surveyors determine that the true county boundary location is uncertain.

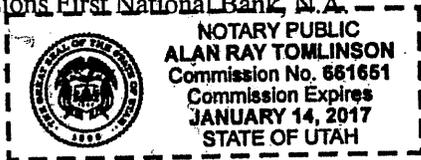
DATED this 9th day of June, 2015.

ZIONS FIRST NATIONAL BANK, N.A.

By: R. Scott Deeds
Its: SVP

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 9th day of June, 2015 by R. Scott Deeds, the Sr. Vice President of Zions First National Bank, N.A.



Alan Ray Tomlinson
NOTARY PUBLIC
Residing In Salt Lake City

My Commission Expires:
1/14/17

SURVEYOR'S CERTIFICATE

AMERICAN LEADERSHIP

BOUNDARY ADJUSTMENT DESCRIPTION

BOUNDARY ADJUSTMENT

ACCEPTANCE AND JOINT RESOLUTION

MORGAN COUNTY SURVEYOR

SUMMIT COUNTY SURVEYOR

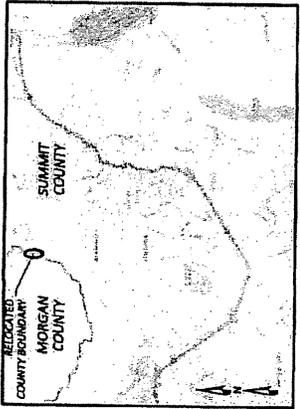
TOLLGATE CANYON SUMMIT/MORGAN COUNTY BOUNDARY ADJUSTMENT

MORGAN COUNTY RECORDER

SUMMIT COUNTY RECORDER

**TOLLGATE CANYON
SUMMIT/MORGAN COUNTY
BOUNDARY ADJUSTMENT**

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 4
EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT/MORGAN COUNTY, UTAH.



VICINITY MAP

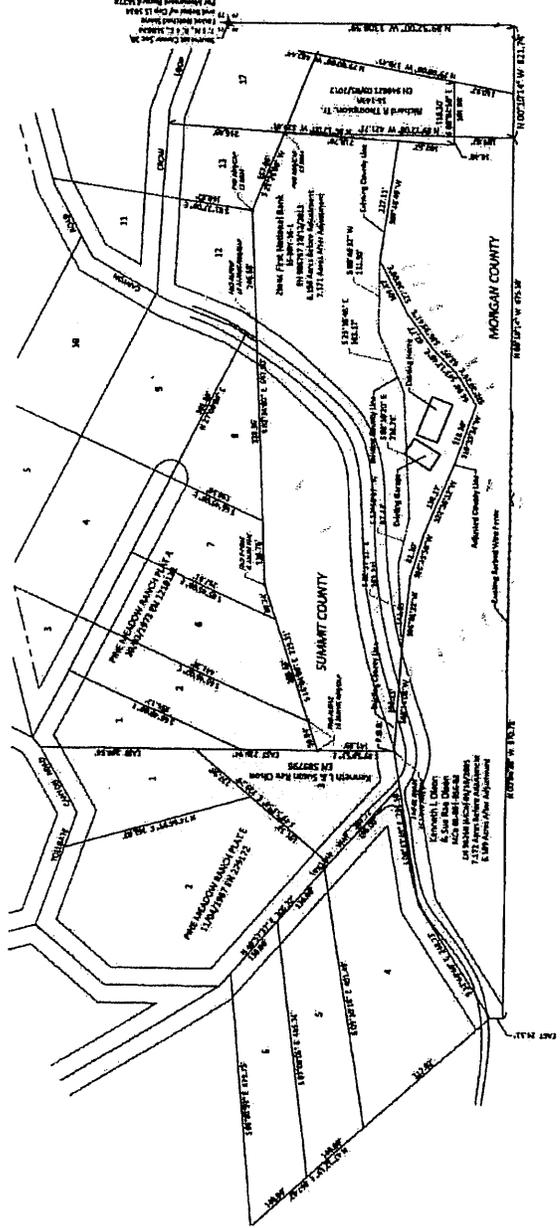


EXHIBIT "5"

County Line Adjustment

Beginning at a point on the Morgan/Summit County line, said point being the Southwest corner of Lot 3, Pine Meadow Ranch, Plat E, recorded November 4, 1987 as Entry 279172 in the Summit County records and being located in the Southeast Quarter of Section 20, Township 2 North, Range 4 East, Salt Lake Base and Meridian; and running thence along the existing Morgan/Summit County line and following the summit of the ridge South 03°14'08" West 190.13 feet; thence leaving said existing County line and following the adjusted County line the following eight (8) courses: (1) South 06°01'22" West 142.05 feet, (2) South 16°45'50" West 82.30 feet, (3) South 22°36'32" West 138.17 feet, (4) South 19°33'34" West 118.30 feet, (5) South 32°23'26" East 68.98 feet, (6) South 43°12'45" East 63.05 feet, (7) South 36°39'41" East 82.77 feet, and (8) South 27°36'06" East 109.47 feet to a point on the existing County line and the summit of the ridge; thence along the existing County line and summit of ridge South 07°48'49" West 227.11 feet to a point on the north boundary of the Richard R. Thompson Living Trust property recorded as Entry 940621 in the Summit County records, said point being North 86°12' West 201.70 feet from the Northwest corner of Lot 17, Pine Meadow Ranch, Plat A, recorded October 3, 1973 as Entry 1210122, said point also being the terminus of that portion of the Morgan/Summit County line herein described.

Morgan County Parcel

Beginning at a point 1308.59 feet North 89°52'00" West and 821.74 feet North 00°10'14" West from the Southeast corner of Section 20, Township 1 North, Range 4 East, Salt Lake Base and Meridian; and running thence along an old fence line North 00°10'14" West 675.10 feet and North 00°06'33" West 970.78 feet; thence East 24.51 feet to the northwest corner of Lot 4, Pine Meadow Ranch, Plat E, recorded November 4, 1987 as Entry 279172 in the Summit County records and the Morgan/Summit County line; thence along said west line South 32°40'40" East 248.73 feet and South 09°43'40" East 291.10 feet to the southwest corner of Lot 3 of said Plat E; thence continuing along said Morgan/Summit County line and following the summit of the ridge South 03°14'08" West 190.13 feet; thence leaving said existing County line and following the adjusted County line the following eight (8) courses: (1) South 06°01'22" West 142.05 feet, (2) South 16°45'50" West 82.30 feet, (3) South 22°36'32" West 138.17 feet, (4) South 19°33'34" West 118.30 feet, (5) South 32°23'26" East 68.98 feet, (6) South 43°12'45" East 63.05 feet, (7) South 36°39'41" East 82.77 feet, and (8) South 27°36'06" East 109.47 feet to a point on the existing County line and the summit of the ridge; thence along the existing County line and summit of ridge South 07°48'49" West 227.11 feet to a point on the north boundary of the Richard R. Thompson Living Trust property recorded as Entry 940621 in the Summit County records, said point being North 86°12' West 201.70 feet from the Northwest corner of Lot 17, Pine Meadow Ranch, Plat A, recorded October 3, 1973 as Entry 1210122; thence along said Trust property North 86°12'00" West 102.62 feet and South 00°04'10" East 16.40 feet to a point North 89°12'00" West 421.71 feet from the Northwest corner of said Lot 17; thence North 89°12'00" West 109.07 feet to the point of beginning, containing 6.199 acres.

Summit County Parcel

Beginning at the Northwest corner of Lot 2, Pine Meadow Ranch, Plat A, recorded October 3, 1973 as Entry 1210122 of the Summit County Records, said point also being located at a point North 89°52'00" West 1308.59 feet, North 0°10'14" West 821.74 feet; North 0°10'14" East 675.10 feet; North 0°06'33" West 970.78 feet; East 24.51 feet; South 32°40'40" East 248.73 feet; and South 9°43'40" East 291.10 feet; and South 89°59'53" East 141.65 feet from the Southeast corner of Section 20, Township 1 North, Range 4 East, Salt Lake Base and Meridian; thence along the West boundary of said Plat A, and running thence South 18°04'00" East 329.31 feet, South 2°34'00" East 697.00 feet, and South 21°28'00" West 157.00 feet to the Northwest corner of Lot 17 of said Plat A; thence along the north boundary of the Richard R. Thompson Living Trust property recorded as Entry 940621 in the Summit County records North 86°12'00" West 210.70 feet to the Morgan/Summit County line; thence along the Morgan/Summit County line and the summit of the ridge North 07°48'49" East 227.11 feet; thence along the adjusted Morgan/Summit County line the following eight (8) courses: (1) North 27°36'06" West 109.47 feet, (2) North 36°39'41" West 82.77 feet, (3) North 43°12'45" West 63.05 feet, (4) North 32°23'26" West 68.98 feet, (5) North 19°33'34" East 118.30 feet, (6) North 22°36'32" East 138.17 feet, (7) North 16°45'50" East 82.30 feet, and (8) North 06°01'22" East 142.05 feet to a point on the Morgan/Summit County line and the summit of the ridge; thence along the Morgan/Summit County line and summit of ridge North 03°14'08" East 190.13 feet to the Southwest corner of Lot 3, Pine Meadow Ranch, Plat E, recorded November 4, 1987 as Entry 279172 in the Summit County records; thence along the south boundary of said Lot 3 South 89°59'53" East 141.65 feet to the point of beginning, containing 7.171 acres.

EXHIBIT "6"

NOTICE OF IMPENDING BOUNDARY ACTION

67-1a-6.5(3)

To: Lieutenant Governor

Morgan County and Summit County desire to make a minor adjustment to a portion of the boundary between them.

We hereby verify and certify that all requirements applicable to the boundary action in Section 20, Township 2 North, Range 4 East, Salt Lake Base and Meridian have been met.

Dated: _____

MORGAN COUNTY COUNCIL

SUMMIT COUNTY COUNCIL

By _____
Logan Wilde, Chair

By _____
Kim Carson, Chair

Attest:

Attest:

By _____
Stacy Laffite
Morgan County Clerk

By _____
Kent Jones
Summit County Clerk

RESOLUTION _____ (MORGAN COUNTY)
RESOLUTION NO. _____ (SUMMIT COUNTY)

A JOINT RESOLUTION OF THE COUNTY COUNCILS OF MORGAN COUNTY, UTAH AND SUMMIT COUNTY, UTAH APPROVING A BOUNDARY ADJUSTMENT BETWEEN THE TWO COUNTIES AND ADOPTING FINAL LOCAL ENTITY PLATS.

RECITALS

WHEREAS, pursuant to Article XI, Section 3, of the Utah Constitution, counties sharing a common boundary may, through their county legislative bodies, make a minor adjustment, as defined by statute, to the common boundary; and

WHEREAS, § 17-2-209(1)(a) Utah Code Annotated (1953), *as amended*, ("UCA") states that counties sharing a common boundary may, in accordance with the provisions of § 17-2-209(2), UCA and Article XI, Section 3, of the Utah Constitution and for purposes of real property tax assessment and county record keeping, adjust all or part of the common boundary to move it a sufficient distance to reach to, and correspond with, the closest existing property boundary of record; and

WHEREAS, the boundary adjustment proposed hereby will not create a boundary line that divides or splits an existing parcel; an interest in the property; or a claim of record in either the Morgan County Recorder's Office or the Summit County Recorder's Office; and

WHEREAS, the boundary adjustment proposed by the counties will affect two parcels of private land, the owners of said parcels have requested the adjustment, and each county desires to clarify the boundary line to facilitate the accuracy of recording documents in each county; and

WHEREAS, two joint public hearings were held on the proposed boundary adjustment. One public hearing was held on _____ at the Morgan County Council Chambers in Morgan, Utah; the other public hearing was held on _____ at the Summit County Chambers in Coalville, Utah. As part of said public hearings, a proposed map showing the current boundary lines and delineating the new boundary lines was presented for review and public comment; and

WHEREAS, in addition to the regular notice required for public meetings, each county mailed written notice to all real property owners of record whose property could change counties as a result of the proposed boundary adjustment; and

WHEREAS, Morgan County and Summit County now find that making the boundary adjustment for the reasons and purposes set forth above are in the best interests of the respective counties and its citizens, and will result in equitable tax assessing and record keeping uniformity in each county.

NOW, THEREFORE, BE IT RESOLVED by the County Councils of Morgan County and Summit County:

Section 1. Adoption of Recitals. The Recitals set forth above are hereby adopted and incorporated into this resolution by reference, as though fully set forth herein.

Section 2. Plat Adoption. The plats attached hereto and incorporated herein by reference, delineating the new boundary lines and adjusting the boundary between Morgan County and Summit County are hereby adopted in conformity with § 17-23-20(4) UCA, as final local entity plans of Morgan County and Summit County.

Section 3. Impending Boundary Action. The governing boards of each county shall within fifteen (15) days after adopting this resolution, jointly send to the Utah Lieutenant Governor a copy of a notice of an impending boundary action, as defined by, and meets the requirements of § 67-1a-615 UCA, together with a copy of the approved final local entity plats.

Section 4. Effective Date. This resolution shall become effective on _____.

Section 5. Repeal of Conflicting Resolutions and Plats. To the extent that any resolutions, policies or plats of Morgan County and Summit County conflict with the provisions of this resolution and the plats adopted hereby, they are amended to be in accordance with the terms and provisions of this resolution, and to the extent they cannot be amended to be in accordance with this resolution, they are hereby repealed.

RESOLUTION APPROVED AND ADOPTED by the unanimous or majority vote of the Morgan County Council this _____ day of _____, 2015.

VOTING

Tina Cannon	_____	_____	Yes	No
John Barber	_____	_____	Yes	No
Robert Kilmer	_____	_____	Yes	No
Daryl Ballantyne	_____	_____	Yes	No
Austin Turner	_____	_____	Yes	No
Ned Mecham	_____	_____	Yes	No

MORGAN COUNTY COUNCIL

By: _____
Logan Wilde, Chair

Attest: _____
Stacy Lafitte
Morgan County Clerk

RESOLUTION APPROVED AND ADOPTED by the unanimous or majority vote of the Summit County Council this _____ day of _____, 2015.

VOTING

Roger Armstrong

Yes No

Claudia McMullin

Yes No

Chris Robinson

Yes No

Dave Ure

Yes No

SUMMIT COUNTY COUNCIL

By: _____
Kim Carson, Chair

Attest: _____
Kent Jones
Summit County Clerk

STAFF REPORT

TO: Summit County Council of Governments
FROM: Matt Leavitt – Summit County Financial Officer
DATE: June 25, 2015
SUBJECT: Summit County Community Development Agency Budget



In 2014, as part of the 2015 budget discussions, the Summit County Council considered the Be Wise, Energize program as part of the Sustainability Department budget. As part of those budget discussions, it was decided to wait until more information became available before adopting a budget for the program. ***Although the Be Wise, Energize program is still in the nascent stages and lacking specific details, a program budget setting forth the anticipated costs and revenues is required by Utah State Code 17C-4-204. Anticipated costs and revenues of the program have been provided by the Sustainability Coordinator in conjunction with Zions Bank Public Finance.***

THE “BE WISE, ENERGIZE” PROGRAM

The presentation of the Be Wise, Energize program during the 2015 budget discussions offered all primary residents of Summit County the opportunity to apply to the program to make energy audits of their homes, review the results of those audits, make certain efficiency improvements and later monitor those improvements, provided by sub-market interest loans through the County. The objective is to lower carbon footprints, increase homeowner utility efficiencies and provide new opportunities to the local economy at little or no cost to the County.

PROGRAM REVENUE SOURCES

The source of the loan program is a \$4.3 million bond secured by the sales and use taxes of the County. A federal subsidy program known as the Qualified Energy Conservation Bonds (QECB) allows for a portion of the interest rate of the County’s long-term debt to be reimbursed. This subsidy to be received by the County has been built into future revenues, but, according to the debt service schedule, none is estimated to be received in 2015.

The objective of the program is to engage approximately 300 primary homeowners making the average loan about \$14 thousand for weatherization improvements. Homeowners would then be charged a 3.0% interest rate providing the remaining revenue sources to cover the costs over the life of the program. ***For the 2015 budget, revenue sources are anticipated to be \$4.3 million from bond proceeds and \$98 thousand from loan payments.***

ESTIMATED PROGRAM COSTS

The Sustainability Coordinator estimates the costs of administering the Be Wise, Energize over the life of the program to be as follows: a) the unsubsidized portion of the bond interest, estimated \$250 thousand; b) program administration, estimated \$250 thousand; c) loan service administration, estimated \$125 thousand; and d) default and contingencies, estimated \$125 thousand.

Bond closing costs for 2015 are estimated to be approximately \$60 thousand. This amount will be paid as part of the bond proceeds which reduces the total amount available to loan to homeowners to \$4.24 million. Annual debt service payments are scheduled to begin in 2016 and total approximately \$454 thousand. ***For the 2015 budget, expenses are estimated to be \$60 thousand for bond closing costs, \$1.8 million for weatherization improvements, and \$50 thousand for administration costs.***

In full disclosure, the 2015 Sustainability Department budget includes \$63,130 for the Be Wise, Energize program. As of June 10, 2015 the department has spent \$19,154.

CONCLUSION

For the purposes of adopting the 2015 budget for the Summit County Community Development and Renewal Agency, revenues are budgeted at \$4,398,000 and expenditures budgeted at \$1.91 million with \$2,488,000 anticipated to go to fund balance. Additional details will be needed to revise future years' budgets.

ASSUMPTIONS PROVIDED FOR BE WISE, ENERGIZE PROGRAM BUDGET:

Debt Service Schedule (Zions Bank Public Finance):

COUNTY OBLIGATION					
Year	Principal	Interest	Subsidy	Uncovered Portion	Fiscal Total
2015					
2016	410,000.00	174,150.00	(129,860.00)	44,290.00	454,290.00
2017	415,000.00	157,545.00	(117,478.00)	40,067.00	455,067.00
2018	419,000.00	140,737.50	(104,945.00)	35,792.50	454,792.50
2019	423,000.00	123,768.00	(92,291.20)	31,476.80	454,476.80
2020	428,000.00	106,636.50	(79,516.60)	27,119.90	455,119.90
2021	432,000.00	89,302.50	(66,591.00)	22,711.50	454,711.50
2022	437,000.00	71,806.50	(53,544.60)	18,261.90	455,261.90
2023	441,000.00	54,108.00	(40,347.20)	13,760.80	454,760.80
2024	445,000.00	36,247.50	(27,029.00)	9,218.50	454,218.50
2025	450,000.00	18,225.00	(13,590.00)	4,635.00	454,635.00
	4,300,000.00	972,526.50	(725,192.60)	247,333.90	4,547,333.90

Homeowner Loan Payment Schedule (aggregate average):

PARTICIPANT'S OBLIGATION			
Year	Principal	Interest	Fiscal Total
2015	83,739.93	13,291.00	97,030.93
2016	669,462.28	118,363.77	787,826.05
2017	720,106.59	104,056.03	824,162.62
2018	742,009.32	82,153.30	824,162.62
2019	764,578.24	59,584.38	824,162.62
2020	690,559.91	36,571.78	727,131.69
2021	415,332.52	20,706.38	436,038.90
2022	427,965.25	8,073.65	436,038.90
2023	36,245.96	90.61	36,336.58
2024	-	-	-
2025	-	-	-
	4,550,000	442,891	4,992,891

Estimated Loan Payment Schedule for Smaller Program

	Enter values
Loan amount	\$ 9,000.00
Annual interest rate	3.000%
Loan period in years	5
Start date of loan	9/30/2015
Monthly payment	\$ 161.72
Number of payments	60
Total interest	\$ 703.09
Total cost of loan	\$ 9,703.09

ASSUMPTIONS	
200	no of loans
4,000	min of loan
14,000	max of loan
5	year life
1,800,000	total portion

No.	Payment Date	Beginning Balance	Payment	Principal	Interest	Ending Balance
1	10/30/2015	\$ 9,000.00	\$ 161.72	\$ 139.22	\$ 22.50	\$ 8,860.78
2	11/30/2015	\$ 8,860.78	\$ 161.72	\$ 139.57	\$ 22.15	\$ 8,721.22
3	12/30/2015	\$ 8,721.22	\$ 161.72	\$ 139.92	\$ 21.80	\$ 8,581.30
4	1/30/2016	\$ 8,581.30	\$ 161.72	\$ 140.26	\$ 21.45	\$ 8,441.04
5	3/1/2016	\$ 8,441.04	\$ 161.72	\$ 140.62	\$ 21.10	\$ 8,300.42
6	3/30/2016	\$ 8,300.42	\$ 161.72	\$ 140.97	\$ 20.75	\$ 8,159.45
7	4/30/2016	\$ 8,159.45	\$ 161.72	\$ 141.32	\$ 20.40	\$ 8,018.13
8	5/30/2016	\$ 8,018.13	\$ 161.72	\$ 141.67	\$ 20.05	\$ 7,876.46
9	6/30/2016	\$ 7,876.46	\$ 161.72	\$ 142.03	\$ 19.69	\$ 7,734.43
10	7/30/2016	\$ 7,734.43	\$ 161.72	\$ 142.38	\$ 19.34	\$ 7,592.05
11	8/30/2016	\$ 7,592.05	\$ 161.72	\$ 142.74	\$ 18.98	\$ 7,449.31
12	9/30/2016	\$ 7,449.31	\$ 161.72	\$ 143.09	\$ 18.62	\$ 7,306.22
13	10/30/2016	\$ 7,306.22	\$ 161.72	\$ 143.45	\$ 18.27	\$ 7,162.77
14	11/30/2016	\$ 7,162.77	\$ 161.72	\$ 143.81	\$ 17.91	\$ 7,018.95
15	12/30/2016	\$ 7,018.95	\$ 161.72	\$ 144.17	\$ 17.55	\$ 6,874.78
16	1/30/2017	\$ 6,874.78	\$ 161.72	\$ 144.53	\$ 17.19	\$ 6,730.25
17	3/2/2017	\$ 6,730.25	\$ 161.72	\$ 144.89	\$ 16.83	\$ 6,585.36
18	3/30/2017	\$ 6,585.36	\$ 161.72	\$ 145.25	\$ 16.46	\$ 6,440.10
19	4/30/2017	\$ 6,440.10	\$ 161.72	\$ 145.62	\$ 16.10	\$ 6,294.49
20	5/30/2017	\$ 6,294.49	\$ 161.72	\$ 145.98	\$ 15.74	\$ 6,148.50
21	6/30/2017	\$ 6,148.50	\$ 161.72	\$ 146.35	\$ 15.37	\$ 6,002.16
22	7/30/2017	\$ 6,002.16	\$ 161.72	\$ 146.71	\$ 15.01	\$ 5,855.44
23	8/30/2017	\$ 5,855.44	\$ 161.72	\$ 147.08	\$ 14.64	\$ 5,708.37
24	9/30/2017	\$ 5,708.37	\$ 161.72	\$ 147.45	\$ 14.27	\$ 5,560.92
25	10/30/2017	\$ 5,560.92	\$ 161.72	\$ 147.82	\$ 13.90	\$ 5,413.10
26	11/30/2017	\$ 5,413.10	\$ 161.72	\$ 148.19	\$ 13.53	\$ 5,264.92
27	12/30/2017	\$ 5,264.92	\$ 161.72	\$ 148.56	\$ 13.16	\$ 5,116.36
28	1/30/2018	\$ 5,116.36	\$ 161.72	\$ 148.93	\$ 12.79	\$ 4,967.43
29	3/2/2018	\$ 4,967.43	\$ 161.72	\$ 149.30	\$ 12.42	\$ 4,818.13
30	3/30/2018	\$ 4,818.13	\$ 161.72	\$ 149.67	\$ 12.05	\$ 4,668.46

Estimated Loan Payment Schedule for Larger Program

	Enter values
Loan amount	\$ 27,500.00
Annual interest rate	3.000%
Loan period in years	7
Start date of loan	1/1/2016
Monthly payment	\$ 363.37
Number of payments	84
Total interest	\$ 3,022.72
Total cost of loan	\$ 30,522.72

Assumptions:	
100	no of loans
15,000	min of loan
40,000	max of loan
7	year life
2,440,000	total portion

No.	Payment Date	Beginning Balance	Payment	Principal	Interest	Ending Balance
1	2/1/2016	\$ 27,500.00	\$ 363.37	\$ 294.62	\$ 68.75	\$ 27,205.38
2	3/1/2016	\$ 27,205.38	\$ 363.37	\$ 295.35	\$ 68.01	\$ 26,910.03
3	4/1/2016	\$ 26,910.03	\$ 363.37	\$ 296.09	\$ 67.28	\$ 26,613.94
4	5/1/2016	\$ 26,613.94	\$ 363.37	\$ 296.83	\$ 66.53	\$ 26,317.11
5	6/1/2016	\$ 26,317.11	\$ 363.37	\$ 297.57	\$ 65.79	\$ 26,019.54
6	7/1/2016	\$ 26,019.54	\$ 363.37	\$ 298.32	\$ 65.05	\$ 25,721.22
7	8/1/2016	\$ 25,721.22	\$ 363.37	\$ 299.06	\$ 64.30	\$ 25,422.16
8	9/1/2016	\$ 25,422.16	\$ 363.37	\$ 299.81	\$ 63.56	\$ 25,122.35
9	10/1/2016	\$ 25,122.35	\$ 363.37	\$ 300.56	\$ 62.81	\$ 24,821.79
10	11/1/2016	\$ 24,821.79	\$ 363.37	\$ 301.31	\$ 62.05	\$ 24,520.48
11	12/1/2016	\$ 24,520.48	\$ 363.37	\$ 302.06	\$ 61.30	\$ 24,218.41
12	1/1/2017	\$ 24,218.41	\$ 363.37	\$ 302.82	\$ 60.55	\$ 23,915.59
13	2/1/2017	\$ 23,915.59	\$ 363.37	\$ 303.58	\$ 59.79	\$ 23,612.02
14	3/1/2017	\$ 23,612.02	\$ 363.37	\$ 304.34	\$ 59.03	\$ 23,307.68
15	4/1/2017	\$ 23,307.68	\$ 363.37	\$ 305.10	\$ 58.27	\$ 23,002.58
16	5/1/2017	\$ 23,002.58	\$ 363.37	\$ 305.86	\$ 57.51	\$ 22,696.72
17	6/1/2017	\$ 22,696.72	\$ 363.37	\$ 306.62	\$ 56.74	\$ 22,390.10
18	7/1/2017	\$ 22,390.10	\$ 363.37	\$ 307.39	\$ 55.98	\$ 22,082.71
19	8/1/2017	\$ 22,082.71	\$ 363.37	\$ 308.16	\$ 55.21	\$ 21,774.55
20	9/1/2017	\$ 21,774.55	\$ 363.37	\$ 308.93	\$ 54.44	\$ 21,465.62
21	10/1/2017	\$ 21,465.62	\$ 363.37	\$ 309.70	\$ 53.66	\$ 21,155.92
22	11/1/2017	\$ 21,155.92	\$ 363.37	\$ 310.48	\$ 52.89	\$ 20,845.44
23	12/1/2017	\$ 20,845.44	\$ 363.37	\$ 311.25	\$ 52.11	\$ 20,534.19
24	1/1/2018	\$ 20,534.19	\$ 363.37	\$ 312.03	\$ 51.34	\$ 20,222.16
25	2/1/2018	\$ 20,222.16	\$ 363.37	\$ 312.81	\$ 50.56	\$ 19,909.35
26	3/1/2018	\$ 19,909.35	\$ 363.37	\$ 313.59	\$ 49.77	\$ 19,595.76
27	4/1/2018	\$ 19,595.76	\$ 363.37	\$ 314.38	\$ 48.99	\$ 19,281.38
28	5/1/2018	\$ 19,281.38	\$ 363.37	\$ 315.16	\$ 48.20	\$ 18,966.22
29	6/1/2018	\$ 18,966.22	\$ 363.37	\$ 315.95	\$ 47.42	\$ 18,650.27
30	7/1/2018	\$ 18,650.27	\$ 363.37	\$ 316.74	\$ 46.63	\$ 18,333.53

SUMMIT COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY BUDGET

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Beginning program balance	-	2,487,288	278,773	545,881	855,263	1,206,861	1,460,816	1,424,180	1,386,893	958,220	501,501
Program revenues											
Loan principal payments	83,800	669,500	720,200	742,100	764,600	690,600	415,400	428,000	36,300	-	-
Loan interest payments	13,300	118,400	104,100	82,200	59,600	36,600	20,800	8,100	100	-	-
Total program revenues	97,100	787,900	824,300	824,300	824,200	727,200	436,200	436,100	36,400	-	-
Program expenses											
Weatherization improvements	1,800,000	2,440,000									
Program administration	42,000	84,000	84,000	42,000							
Loan administration	7,813	15,625	15,625	15,625	15,625	15,625	15,625	15,625	7,813		
Total program expenses	1,849,813	2,539,625	99,625	57,625	15,625	15,625	15,625	15,625	7,813	-	-
Excess revenues over (under) expenditures	(1,752,713)	(1,751,725)	724,675	766,675	808,575	711,575	420,575	420,475	28,588	-	-
Other funding sources											
Bond revenues	4,300,000										
Interest rate subsidy		129,860	117,478	104,945	92,291	79,517	66,591	53,545	40,347	27,029	13,590
Bond expenses	(60,000)	(2,500)	(2,500)	(2,500)	(2,500)	(2,500)	(2,500)	(2,500)	(2,500)	(2,500)	(2,500)
Principal payment		(410,000)	(415,000)	(419,000)	(423,000)	(428,000)	(432,000)	(437,000)	(441,000)	(445,000)	(450,000)
Interest payment		(174,150)	(157,545)	(140,738)	(123,768)	(106,637)	(89,303)	(71,807)	(54,108)	(36,248)	(18,225)
Total other funding sources	4,240,000	(456,790)	(457,567)	(457,293)	(456,977)	(457,620)	(457,212)	(457,762)	(457,261)	(456,719)	(457,135)
Net change in program balance	2,487,288	(2,208,515)	267,108	309,383	351,598	253,955	(36,637)	(37,287)	(428,673)	(456,719)	(457,135)
Program ending balance	2,487,288	278,773	545,881	855,263	1,206,861	1,460,816	1,424,180	1,386,893	958,220	501,501	44,366

**A BUDGET RESOLUTION OF THE SUMMIT COUNTY COUNCIL
2015 BUDGET OF THE SUMMIT COUNTY COMMUNITY DEVELOPMENT AND
RENEWAL AGENCY**

WHEREAS, pursuant to UCA §17-36-13 and §17B-1-610, on July 1, 2015 the Summit County Council, acting as the governing body of the Summit County Community Development and Renewal Agency, held a public hearing for the 2015 budget; and,

WHEREAS, the Summit County Council, acting as the governing body of Summit County Community Development and Renewal Agency, finds that it is in the best interests of the County and its local districts to adopt the 2015 budget;

NOW THEREFORE, BE IT RESOLVED, pursuant to UCA §17-36-15.1(2) and §17B-1-614, the Summit County Council, acting as the governing body of Summit County Community Development and Renewal Agency, hereby adopts the 2015 budgets, as shown herein.

APPROVED, ADOPTED, AND PASSED and ordered published by the Summit County Council, this 1st day of July, 2015.

COUNTY COUNCIL
SUMMIT COUNTY, STATE OF UTAH

ATTEST:

By: _____

Kim Carson, Chair

Kent Jones
County Clerk

APPROVED AS TO FORM:

David L. Thomas
Chief Civil Deputy

STAFF REPORT

TO: County Council
FROM: Lisa Yoder – Sustainability Coordinator
DATE: July 1, 2015
SUBJECT: Be Wise, Energize Community Development Area Project Plan and CDA Budget



BACKGROUND

A Community Development Area (CDA) or a Summit County Subsidiary Issuing Authority is required by law to issue the \$4.3M Qualified Energy Conservation Bond (QECCB) allocation for the purpose of funding the countywide **Be Wise, Energize** Residential Energy Efficiency Loan Program.

Adoption of Resolution 2015-12 on May 13, 2015 authorized staff to draft the Be Wise, Energize Community Development Project Area Plan (CDA Plan) and circulate the CDA Plan for the required 30-day public input period. The public input period concluded with a public hearing on July 1, 2015.

This staff report provides the status of the Municipalities' participation in the CDA, a summation of the public input obtained during the public comment period, results of the Program Administration and Loan Servicing RFPs, and next steps for moving forward.

CDA PARTICIPATION

The CDA Plan defines the project; provides specific description of the boundaries of the proposed project area; and describes the public benefit that is broadly available to Summit County residents. The County can only provide the program to the unincorporated area under its jurisdiction unless an incorporated municipality adopts a resolution to be included in the Community Development Area.

To date, the governing bodies of Coalville, Francis, Kamas and Park City have adopted resolutions indicating their desire to be included in the CDA (resolutions attached). Henefer and Oakley City Councils are scheduled to review similar resolutions on July 7 and July 16, 2015 respectively.

PUBLIC INPUT

A Notice of Public Hearing was mailed to all property owners of public record on May 28, 2015. The notice included instructions for accessing the CDA Plan to review and submit comment to staff as well as notice of this public hearing on July 1, 2015.

Staff fielded over 80 calls and responded to four (4) emails requesting information on the CDA Plan. A brief explanation of the need for the CDA Plan to be able to offer the **voluntary** 'Be Wise, Energize' Loan Program countywide, without tax increment, was sufficient to address callers' concerns and elicit consensus support for the program. One citizen recommended including water conservation measures in the eligible upgrades to the homes that will be considered by staff and the selected Program Administrator.

RFP RESULTS

Staff issued Requests for Proposals for Program Administration and Loan Servicing. Three (3) proposals for Program Administration and two (2) proposals for Loan Servicing were received and reviewed by staff. The results of the RFP process did not provide solutions that met the original

expectations, i.e., a program that had revenue neutral impact to the County. An interesting result of the RFP is that several potential providers who had previously expressed interest in the program did not submit a response. The primary reasons for not submitting a proposal included insufficient staff to appropriately take on such a project and the notion that others would provide the needed services.

Staff proposes revising the terms of the RFP for the purpose of re-issuing the project under a Request for Qualifications (RFQ). The intent is to elicit responses from those potential providers who did not respond to the RFP and to obtain refined proposals from those who did respond. Furthermore, issuing a RFQ would allow staff to select qualified respondents to interview and negotiate right-sized services and costs that would meet the original intent of the program.

NEXT STEPS

Staff is scheduled to appear before the Private Activity Bond Authority (PABA) on July 8, 2015 to request a 90-day extension of the QECB issuance. Staff has submitted a summary of progress to date that informs the PABA of the County's due diligence in preparation of the bond issuance. Approval of that extension is expected and will allow additional time to further define the CDA project boundary, re-issue the RFP as an RFQ and refine the CDA budget before a final decision is made to issue the QECB.

RECOMMENDATION

Accept public comment during Public Hearing as scheduled and continue the process until final two (2) municipalities have passed resolutions to be included in the CDA Plan boundary. Continue the RFQ process until the program parameters and final CDA Budget are established.

Resolution No. 2015-2

RESOLUTION OF THE CITY COUNCIL OF COALVILLE CITY (THE "CITY COUNCIL") AUTHORIZING THE SUMMIT COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY TO INCLUDE COALVILLE CITY WITHIN THE BOUNDARIES OF THE **BE WISE, ENERGIZE** COMMUNITY DEVELOPMENT AREA

WHEREAS, the Summit County Community Development and Renewal Agency (the "Agency") is in the process of preparing a Community Development Project Area Plan to implement the **Be Wise, Energize** Residential Energy Efficiency Loan Program within the confines of a Community Development Project Area (together, the "**Be Wise, Energize CDA**"); and,

WHEREAS, the Agency desires to implement the **Be Wise, Energize** Residential Energy Efficiency Loan Program throughout Summit County by creating a CDA which is co-terminus with the boundaries of the county; and,

WHEREAS, UCA §17C-1-204(1) provides that "[a]n agency or community may, by resolution of its board or legislative body, respectively, authorize an agency to conduct urban renewal, economic development, or community development activities in a project area that includes an area within the authorizing agency's boundaries or within the boundaries of the authorizing community if the project area or community is contiguous to the boundaries of the other agency;" and,

WHEREAS, a "community" is defined under UCA §17C-1-102(15) to include a "county, city or town;" and,

WHEREAS, Coalville City is contiguous to the boundaries of the Agency; and,

WHEREAS, there is no tax increment associated with the CDA; and,

WHEREAS, the City Council finds that consenting to and authorizing the inclusion of the City within the boundaries of the CDA is in the best interests of the citizens of the City;

NOW, THEREFORE BE IT RESOVED, by the Legislative Body of Coalville City as follows:

1. Pursuant to UCA §17C-1-204, the City Council consents to and authorizes the Agency to include the City within the boundaries of the **Be Wise, Energize CDA**.
2. The Coalville City Council supports the concept of residential energy efficiency as set forth in the **Be Wise, Energize CDA** and recognizes that no tax increment shall be involved in the implementation of the **Be Wise, Energize CDA**.

EFFECTIVE DATE. This Resolution shall take effect upon adoption by the City Council.

APPROVED AND ADOPTED this by the Coalville City Council by unanimous vote at the regularly scheduled meeting held on the 22nd day of June, 2015.

Councilmember Judd: absent

Councilmember Coleman: aye

Councilmember Anson: aye

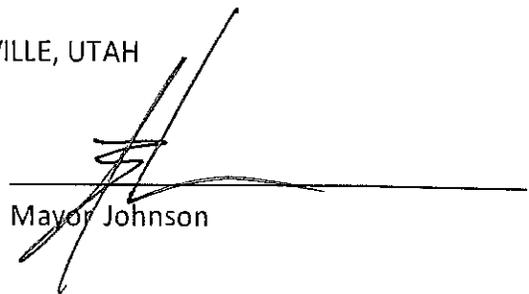
Councilmember Richins: aye

Councilmember Robbins: absent

COALVILLE CITY COUNCIL

COALVILLE, UTAH

By:



Mayor Johnson

ATTEST:



City Recorder

Resolution No. 2015- 07

RESOLUTION OF THE CITY COUNCIL OF FRANCIS (THE "CITY COUNCIL") AUTHORIZING THE SUMMIT COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY TO INCLUDE FRANCIS CITY WITHIN THE BOUNDARIES OF THE **BE WISE, ENERGIZE** COMMUNITY DEVELOPMENT AREA

WHEREAS, the Summit County Community Development and Renewal Agency (the "Agency") is in the process of preparing a Community Development Project Area Plan to implement the **Be Wise, Energize** Residential Energy Efficiency Loan Program within the confines of a Community Development Project Area (together, the "**Be Wise, Energize CDA**"); and,

WHEREAS, the Agency desires to implement the **Be Wise, Energize** Residential Energy Efficiency Loan Program throughout Summit County by creating a CDA which is co-terminus with the boundaries of the county; and,

WHEREAS, UCA §17C-1-204(1) provides that "[a]n agency or community may, by resolution of its board or legislative body, respectively, authorize an agency to conduct urban renewal, economic development, or community development activities in a project area that includes an area within the authorizing agency's boundaries or within the boundaries of the authorizing community if the project area or community is contiguous to the boundaries of the other agency;" and,

WHEREAS, a "community" is defined under UCA §17C-1-102(15) to include a "county, city or town;" and,

WHEREAS, Francis is contiguous to the boundaries of the Agency; and,

WHEREAS, there is no tax increment associated with the CDA; and,

WHEREAS, the City Council finds that consenting to and authorizing the inclusion of the City within the boundaries of the CDA is in the best interests of the citizens of the City;

NOW, THEREFORE BE IT RESOLVED, by the Legislative Body of Francis as follows:

1. Pursuant to UCA §17C-1-204, the City Council consents to and authorizes the Agency to include the City within the boundaries of the **Be Wise, Energize CDA**.
2. The City Council supports the concept of residential energy efficiency as set forth in the **Be Wise, Energize CDA** and recognizes that no tax increment shall be involved in the implementation of the **Be Wise, Energize CDA**.

EFFECTIVE DATE. This Resolution shall take effect upon adoption by the City Council.

APPROVED AND ADOPTED this 11 of June, 2015.

Francis CITY COUNCIL

Francis CITY, UTAH

By: R. Lee Snelgrove
R. Lee Snelgrove, Mayor

ATTEST:

Suzanne Gillett
City Recorder

Resolution No. 2015-04

RESOLUTION OF THE CITY COUNCIL OF KAMAS (THE "CITY COUNCIL")
AUTHORIZING THE SUMMIT COUNTY COMMUNITY DEVELOPMENT AND
RENEWAL AGENCY TO INCLUDE KAMAS CITY WITHIN THE BOUNDARIES
OF THE **BE WISE, ENERGIZE** COMMUNITY DEVELOPMENT AREA

WHEREAS, the Summit County Community Development and Renewal Agency (the "Agency") is in the process of preparing a Community Development Project Area Plan to implement the **Be Wise, Energize** Residential Energy Efficiency Loan Program within the confines of a Community Development Project Area (together, the "**Be Wise, Energize CDA**"); and,

WHEREAS, the Agency desires to implement the **Be Wise, Energize** Residential Energy Efficiency Loan Program throughout Summit County by creating a CDA which is co-terminus with the boundaries of the county; and,

WHEREAS, UCA §17C-1-204(1) provides that "[a]n agency or community may, by resolution of its board or legislative body, respectively, authorize an agency to conduct urban renewal, economic development, or community development activities in a project area that includes an area within the authorizing agency's boundaries or within the boundaries of the authorizing community if the project area or community is contiguous to the boundaries of the other agency;" and,

WHEREAS, a "community" is defined under UCA §17C-1-102(15) to include a "county, city or town;" and,

WHEREAS, Kamas City is contiguous to the boundaries of the Agency; and,

WHEREAS, there is no tax increment associated with the CDA; and,

WHEREAS, the City Council finds that consenting to and authorizing the inclusion of the City within the boundaries of the CDA is in the best interests of the citizens of the City;

NOW, THEREFORE BE IT RESOVED, by the Legislative Body of Kamas as follows:

1. Pursuant to UCA §17C-1-204, the City Council consents to and authorizes the Agency to include the City within the boundaries of the **Be Wise, Energize CDA**.
2. The City Council supports the concept of residential energy efficiency as set forth in the **Be Wise, Energize CDA** and recognizes that no tax increment shall be involved in the implementation of the **Be Wise, Energize CDA**.

EFFECTIVE DATE. This Resolution shall take effect upon adoption by the City Council.

APPROVED AND ADOPTED this 9th of June, 2015.

Kamas CITY COUNCIL

Kamas CITY, UTAH

By: Lewis P. Marchant
Kamas, Mayor

ATTEST:

[Signature]

City Recorder

RESOLUTION NO. 12-15

**RESOLUTION OF THE CITY COUNCIL OF PARK CITY, UT
(THE "CITY COUNCIL") AUTHORIZING THE SUMMIT COUNTY
COMMUNITY DEVELOPMENT AND RENEWAL AGENCY TO
INCLUDE PARK CITY WITHIN THE BOUNDARIES OF THE **BE
WISE, ENERGIZE** COMMUNITY DEVELOPMENT AREA**

WHEREAS, the Summit County Community Development and Renewal Agency (the "Agency") is in the process of preparing a Community Development Project Area Plan to implement the **Be Wise, Energize** Residential Energy Efficiency Loan Program within the confines of a Community Development Project Area (together, the "**Be Wise, Energize CDA**"); and,

WHEREAS, the Agency desires to implement the **Be Wise, Energize** Residential Energy Efficiency Loan Program throughout Summit County by creating a CDA which is co-terminus with the boundaries of the county; and,

WHEREAS, UCA §17C-1-204(1) provides that "[a]n agency or community may, by resolution of its board or legislative body, respectively, authorize an agency to conduct urban renewal, economic development, or community development activities in a project area that includes an area within the authorizing agency's boundaries or within the boundaries of the authorizing community if the project area or community is contiguous to the boundaries of the other agency;" and,

WHEREAS, a "community" is defined under UCA §17C-1-102(15) to include a "county, city or town;" and,

WHEREAS, Park City is contiguous to the boundaries of the Agency; and,

WHEREAS, there is no tax increment associated with the CDA; and,

WHEREAS, the City Council finds that consenting to and authorizing the inclusion of the City within the boundaries of the CDA is in the best interests of the citizens of the City;

NOW, THEREFORE BE IT RESOVED, by the Legislative Body of Park City Municipal Corporation as follows:

1. Pursuant to UCA §17C-1-204, the City Council consents to and authorizes the Agency to include Park City within the boundaries of the **Be Wise, Energize CDA**.
2. The Park City Council supports the concept of residential energy efficiency as set forth in the **Be Wise, Energize CDA** and recognizes that no tax increment shall be involved in the implementation of the **Be Wise, Energize CDA**.

EFFECTIVE DATE. This Resolution shall take effect upon adoption by the City Council.

APPROVED AND ADOPTED this 4th day of June, 2015.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas
Mayor Jack Thomas

ATTEST:

[Signature]

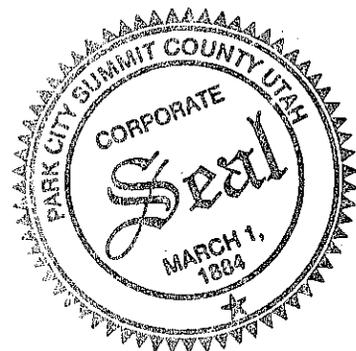
~~Marci Hill, City Recorder~~

Kristin Parker
Asst. City Recorder

APPROVED AS TO FORM:

[Signature]

Mark Harrington, City Attorney



NOTICE OF SPECIAL MEETING

TO THE GOVERNING BODY OF THE SUMMIT COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, STATE OF UTAH:

NOTICE IS HEREBY GIVEN that a special meeting of the Summit County Community Development and Renewal Agency (the "Agency") will be held at the Agency's regular meeting place at ____ p.m. on Wednesday, the 1st day of July, 2015, for the purpose of authorizing a community development project area plan and related matters, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

Clerk

ACKNOWLEDGMENT OF NOTICE
AND CONSENT TO SPECIAL MEETING

We, the Chair and Members of the Summit County Community Development and Renewal Agency do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.

Chair

Member

Member

Member

Member

Coalville, Utah

July 1, 2015

The governing body (the "Board") of the Summit County Community Development and Renewal Agency (the "Agency"), met in special public session at its regular meeting place in Coalville, Utah, on July 1, 2015, at the hour of ____ p.m., with the following members of the Board being present:

Kim Carson	Chair
Roger Armstrong	Member
Claudia McMullin	Member
Chris Robinson	Member
Dave Ure	Member

Also present:

Kent Jones	Clerk
------------	-------

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the Clerk presented to the Board a Certificate of Compliance with Open Meeting Law with respect to this July 1, 2015, 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 Member _____ and seconded by Member _____, was adopted by the following vote:

AYE:

NAY:

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

RESOLUTION NO. _____

A RESOLUTION OF THE GOVERNING BODY OF THE SUMMIT COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY ADOPTING A COMMUNITY DEVELOPMENT PROJECT AREA PLAN AND RELATED MATTERS

WHEREAS, the Summit County Community Development and Renewal Agency (the “Agency”) was created to transact the business and exercise all of the powers provided for in the Limited Purpose Local Government Entities—Community Development and Renewal Agencies Act, Title 17C, Utah Code Annotated, 1953, as amended (the “Act”), and any preceding, subsequent, replacement or amended law or act; and

WHEREAS, pursuant to Section 17C-4-101 of the Act, the governing body of the Agency (the “Board”) on May 13, 2015, authorized by resolution the preparation of a draft community development project area plan; and

WHEREAS, pursuant to Sections 17C-4-102, 17C-4-401, and 17C-4-402 of the Act, the Board has provided the requisite statutory notice and conducted a public hearing on the draft **Be Wise, Energize** Community Development Area Plan (“CDA Plan”); and,

WHEREAS, the Board has considered the oral and written objections, if any, to the draft CDA Plan; and,

WHEREAS, in accordance with UCA §17C-1-204, the municipalities of Henefer, Coalville, Oakley, Kamas, Francis and Park City have adopted resolutions joining the Project Area for the purposes of this CDA Plan; and,

WHEREAS, the Board finds that it is in the best interests of the Agency to adopt the draft CDA Plan;

NOW, THEREFORE, It is Hereby Resolved by the Governing Body of the Summit County Community Development and Renewal Agency as follows:

Section 1. The terms defined or described in the recitals hereto shall have the same meaning when used in the body of this Resolution. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by the officers of the Agency directed toward the preparation of a draft project area plan, are hereby ratified, approved, and confirmed.

Section 2. The Board hereby approves the **Be Wise, Energize** Community Development Area Plan (“CDA Plan”) for a Project Area with geographic boundaries coterminous with the geographic boundaries of Summit County, Utah, as more fully set

forth in Section 3 of the CDA Plan. The CDA Plan, attached hereto as Exhibit A, is incorporated by this reference as though fully set forth herein.

Section 3. The “CDA Plan” qualifies as a green community program for the purpose of issuing low-interest loans to homeowners to reduce residential energy usage, reduce utility costs to homeowners and improve the value of the existing housing stock within the Project Area. Furthermore, the CDA Plan enables county homeowners to reduce their utility costs; and thereby increase both their disposable income and spending power within the local economy, resulting in the creation of additional jobs within Summit County (the “County”).

Section 4. In accordance with Section 17C-4-104(4), the Board finds that the CDA Plan will:

- A. Promote energy conservation and efficiencies, which constitutes a public purpose in accordance with statute.
- B. Provide a public benefit as set forth in Section 13 of the CDA Plan.
- C. Be economically sound and feasible as set forth in Section 6 of the CDA Plan.
- D. Conform to the Eastern Summit County and Snyderville Basin General Plans as set forth in Section 7 of the CDA Plan.
- E. Promote the public peace, health, safety, and welfare of the community by providing a cost effective means for residents to conserve energy.

Section 5. The appropriate officers of the Agency are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. If any one or more sections, sentences, clauses, or parts of this Resolution shall, for any reason, be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this Resolution so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause, or part of this Resolution in any one or more instances shall not affect or prejudice in any way the applicability and validity of this Resolution in any other instances.

Section 7. All resolutions of the Agency in conflict with this Resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Resolution, by-law or regulation, or part thereof, heretofore repealed.

PASSED AND APPROVED this July 1, 2015.

(SEAL)

By: _____
Kim Carson, Chair

ATTEST:

By: _____
Kent Jones, County Clerk

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

(SEAL)

By: _____
Kim Carson, Chair

ATTEST:

By: _____
Kent Jones, County Clerk

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

I, Kent Jones, the duly qualified and acting Clerk of Summit County, Utah do hereby certify according to the records of the Summit County Community Development and Renewal Agency (the “Agency”) in my possession that the foregoing constitutes a true, correct, and complete copy of the minutes of the special meeting of the Agency’s governing board (the “Board”) held on July 1, 2015, as it pertains to a resolution (the “Resolution”) adopted by the Board at said meeting, including the Resolution, as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of the Agency, this July 1, 2015.

(SEAL)

By: _____
 Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Kent Jones, the undersigned Clerk of Summit County, Utah (the “County”) do hereby certify, according to the records of the Summit County Community Development and Renewal Agency (the “Agency”) 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 1, 2015, by the Agency as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the Agency’s principal offices on June ____, 2015, 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;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Park Record on June ____, 2015, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Meeting Notice website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

I further certify that the Agency does not hold regular meetings that are scheduled in advance over the course of a year, but meets on an unscheduled basis from time to time, as needed.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this July 1, 2015.

(SEAL)

By: _____
Clerk

SCHEDULE 1

NOTICE OF MEETING

NOTICE OF SPECIAL MEETING

TO THE GOVERNING BODY OF SUMMIT COUNTY, STATE OF UTAH:

NOTICE IS HEREBY GIVEN that a special meeting of the Summit County Council (the "Council"), the legislative body of Summit County, will be held at the Council's regular meeting place at ____ p.m. on Wednesday, the 1st day of July, 2015, for the purpose of authorizing a community development project area plan and related matters, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

Clerk

ACKNOWLEDGMENT OF NOTICE
AND CONSENT TO SPECIAL MEETING

We, the Chair and Members of the Summit County Council do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.

Chair

Member

Member

Member

Member

Coalville, Utah

July 1, 2015

The governing legislative body (the “Council”) of Summit County (the “County”), met in special public session at its regular meeting place in Coalville, Utah, on July 1, 2015, at the hour of ____ p.m., with the following members of the Board being present:

Kim Carson	Chair
Roger Armstrong	Member
Claudia McMullin	Member
Chris Robinson	Member
Dave Ure	Member

Also present:

Kent Jones	Clerk
------------	-------

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this ordinance had been discussed, the Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this July 1, 2015, meeting, a copy of which is attached hereto as Exhibit A.

The following ordinance was then introduced in writing, was fully discussed, and pursuant to motion duly made by Member _____ and seconded by Member _____, was adopted by the following vote:

AYE:

NAY:

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

ORDINANCE NO. _____

AN ORDINANCE OF THE GOVERNING BODY OF SUMMIT COUNTY
ADOPTING A COMMUNITY DEVELOPMENT PROJECT AREA PLAN AND
RELATED MATTERS

WHEREAS, the Summit County Community Development and Renewal Agency (the “Agency”) adopted Resolution _____, which approved the **Be Wise, Energize** Community Development Area Plan (“CDA Plan”); and,

WHEREAS, pursuant to UCA §17C-4-105, the CDA Plan cannot be effective until it is approved by the legislative body of the community that created the Agency; and,

WHEREAS, in accordance with UCA §17C-1-204, the municipalities of Henefer, Coalville, Oakley, Kamas, Francis and Park City have adopted resolutions joining the Project Area for the purposes of this CDA Plan; and,

WHEREAS, the Council created the Agency through the adoption of Title 2, Chapter 12 of the Summit County Code;

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMMIT COUNTY, UTAH:

Section 1. Pursuant to UCA §17C-4-105, the Council hereby approves the **Be Wise, Energize** Community Development Area Plan (“CDA Plan”) for a Project Area with geographic boundaries coterminous with the geographic boundaries of Summit County, Utah, as more fully set forth in Section 3 of the CDA Plan. The CDA Plan, attached hereto as Exhibit A, is incorporated by this reference as though fully set forth herein. Such CDA Plan shall be the official community development plan of the Project Area.

Section 2. The “CDA Plan” qualifies as a green community program for the purpose of issuing low-interest loans to homeowners to reduce residential energy usage, reduce utility costs to homeowners and improve the value of the existing housing stock within the Project Area. Furthermore, the CDA Plan enables county homeowners to reduce their utility costs; and thereby increase both their disposable income and spending power within the local economy, resulting in the creation of additional jobs within Summit County (the “County”).

Section 3. Notice of the Council’s adoption of the CDA Plan shall be provided as set forth in UCA §17C-4-106 (“Notice”).

Section 4. If any one or more sections, sentences, clauses, or parts of this Ordinance shall, for any reason, be held invalid, such judgment shall not affect, impair, or

invalidate the remaining provisions of this Ordinance, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this Ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause, or part of this Ordinance in any one or more instances shall not affect or prejudice in any way the applicability and validity of this Ordinance in any other instances.

Section 5. All Ordinances in conflict with this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Ordinance, Resolution, by-law or regulation, or part thereof, heretofore repealed.

Section 6. The CDA Plan shall become effective on the date of publication of the Notice, as set forth in Section 3 above, in a newspaper of general circulation within the County.

Section 7. PASSED AND APPROVED this July 1, 2015.

(SEAL)

SUMMIT COUNTY
COUNTY COUNCIL

By: _____
Kim Carson
Chair

ATTEST:

By: _____
Kent Jones
County Clerk

APPROVED AS TO FORM:

By: _____
David L. Thomas
Chief Civil Deputy

VOTING OF COUNTY COUNCIL:

Councilmember Armstrong _____
Councilmember Robinson _____
Councilmember Ure _____
Councilmember Carson _____
Councilmember McMullin _____

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

(SEAL)

By: _____
Kim Carson, Chair

ATTEST:

By: _____
Kent Jones, County Clerk

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

I, Kent Jones, the duly qualified and acting Clerk of Summit County, Utah do hereby certify according to the records of the Summit County (the “County”) in my possession that the foregoing constitutes a true, correct, and complete copy of the minutes of the special meeting of the County’s governing board (the “Council”) held on July 1, 2015, as it pertains to an ordinance (the “Ordinance”) adopted by the Council at said meeting, including the Ordinance, as said minutes and Ordinance are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of the Agency, this July 1, 2015.

(SEAL)

By: _____
 Kent Jones, County Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Kent Jones, the undersigned Clerk of Summit County, Utah (the “County”) do hereby certify, according to the records of the Summit County Council (the “Council”) 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 1, 2015, by the Council as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the Council’s principal offices on June ____, 2015, 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;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Park Record on June ____, 2015, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Meeting Notice website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this July 1, 2015.

(SEAL)

By: _____
Kent Jones, County Clerk

SCHEDULE 1

NOTICE OF MEETING

**NOTICE AS TO THE ADOPTION OF
THE BE WISE, ENERGIZE COMMUNITY DEVELOPMENT AREA PROJECT PLAN**

The Summit County Council adopted Ordinance _____ on July 1, 2015 approving the **Be Wise, Energize CDA Plan** (the “CDA Plan”) for a community development project area consisting of the entirety of Summit County, Utah. The CDA Plan qualifies as a green community program for the purpose of issuing low-interest loans to homeowners to reduce residential energy usage, reduce utility costs to homeowners and improve the value of the existing housing stock within the project area. Furthermore, the CDA Plan enables county homeowners to reduce their utility costs; and thereby increase both their disposable income and spending power within the local economy, resulting in the creation of additional jobs within Summit County.

The CDA Plan is available, including property details, for inspection at the Summit County Courthouse, Office of Sustainability, located at 60 N. Main Street, Coalville, Utah 84017 during regular business hours or on the county website <http://www.summitcounty.org>. For more information, contact Lisa Yoder at (435) 336-3128.