

Auditor



Michael R. Howard

September 23, 2015

Council,

Please consider approval of the 2015 Board of Equalization Stipulations prepared for your review on September 30th.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn Rockhill".

Kathryn Rockhill
BOE Clerk

2015 BOE Adjustments

Account #	Serial #	New Market Value	Old Market Value	MV Difference	New Taxable Value	Old Taxable Value	Taxable Difference	Old Tax Estimate	% Difference	Explanation for adjustment
0434955	WEBE-B-2	\$ 856,470.00	\$ 856,470.00	\$ -	\$ 422,347.00	\$ 767,166.00	\$ (344,819.00)	\$ 6,630.62	-44.95%	To Primary per Ashley
0270532	FVL-1-29-B	\$ 1,025,000.00	\$ 1,025,000.00	\$ -	\$ 563,750.00	\$ 563,750.00	\$ -	\$ 4,780.60	0.00%	Denied No Change made
0210017	FGR-1-40	\$ 935,000.00	\$ 1,140,000.00	\$ (205,000.00)	\$ 935,000.00	\$ 1,140,000.00	\$ (205,000.00)	\$ 9,667.20	-17.98%	concur with appellants analysis of 935,000
0292684	BEL-9-AM	\$ 2,800,000.00	\$ 4,400,000.00	\$ (1,600,000.00)	\$ 2,800,000.00	\$ 4,400,000.00	\$ (1,600,000.00)	\$ 37,312.00	-36.36%	correction of over assessment to 2,800,000
0433072	KVES-1	\$ 150,826.00	\$ 150,826.00	\$ -	\$ 82,954.00	\$ 150,826.00	\$ (67,872.00)	\$ 1,489.11	-45.00%	To Primary per Ashley
0154447	PE-3-301	\$ 79,872.00	\$ 107,557.00	\$ (27,685.00)	\$ 79,872.00	\$ 107,557.00	\$ (27,685.00)	\$ 877.67	-25.74%	To Comparable sales Value
0155022	PE-4-421	\$ 93,184.00	\$ 137,020.00	\$ (43,836.00)	\$ 93,184.00	\$ 137,020.00	\$ (43,836.00)	\$ 1,118.08	-31.99%	To Comparable sales Value
0154892	PE-4-409	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 285.60	-31.43%	To Comparable sales Value
0135974	PRE-6	\$ 677,488.00	\$ 677,488.00	\$ -	\$ 372,618.00	\$ 677,488.00	\$ (304,870.00)	\$ 5,932.08	-45.00%	To Primary per Ashley
0407928	PSSR-33	\$ 1,450,000.00	\$ 2,026,955.00	\$ (576,955.00)	\$ 1,450,000.00	\$ 2,026,955.00	\$ (576,955.00)	\$ 20,449.95	-28.46%	To Comparable sales Value
0392914	WV-31	\$ 240,000.00	\$ 240,000.00	\$ -	\$ 240,000.00	\$ 240,000.00	\$ -	\$ 2,421.36	0.00%	Denied No Change made
0155170	PE-4-436	\$ 162,928.00	\$ 162,928.00	\$ -	\$ 162,928.00	\$ 162,928.00	\$ -	\$ 1,329.49	0.00%	Denied No Change made
0161590	WA-1-11	\$ 36,025.00	\$ 40,256.00	\$ (4,231.00)	\$ 36,025.00	\$ 40,256.00	\$ (4,231.00)	\$ 328.49	-10.51%	To Comparable sales Value
0417984	PSKY-20	\$ 4,682,334.00	\$ 3,745,000.00	\$ 937,334.00	\$ 3,745,000.00	\$ 4,682,334.00	\$ (937,334.00)	\$ 47,240.07	-20.02%	To Comparable sales Value
0417802	PSKY-2	\$ 3,175,000.00	\$ 3,543,338.00	\$ (368,338.00)	\$ 1,746,484.00	\$ 1,949,070.00	\$ (202,586.00)	\$ 19,568.66	-10.39%	To Comparable sales Value
0021380	PC-454-457-447	\$ 9,200.00	\$ 300,000.00	\$ (290,800.00)	\$ 9,200.00	\$ 300,000.00	\$ (290,800.00)	\$ 2,544.00	-96.93%	Adjust value to reflect sidewalk and road.
0344634	WWS-2A-A22	\$ 313,329.00	\$ 313,329.00	\$ -	\$ 172,330.00	\$ 313,329.00	\$ (140,999.00)	\$ 3,279.93	-45.00%	To Primary per Ashley
0430334	PROMR-2-39	\$ 295,000.00	\$ 345,000.00	\$ (50,000.00)	\$ 295,000.00	\$ 345,000.00	\$ (50,000.00)	\$ 3,463.80	-14.49%	To Comparable sales Value
0364129	SDLC-B-320	\$ 230,000.00	\$ 230,000.00	\$ -	\$ 230,000.00	\$ 230,000.00	\$ -	\$ 1,892.44	0.00%	Denied No Change made
0172670	SS-65-A-X	\$ -	\$ 1,000.00	\$ (1,000.00)	\$ -	\$ 1,000.00	\$ (1,000.00)	\$ 10.09	-100.00%	Exempt Property
0408025	LOR-5	\$ 1,232,560.00	\$ 1,309,758.00	\$ (77,198.00)	\$ 1,232,560.00	\$ 1,309,758.00	\$ (77,198.00)	\$ 13,214.15	-5.89%	To Comparable sales Value
0420582	GCC-12	\$ 1,395,000.00	\$ 1,513,625.00	\$ (118,625.00)	\$ 767,250.00	\$ 832,494.00	\$ (65,244.00)	\$ 8,358.24	-7.84%	To Comparable sales Value
0420541	GCC-8	\$ 1,785,231.00	\$ 1,785,231.00	\$ -	\$ 1,785,231.00	\$ 1,785,231.00	\$ -	\$ 17,923.72	0.00%	Denied No Change made
0393003	WV-40	\$ 200,000.00	\$ 240,000.00	\$ (40,000.00)	\$ 200,000.00	\$ 240,000.00	\$ (40,000.00)	\$ 2,421.36	-16.67%	To sale Price
0424428	TCS-54	\$ 825,000.00	\$ 914,207.00	\$ (89,207.00)	\$ 825,000.00	\$ 914,207.00	\$ (89,207.00)	\$ 9,223.43	-9.76%	To Comparable sales Value
0155154	PE-4-434	\$ 79,872.00	\$ 109,496.00	\$ (29,624.00)	\$ 79,872.00	\$ 109,496.00	\$ (29,624.00)	\$ 893.49	-27.05%	To Comparable sales Value
0230262	SMT-A-93	\$ 416,136.00	\$ 504,809.00	\$ (88,673.00)	\$ 228,874.00	\$ 277,645.00	\$ (48,771.00)	\$ 2,431.06	-17.57%	home has issues with differed maintenance, Adjusted value accordingly.
0270524	FVL-1-29-A	\$ 1,025,000.00	\$ 1,025,000.00	\$ -	\$ 1,025,000.00	\$ 1,025,000.00	\$ -	\$ 8,692.00	0.00%	Denied No Change made
0270508	FVL-1-28-A	\$ 1,025,000.00	\$ 1,025,000.00	\$ -	\$ 1,025,000.00	\$ 1,025,000.00	\$ -	\$ 8,692.00	0.00%	Denied No Change made
0253736	ELK-202	\$ 365,000.00	\$ 365,000.00	\$ -	\$ 200,750.00	\$ 365,000.00	\$ (164,250.00)	\$ 3,195.94	-45.00%	To Primary per Ashley
0397046	FPRV-16-A-1	\$ 330,000.00	\$ 330,000.00	\$ -	\$ 181,500.00	\$ 330,000.00	\$ (148,500.00)	\$ 2,715.24	-45.00%	To Primary per Ashley
0024020	PC-654	\$ 332,156.00	\$ 493,192.00	\$ (161,036.00)	\$ 182,685.00	\$ 271,256.00	\$ (88,571.00)	\$ 2,300.25	-32.65%	to fee appraisal value
0154660	PE-3-322	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 285.60	-31.43%	To Comparable sales Value
0154595	PE-3-315	\$ 638,188.00	\$ 638,188.00	\$ -	\$ 638,188.00	\$ 638,188.00	\$ -	\$ 5,207.61	0.00%	Denied No Change made
0154587	PE-3-314	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 285.60	-31.43%	To Comparable sales Value
0154009	PE-1-1	\$ 148,050.00	\$ 183,737.00	\$ (35,687.00)	\$ 148,050.00	\$ 183,737.00	\$ (35,687.00)	\$ 1,499.29	-19.42%	To Comparable sales Value
0154785	PE-3-334	\$ 12,000.00	\$ 17,500.00	\$ (5,500.00)	\$ 12,000.00	\$ 17,500.00	\$ (5,500.00)	\$ 142.80	-31.43%	To Comparable sales Value
0154348	PE-2-229	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 285.60	-31.43%	To Comparable sales Value
0154991	PE-4-418	\$ 135,213.00	\$ 154,251.00	\$ (19,038.00)	\$ 135,213.00	\$ 154,251.00	\$ (19,038.00)	\$ 1,258.69	-12.34%	To Comparable sales Value
0155006	PE-4-419	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 285.60	-31.43%	To Comparable sales Value
0201099	CCR-51	\$ 291,000.00	\$ 337,500.00	\$ (46,500.00)	\$ 291,000.00	\$ 337,500.00	\$ (46,500.00)	\$ 2,862.00	-13.78%	To sales Price
0279756	ASR-4	\$ 1,764,299.00	\$ 1,764,299.00	\$ -	\$ 1,764,299.00	\$ 1,764,299.00	\$ -	\$ 14,961.26	0.00%	Denied No Change made
0174155	SA-186-1	\$ 938,210.00	\$ 938,210.00	\$ -	\$ 516,015.00	\$ 938,210.00	\$ (422,195.00)	\$ 7,956.02	-45.00%	To Primary per Ashley
0072995	LR-3-253	\$ 214,207.00	\$ 214,207.00	\$ -	\$ 117,813.00	\$ 214,207.00	\$ (96,394.00)	\$ 2,358.85	-45.00%	To Primary per Ashley
0271498	BEL-3	\$ 1,300,000.00	\$ 2,022,690.00	\$ (722,690.00)	\$ 1,300,000.00	\$ 2,022,690.00	\$ (722,690.00)	\$ 17,152.41	-35.73%	To Comparable sales Value
0350888	ANCH-2-2AM	\$ 1,027,970.00	\$ 1,027,970.00	\$ -	\$ 565,383.00	\$ 1,027,970.00	\$ (462,587.00)	\$ 8,717.19	-45.00%	To Primary per Ashley
0200984	CCR-40	\$ 350,000.00	\$ 450,000.00	\$ (100,000.00)	\$ 350,000.00	\$ 450,000.00	\$ (100,000.00)	\$ 3,816.00	-22.22%	To sale Price
0268882	NSS-A-2	\$ 769,809.00	\$ 809,924.00	\$ (40,115.00)	\$ 423,394.00	\$ 445,458.00	\$ (22,064.00)	\$ 3,900.43	-4.95%	To Comparable sales Value
0412605	HSD-33	\$ 1,372,317.00	\$ 1,372,317.00	\$ -	\$ 754,774.00	\$ 1,372,317.00	\$ (617,543.00)	\$ 13,845.31	-45.00%	To Primary per Ashley
0393623	DC-49	\$ 1,081,646.00	\$ 1,081,646.00	\$ -	\$ 1,081,646.00	\$ 1,081,646.00	\$ -	\$ 10,859.73	0.00%	Denied No Change made
0407910	PSSR-32	\$ 1,680,000.00	\$ 2,200,010.00	\$ (520,010.00)	\$ 1,680,000.00	\$ 2,200,010.00	\$ (520,010.00)	\$ 22,195.90	-23.64%	To Comparable sales Value
0418065	PSKY-28	\$ 2,878,900.00	\$ 3,538,763.00	\$ (659,863.00)	\$ 2,878,900.00	\$ 3,538,763.00	\$ (659,863.00)	\$ 35,702.58	-18.65%	To Comparable sales Value
0272256	NSS-B-35	\$ 647,361.00	\$ 661,924.00	\$ (14,563.00)	\$ 356,048.00	\$ 364,058.00	\$ (8,010.00)	\$ 3,187.69	-2.20%	To Comparable sales Value
0438907	BJUMP-10	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 4,016.00	-50.00%	To Comparable sales Value
0438915	BJUMP-2	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 4,016.00	-50.00%	To Comparable sales Value
0438956	BJUMP-6	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 4,016.00	-50.00%	To Comparable sales Value
0438964	BJUMP-7	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 4,016.00	-50.00%	To Comparable sales Value
0438972	BJUMP-8	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 4,016.00	-50.00%	To Comparable sales Value
0438980	BJUMP-9	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 4,016.00	-50.00%	To Comparable sales Value
0439004	BJUMP-11	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 4,016.00	-50.00%	To Comparable sales Value
0439012	BJUMP-12	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 4,016.00	-50.00%	To Comparable sales Value
0439020	BJUMP-13	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 4,016.00	-50.00%	To Comparable sales Value

0439038	BJUMP-14	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	4,016.00	-50.00%	To Comparable sales Value
0439046	BJUMP-15	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	4,016.00	-50.00%	To Comparable sales Value
0439053	BJUMP-16	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	4,016.00	-50.00%	To Comparable sales Value
0439061	BJUMP-17	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	4,016.00	-50.00%	To Comparable sales Value
0439079	BJUMP-18	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	4,016.00	-50.00%	To Comparable sales Value
0439087	BJUMP-19	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	4,016.00	-50.00%	To Comparable sales Value
0439095	BJUMP-20	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	4,016.00	-50.00%	To Comparable sales Value
0439103	BJUMP-21	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	4,016.00	-50.00%	To Comparable sales Value
0439111	BJUMP-22	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	4,016.00	-50.00%	To Comparable sales Value
0439129	BJUMP-23	\$	200,160.00	\$	435,160.00	\$	(235,000.00)	\$	200,160.00	\$	435,160.00	\$	(235,000.00)	\$	4,369.01	-54.00%	To Comparable sales Value
0439145	BJUMP-25	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	4,016.00	-50.00%	To Comparable sales Value
0451225	DYECC-21-AM	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	4,016.00	-20.00%	To Comparable sales Value
0451232	DYECC-22-AM	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	4,016.00	-20.00%	To Comparable sales Value
0451249	DYECC-23-AM	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	4,016.00	-20.00%	To Comparable sales Value
0451256	DYECC-24-AM	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	4,016.00	-20.00%	To Comparable sales Value
0451263	DYECC-25-AM	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	4,016.00	-20.00%	To Comparable sales Value
0424394	TCS-51	\$	230,000.00	\$	340,000.00	\$	(110,000.00)	\$	230,000.00	\$	340,000.00	\$	(110,000.00)	\$	3,413.60	-32.35%	To Comparable sales Value
0424402	TCS-52	\$	230,000.00	\$	340,000.00	\$	(110,000.00)	\$	230,000.00	\$	340,000.00	\$	(110,000.00)	\$	3,413.60	-32.35%	To Comparable sales Value
0287478	PC-464-A-2	\$	509,811.00	\$	603,112.00	\$	(93,301.00)	\$	509,811.00	\$	603,112.00	\$	(93,301.00)	\$	5,114.39	-15.47%	To Comparable sales Value
0116586	KE-A-40-A	\$	30,000.00	\$	59,500.00	\$	(29,500.00)	\$	30,000.00	\$	59,500.00	\$	(29,500.00)	\$	514.26	-49.58%	To Comparable sales Value
0090393	NS-144-A	\$	963,687.00	\$	963,687.00	\$	-	\$	480,655.00	\$	480,655.00	\$	-	\$	4,173.05	0.00%	Denied No Change made
0463112	DLADY-1	\$	245,000.00	\$	455,000.00	\$	(210,000.00)	\$	245,000.00	\$	455,000.00	\$	(210,000.00)	\$	3,858.40	-46.15%	Adjust value to reflect dilapidated house.
0463129	DLADY-2	\$	360,000.00	\$	360,000.00	\$	-	\$	360,000.00	\$	360,000.00	\$	-	\$	3,052.80	0.00%	Denied No Change made
0017503	NR-10	\$	838,000.00	\$	988,000.00	\$	(150,000.00)	\$	838,000.00	\$	988,000.00	\$	(150,000.00)	\$	8,378.24	-15.18%	To Comparable sales Value
0423370	BB-65	\$	1,160,293.00	\$	1,160,293.00	\$	-	\$	638,161.00	\$	1,160,293.00	\$	(522,132.00)	\$	11,706.20	-45.00%	To Primary per Ashley
0451201	DYECC-19-AM	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	320,000.00	\$	400,000.00	\$	(80,000.00)	\$	4,016.00	-20.00%	To Comparable sales Value
0407852	PSSR-26	\$	2,758,284.00	\$	3,814,400.00	\$	(1,056,116.00)	\$	2,758,284.00	\$	3,814,400.00	\$	(1,056,116.00)	\$	38,483.48	-27.69%	To Comparable sales Value
0249940	PP-87-10-C-1	\$	670,000.00	\$	670,000.00	\$	-	\$	670,000.00	\$	6,700,000.00	\$	(6,030,000.00)	\$	5,512.76	-90.00%	Denied No Change made
0132229	HE-A-327	\$	447,988.00	\$	447,988.00	\$	-	\$	246,393.00	\$	246,393.00	\$	-	\$	2,157.42	0.00%	Denied No Change made
0133060	HE-A-379-2	\$	676,133.00	\$	690,137.00	\$	(14,004.00)	\$	371,873.00	\$	379,575.00	\$	(7,702.00)	\$	3,323.56	-2.03%	To Comparable sales Value
0175996	SLS-38	\$	795,000.00	\$	864,011.00	\$	(69,011.00)	\$	437,250.00	\$	475,206.00	\$	(37,956.00)	\$	4,160.90	-7.99%	To Comparable sales Value
0439293	BJUMP-40	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	200,000.00	\$	400,000.00	\$	(200,000.00)	\$	4,016.00	-50.00%	To Comparable sales Value
0306013	EKH-D-5	\$	1,508,619.00	\$	1,607,767.00	\$	(99,148.00)	\$	1,508,619.00	\$	1,607,797.00	\$	(99,178.00)	\$	14,077.61	-6.17%	To Comparable sales Value
0060354	GA-A-29	\$	15,000.00	\$	15,000.00	\$	-	\$	15,000.00	\$	20,650.00	\$	(5,650.00)	\$	165.80	-27.36%	to sales price
0286801	SOS-C-69	\$	522,077.00	\$	522,077.00	\$	-	\$	287,142.00	\$	522,077.00	\$	(234,935.00)	\$	2,514.22	-45.00%	To Primary per Ashley
0014864	OT-51-A	\$	185,317.00	\$	185,317.00	\$	-	\$	101,924.00	\$	185,317.00	\$	(83,393.00)	\$	1,749.95	-45.00%	To Primary per Ashley
0454914	SUMHAV-11	\$	224,108.00	\$	274,217.00	\$	(50,109.00)	\$	224,108.00	\$	274,217.00	\$	(50,109.00)	\$	2,870.50	-18.27%	to Actual construction costs
0119424	PM-1-27	\$	96,756.00	\$	112,916.00	\$	(16,160.00)	\$	96,756.00	\$	112,916.00	\$	(16,160.00)	\$	975.93	-14.31%	To Comparable sales Value
0295901	CDE-2	\$	1,611,346.00	\$	1,611,346.00	\$	-	\$	942,109.00	\$	942,109.00	\$	-	\$	8,249.11	0.00%	Denied No Change made
0296024	CDE-14	\$	1,268,755.00	\$	1,345,695.00	\$	(76,940.00)	\$	697,815.00	\$	740,133.00	\$	(42,318.00)	\$	6,480.60	-5.72%	To Comparable sales Value
0295935	CDE-5	\$	1,576,338.00	\$	1,576,338.00	\$	-	\$	902,104.00	\$	902,104.00	\$	-	\$	7,898.82	0.00%	Denied No Change made
0303325	CDE-II-3	\$	1,149,316.00	\$	1,247,210.00	\$	(97,894.00)	\$	642,653.00	\$	696,496.00	\$	(53,843.00)	\$	6,098.52	-7.73%	To Comparable sales Value
0023741	PC-625	\$	406,890.00	\$	556,890.00	\$	(150,000.00)	\$	223,789.00	\$	306,290.00	\$	(82,501.00)	\$	2,597.34	-26.94%	To Comparable sales Value
0475131	71-DA-1	\$	344,235.00	\$	444,235.00	\$	(100,000.00)	\$	189,329.00	\$	244,329.00	\$	(55,000.00)	\$	2,071.91	-22.51%	To Comparable sales Value
0029599	SA-9	\$	527,188.00	\$	602,188.00	\$	(75,000.00)	\$	289,953.00	\$	331,203.00	\$	(41,250.00)	\$	2,808.60	-12.45%	To Comparable sales Value
0026553	SA-152-A	\$	676,944.00	\$	516,702.00	\$	160,242.00	\$	372,319.00	\$	516,702.00	\$	(144,383.00)	\$	4,381.63	-27.94%	100% complete and to Primary per Ashley
0165401	WA-6-621	\$	67,433.00	\$	67,433.00	\$	-	\$	67,433.00	\$	67,433.00	\$	-	\$	550.25	0.00%	Denied No Change made
0232094	SS-2047-U-Z	\$	31,650.00	\$	31,650.00	\$	-	\$	31,650.00	\$	31,650.00	\$	-	\$	258.26	0.00%	Denied No Change made
0165393	WA-6-620	\$	36,610.00	\$	36,610.00	\$	-	\$	36,610.00	\$	36,610.00	\$	-	\$	298.74	0.00%	Denied No Change made
0162119	WA-10-1018	\$	65,867.00	\$	82,683.00	\$	(16,816.00)	\$	65,867.00	\$	82,683.00	\$	(16,816.00)	\$	674.69	-20.34%	To Comparable sales Value
0407654	PSSR-7	\$	1,483,400.00	\$	1,867,600.00	\$	(384,200.00)	\$	1,483,400.00	\$	1,867,600.00	\$	(384,200.00)	\$	18,842.22	-20.57%	To Comparable sales Value
0148589	FT-2021	\$	134,386.00	\$	140,123.00	\$	(5,737.00)	\$	76,493.00	\$	79,649.00	\$	(3,156.00)	\$	833.77	-3.96%	To sales Price
0272116	FT-2021-C	\$	44,524.00	\$	56,588.00	\$	(12,064.00)	\$	24,488.00	\$	31,124.00	\$	(6,636.00)	\$	325.81	-21.32%	To sales Price
0262273	CD-2021-C	\$	27,090.00	\$	56,347.00	\$	(29,257.00)	\$	27,090.00	\$	56,347.00	\$	(29,257.00)	\$	498.61	-51.92%	To sales Price
0141212	FM-C-83	\$	570,507.00	\$	570,507.00	\$	-	\$	327,373.00	\$	327,373.00	\$	-	\$	2,816.06	0.00%	Denied No Change made
0404941	QJPB-A-4-1AM	\$	2,500,000.00	\$	2,816,000.00	\$	(316,000.00)	\$	2,500,000.00	\$	2,816,000.00	\$	(316,000.00)	\$	23,170.05	-11.22%	Property valuation adjusted for equalization.
0404982	QJPB-A-8-1AM	\$	2,400,000.00	\$	2,923,000.00	\$	(523,000.00)	\$	2,400,000.00	\$	2,923,000.00	\$	(523,000.00)	\$	24,050.44	-17.89%	Property valuation adjusted for equalization.
0145361	PI-58	\$	177,996.00	\$	177,996.00	\$	-	\$	101,614.00	\$	177,996.00	\$	(76,382.00)	\$	1,531.12	-42.91%	To Primary per Ashley
0142095	FM-D-169	\$	713,261.00	\$	713,261.00	\$	-	\$	400,476.00	\$	713,261.00	\$	(312,785.00)	\$	6,135.47	-43.85%	To Primary per Ashley
0163331	WA-15-5	\$	47,955.00	\$	47,955.00	\$	-	\$	47,955.00	\$	47,955.00	\$	-	\$	391.31	0.00%	Denied No Change made
0154645	PE-3-320	\$	170,000.00	\$	223,962.00	\$	(53,962.00)	\$	170,000.00	\$	223,962.00	\$	(53,962.00)	\$	1,827.53	-24.09%	To Comparable sales Value
0378640	RRH-32	\$	300,000.00	\$	437,500.00	\$	(137,500.00)	\$	300,000.00	\$	437,500.00	\$	(137,500.00)	\$	1,827.53	-31.43%	To Comparable sales Value
0295984	CDE-10	\$	1,857,428.00	\$	1,857,428.00	\$	-	\$	1,027,436.00	\$	1,027,436.00	\$	-	\$	8,996.23	0.00%	Denied No Change made
0065353	SU-H-51	\$	519,890.00	\$	645,877.00	\$	(125,987.00)	\$	285,939.00	\$	355,232.00	\$	(69,293.00)	\$	3,110.41	-19.51%	To Comparable sales Value
0065155	SU-H-33	\$	82,450.00	\$	82,450.00	\$	-	\$	82,450.00	\$	82,450.00	\$	-	\$	721.93	0.00%	Denied No Change made
0065163	SU-H-34	\$	82,450.00	\$	82,450.00	\$	-	\$	82,450.00	\$	82,450.00	\$	-	\$	721.93	0.00%	Denied No Change made

0372825	GWLD-98	\$ 2,434,026.00	\$ 2,434,026.00	\$ -	\$ 2,434,026.00	\$ 1,338,714.00	\$ 1,095,312.00	\$ 11,014.94	81.82%	To Non primary per Ashley
0068464	SU-M-2-1	\$ 400,268.00	\$ 464,861.00	\$ (64,593.00)	\$ 220,147.00	\$ 239,174.00	\$ (19,027.00)	\$ 2,094.21	-7.96%	To Comparable sales Value
0065585	SU-H-77	\$ 408,379.00	\$ 458,494.00	\$ (50,115.00)	\$ 224,608.00	\$ 252,172.00	\$ (27,564.00)	\$ 2,208.02	-10.93%	To Comparable sales Value
0454349	CWPC-4B-212	\$ 5,672,061.00	\$ 5,672,061.00	\$ -	\$ 5,672,061.00	\$ 5,672,061.00	\$ -	\$ 46,669.72	0.00%	Denied No Change made
0313399	SCCS-3	\$ 1,589,996.00	\$ 1,589,996.00	\$ -	\$ 1,589,996.00	\$ 1,589,996.00	\$ -	\$ 13,483.17	0.00%	Denied No Change made
0313407	SCCS-4	\$ 1,589,996.00	\$ 1,589,996.00	\$ -	\$ 1,589,996.00	\$ 1,589,996.00	\$ -	\$ 13,483.17	0.00%	Denied No Change made
0023600	PC-611	\$ 25,000.00	\$ 300,000.00	\$ (275,000.00)	\$ 25,000.00	\$ 300,000.00	\$ (275,000.00)	\$ 2,544.00	-91.67%	Lot is not buildable per Park City Planning
0154140	PE-2-209	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 24,000.00	\$ 35,000.00	\$ (11,000.00)	\$ 285.60	-31.43%	To Comparable sales Value
0267926	SS-BDY-15-1	\$ 212,519.00	\$ 212,519.00	\$ -	\$ 212,519.00	\$ 212,519.00	\$ -	\$ 1,828.09	0.00%	Denied No Change made
0377790	RPL-IV-173	\$ 780,000.00	\$ 826,269.00	\$ (46,269.00)	\$ 780,000.00	\$ 826,269.00	\$ (46,269.00)	\$ 6,798.54	-5.60%	To sales Price
0176465	PP-62-1	\$ 500.00	\$ 56,620.00	\$ (56,120.00)	\$ 500.00	\$ 56,620.00	\$ (56,120.00)	\$ 465.87	-99.12%	remnant parcel situated in the middle of a roadway.
0041339	PKM-5-87	\$ 1,395,125.00	\$ 1,524,126.00	\$ (129,001.00)	\$ 767,318.00	\$ 838,269.00	\$ (70,951.00)	\$ 7,108.52	-8.46%	To Comparable sales Value
0418115	PSKY-33	\$ 2,725,000.00	\$ 3,750,671.00	\$ (1,025,671.00)	\$ 2,725,000.00	\$ 3,750,671.00	\$ (1,025,671.00)	\$ 37,840.52	-27.35%	To Comparable sales Value
0074074	RR-A-44	\$ 177,731.00	\$ 197,322.00	\$ (19,591.00)	\$ 121,669.00	\$ 197,322.00	\$ (75,653.00)	\$ 2,172.91	-38.34%	To Primary per Ashley
0255012	PI-E-84	\$ 53,100.00	\$ 53,100.00	\$ -	\$ 53,100.00	\$ 53,100.00	\$ -	\$ 456.77	0.00%	Denied No Change made
0071989	LR-2-87	\$ 168,740.00	\$ 168,740.00	\$ -	\$ 92,807.00	\$ 168,740.00	\$ (75,933.00)	\$ 1,858.16	-45.00%	To Primary per Ashley
0051460	TH-3-17	\$ 2,097,546.00	\$ 2,097,546.00	\$ -	\$ 2,097,546.00	\$ 2,097,546.00	\$ -	\$ 17,787.19	0.00%	Denied No Change made
0052195	TH-82	\$ 902,388.00	\$ 902,388.00	\$ -	\$ 902,388.00	\$ 902,388.00	\$ -	\$ 7,652.25	0.00%	Denied No Change made
0110290	CD-541	\$ 104,400.00	\$ 313,200.00	\$ (208,800.00)	\$ 2,399.00	\$ 2,399.00	\$ -	\$ 20.73	0.00%	To Comparable sales Value
0405948	CD-541-A	\$ 362,800.00	\$ 1,088,400.00	\$ (725,600.00)	\$ 6,174.00	\$ 6,174.00	\$ -	\$ 53.36	0.00%	To Comparable sales Value
0425581	CD-541-B	\$ 286,560.00	\$ 859,680.00	\$ (573,120.00)	\$ 7,379.00	\$ 7,379.00	\$ -	\$ 63.78	0.00%	To Comparable sales Value
0425599	CD-541-C	\$ 224,320.00	\$ 681,600.00	\$ (457,280.00)	\$ 5,776.00	\$ 5,776.00	\$ -	\$ 49.92	0.00%	To Comparable sales Value
0425607	CD-541-D	\$ 149,440.00	\$ 448,320.00	\$ (298,880.00)	\$ 3,452.00	\$ 3,452.00	\$ -	\$ 29.84	0.00%	To Comparable sales Value
0332704	PP-74-G	\$ 7,758,954.00	\$ 8,167,320.00	\$ (408,366.00)	\$ 7,758,654.00	\$ 8,167,320.00	\$ (408,666.00)	\$ 67,200.71	-5.00%	Adjusted value per negotiations.
0045439	PSA-45-RE-A	\$ 5,750,000.00	\$ 5,750,000.00	\$ -	\$ 5,750,000.00	\$ 5,750,000.00	\$ -	\$ 48,760.02	0.00%	Denied No Change made
0001143	CT-194	\$ 50,000.00	\$ 71,141.00	\$ (21,141.00)	\$ 27,500.00	\$ 39,128.00	\$ (11,628.00)	\$ 447.04	-29.72%	Adjusted House condition
0474082	HRECRC-6	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 5,508.70	0.00%	Denied No Change made
1190409	SRC-4209	\$ 285,000.00	\$ 350,000.00	\$ (65,000.00)	\$ 156,750.00	\$ 192,500.00	\$ (35,750.00)	\$ 1,632.40	-18.57%	To Comparable sales Value
0190540	SRC-4307	\$ 285,000.00	\$ 350,000.00	\$ (65,000.00)	\$ 285,000.00	\$ 350,000.00	\$ (65,000.00)	\$ 2,968.00	-18.57%	To Comparable sales Value
0190557	SRC-4308	\$ 285,000.00	\$ 350,000.00	\$ (65,000.00)	\$ 285,000.00	\$ 350,000.00	\$ (65,000.00)	\$ 2,968.00	-18.57%	To Comparable sales Value
0391908	WLCRK-46	\$ 1,521,970.00	\$ 1,521,970.00	\$ -	\$ 837,084.00	\$ 837,084.00	\$ -	\$ 7,329.51	0.00%	Denied No Change made
0175756	SLS-14	\$ 631,967.00	\$ 631,967.00	\$ -	\$ 347,582.00	\$ 347,582.00	\$ -	\$ 3,043.43	0.00%	Denied No Change made
0393490	DC-36	\$ 2,509,523.00	\$ 2,509,823.00	\$ (300.00)	\$ 2,509,823.00	\$ 2,509,823.00	\$ -	\$ 25,198.62	0.00%	Denied No Change made
0474099	HRECRC-7	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 5,508.70	0.00%	Denied No Change made
0474107	HRECRC-8	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 5,508.70	0.00%	Denied No Change made
0474114	HRECRC-9	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 5,508.70	0.00%	Denied No Change made
0474121	HRECRC-10	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 5,508.70	0.00%	Denied No Change made
0234041	IRH-FS-G-1	\$ 185,000.00	\$ 190,000.00	\$ (5,000.00)	\$ 101,750.00	\$ 104,500.00	\$ (2,750.00)	\$ 886.16	-2.63%	To Comparable sales Value
0410583	IWDV-II-E-19	\$ 2,670,000.00	\$ 2,670,000.00	\$ -	\$ 2,670,000.00	\$ 2,670,000.00	\$ -	\$ 23,722.95	0.00%	Denied No Change made
0443378	JLC-1001	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ 411.40	-100.00%	not deadheaded for 2015 remove value
0443385	JLC-1002	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ 411.40	-100.00%	not deadheaded for 2015 remove value
0443392	JLC-1003	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ 411.40	-100.00%	not deadheaded for 2015 remove value
0443400	JLC-1004	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ 411.40	-100.00%	not deadheaded for 2015 remove value
0443417	JLC-1005	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ 411.40	-100.00%	not deadheaded for 2015 remove value
0443424	JLC-1006	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ -	\$ 50,000.00	\$ (50,000.00)	\$ 411.40	-100.00%	not deadheaded for 2015 remove value
0443361	JLC-906	\$ -	\$ 1,000,000.00	\$ (1,000,000.00)	\$ -	\$ 1,000,000.00	\$ (1,000,000.00)	\$ 8,228.00	-100.00%	not deadheaded for 2015 remove value
0431910	ALLC-414-1AM	\$ 1,278,000.00	\$ 1,500,000.00	\$ (222,000.00)	\$ 1,278,000.00	\$ 1,500,000.00	\$ (222,000.00)	\$ 13,327.50	-14.80%	concur with appellants analysis of 1,278,000
0201859	APW-5-AM	\$ 690,000.00	\$ 690,000.00	\$ -	\$ 690,000.00	\$ 690,000.00	\$ -	\$ 5,851.20	0.00%	Denied No Change made
0375406	BDL-323	\$ 2,200,000.00	\$ 2,200,000.00	\$ -	\$ 2,200,000.00	\$ 2,200,000.00	\$ -	\$ 18,656.00	0.00%	Denied No Change made
0276455	FVL-1-30-B	\$ 1,025,000.00	\$ 1,025,000.00	\$ -	\$ 1,025,000.00	\$ 1,025,000.00	\$ -	\$ 8,692.00	0.00%	Denied No Change made
0276471	FVL-1-31-B	\$ 1,025,000.00	\$ 1,025,000.00	\$ -	\$ 1,025,000.00	\$ 1,025,000.00	\$ -	\$ 8,692.00	0.00%	Denied No Change made
0285688	FVL-2-19-B	\$ 1,050,000.00	\$ 1,050,000.00	\$ -	\$ 1,050,000.00	\$ 1,050,000.00	\$ -	\$ 8,904.00	0.00%	Denied No Change made
0474037	HRECRC-1	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 5,508.70	0.00%	Denied No Change made
0474044	HRECRC-2	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 5,508.70	0.00%	Denied No Change made
0474051	HRECRC-3	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 5,508.70	0.00%	Denied No Change made
0474068	HRECRC-4	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 5,508.70	0.00%	Denied No Change made
0474075	HRECRC-5	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 620,000.00	\$ 620,000.00	\$ -	\$ 5,508.70	0.00%	Denied No Change made
0443330	JLC-903-AM	\$ 799,000.00	\$ 1,000,000.00	\$ (201,000.00)	\$ 799,000.00	\$ 1,000,000.00	\$ (201,000.00)	\$ 8,228.00	-20.10%	To sales Price
0443316	JLC-901-AM	\$ 929,000.00	\$ 1,000,000.00	\$ (71,000.00)	\$ 929,000.00	\$ 1,000,000.00	\$ (71,000.00)	\$ 8,228.00	-7.10%	to sales price
0443323	JLC-902-AM	\$ 799,700.00	\$ 1,000,000.00	\$ (200,300.00)	\$ 799,000.00	\$ 1,000,000.00	\$ (201,000.00)	\$ 8,228.00	-20.10%	to sales price
0443347	JLC-904-AM	\$ 800,000.00	\$ 1,000,000.00	\$ (200,000.00)	\$ 800,000.00	\$ 1,000,000.00	\$ (200,000.00)	\$ 8,228.00	-20.00%	to sales price
0443354	JLC-905-AM	\$ 929,000.00	\$ 1,000,000.00	\$ (71,000.00)	\$ 929,000.00	\$ 1,000,000.00	\$ (71,000.00)	\$ 8,228.00	-7.10%	to sales price
0049282	RC-1-46	\$ 355,000.00	\$ 355,000.00	\$ -	\$ 195,250.00	\$ 355,000.00	\$ (159,750.00)	\$ 3,010.40	-45.00%	To Primary per Ashley
0050477	RC-3-77	\$ 365,000.00	\$ 485,000.00	\$ (120,000.00)	\$ 200,750.00	\$ 266,750.00	\$ (66,000.00)	\$ 2,262.04	-24.74%	concur with appellants analysis of 365,000
0190094	RP-3-Y-2	\$ 165,000.00	\$ 165,000.00	\$ -	\$ 90,750.00	\$ 165,000.00	\$ (74,250.00)	\$ 1,444.74	-45.00%	To Primary per Ashley
0189690	RP-2-T-2	\$ 165,000.00	\$ 165,000.00	\$ -	\$ 90,750.00	\$ 165,000.00	\$ (74,250.00)	\$ 1,444.74	-45.00%	To Primary per Ashley

0441156	SSLC-201-AM	\$ 162,400.00	\$ 423,800.00	\$ (261,400.00)	\$ 89,320.00	\$ 233,090.00	\$ (143,770.00)	\$ 2,071.00	-61.68%	affordable housing estrictions
0244263	VIC-45	\$ 196,000.00	\$ 196,000.00	\$ -	\$ 107,800.00	\$ 107,800.00	\$ -	\$ 914.14	0.00%	Denied No Change made
0211981	WBD-70	\$ 370,000.00	\$ 398,600.00	\$ (28,600.00)	\$ 370,000.00	\$ 398,600.00	\$ (28,600.00)	\$ 3,490.14	-7.18%	to fee appraisal value
0478604	NPRK-P-1	\$ 10,827,000.00	\$ 11,480,000.00	\$ (653,000.00)	\$ 10,827,000.00	\$ 11,480,000.00	\$ (653,000.00)	\$ 94,457.44	-5.69%	Value adjusted to maintain equalization with surrounding assessments.
0146674	SS-156-A-1	\$ 1,085,874.00	\$ 1,085,874.00	\$ -	\$ 642,711.00	\$ 642,711.00	\$ -	\$ 5,528.60	0.00%	Denied No Change made
0034409	SA-200	\$ 360,000.00	\$ 375,000.00	\$ (15,000.00)	\$ 360,000.00	\$ 375,000.00	\$ (15,000.00)	\$ 3,180.00	-4.00%	To Comparable sales Value
0034417	SA-201	\$ 300,000.00	\$ 300,000.00	\$ -	\$ 300,000.00	\$ 300,000.00	\$ -	\$ 2,544.00	0.00%	Denied No Change made
0439764	SA-201-C-1	\$ 240,000.00	\$ 240,000.00	\$ -	\$ 240,000.00	\$ 240,000.00	\$ -	\$ 2,035.20	0.00%	Denied No Change made
0335525	AM	\$ 50,000.00	\$ 375,000.00	\$ (325,000.00)	\$ 50,000.00	\$ 375,000.00	\$ (325,000.00)	\$ 3,180.00	-86.67%	Parcel unbuildable per Park City Planning
0154561	PE-3-312	\$ 30,000.00	\$ 35,000.00	\$ (5,000.00)	\$ 30,000.00	\$ 35,000.00	\$ (5,000.00)	\$ 285.60	-14.29%	To Comparable sales Value
0154843	PE-4-404	\$ 122,806.00	\$ 163,774.00	\$ (40,968.00)	\$ 122,806.00	\$ 163,774.00	\$ (40,968.00)	\$ 1,336.40	-25.01%	To Comparable sales Value
0134159	HE-B-291-A	\$ 404,466.00	\$ 416,738.00	\$ (12,272.00)	\$ 222,456.00	\$ 229,206.00	\$ (6,750.00)	\$ 2,006.93	-2.94%	To Comparable sales Value
0438998	BJUMP-10	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 200,000.00	\$ 400,000.00	\$ (200,000.00)	\$ 4,016.00	-50.00%	To Comparable sales Value
0235931	PCL-2-S-62	\$ 980,000.00	\$ 980,000.00	\$ -	\$ 980,000.00	\$ 980,000.00	\$ -	\$ 8,310.40	0.00%	Denied No Change made
0421564	PALSDS-58	\$ 1,931,060.00	\$ 1,931,060.00	\$ -	\$ 1,931,060.00	\$ 1,931,060.00	\$ -	\$ 19,482.46	0.00%	Denied No Change made
0394845	WHLS-28	\$ 270,000.00	\$ 270,000.00	\$ -	\$ 270,000.00	\$ 270,000.00	\$ -	\$ 2,724.03	0.00%	Denied No Change made
0232581	SRC-1-S-4118	\$ 167,000.00	\$ 196,400.00	\$ (29,400.00)	\$ 167,000.00	\$ 196,400.00	\$ (29,400.00)	\$ 1,665.47	-14.97%	To Comparable sales Value
0232573	SRC-1-S-4117	\$ 121,500.00	\$ 180,000.00	\$ (58,500.00)	\$ 121,500.00	\$ 180,000.00	\$ (58,500.00)	\$ 1,526.40	-32.50%	To Comparable sales Value
0472745	SMB-24-AM	\$ 10,000.00	\$ 15,000.00	\$ (5,000.00)	\$ 10,000.00	\$ 15,000.00	\$ (5,000.00)	\$ 123.42	-33.33%	To Comparable sales Value
0472752	SMB-25-AM	\$ 10,000.00	\$ 15,000.00	\$ (5,000.00)	\$ 10,000.00	\$ 15,000.00	\$ (5,000.00)	\$ 123.42	-33.33%	To Comparable sales Value
0435291	SMB-207-AM	\$ 130,000.00	\$ 230,000.00	\$ (100,000.00)	\$ 130,000.00	\$ 230,000.00	\$ (100,000.00)	\$ 1,892.44	-43.48%	To Comparable sales Value
0192813	SRC-1-S-4002	\$ 50,000.00	\$ 110,000.00	\$ (60,000.00)	\$ 50,000.00	\$ 110,000.00	\$ (60,000.00)	\$ 932.80	-54.55%	To Comparable sales Value
0190805	SRC-1-S-4001	\$ 200,000.00	\$ 430,000.00	\$ (230,000.00)	\$ 200,000.00	\$ 430,000.00	\$ (230,000.00)	\$ 3,646.40	-53.49%	To Comparable sales Value
0435283	SMB-206-AM	\$ 130,000.00	\$ 230,000.00	\$ (100,000.00)	\$ 130,000.00	\$ 230,000.00	\$ (100,000.00)	\$ 1,892.44	-43.48%	To Comparable sales Value
0313373	SCCS-1	\$ 1,920,006.00	\$ 1,920,006.00	\$ -	\$ 1,920,006.00	\$ 1,920,006.00	\$ -	\$ 16,281.65	0.00%	Denied No Change made
0313381	SCCS-2	\$ 2,953,365.00	\$ 2,953,365.00	\$ -	\$ 2,953,365.00	\$ 2,953,365.00	\$ -	\$ 25,044.54	0.00%	Denied No Change made
0393805	DC-67	\$ 1,949,808.00	\$ 2,053,733.00	\$ (103,925.00)	\$ 1,072,457.00	\$ 1,129,616.00	\$ (57,159.00)	\$ 11,341.34	-5.06%	To Comparable sales Value
0038673	PCA-3-3000-X	\$ -	\$ 100,000.00	\$ (100,000.00)	\$ -	\$ 100,000.00	\$ (100,000.00)	\$ 848.00	-100.00%	Park city purchased it now exempt for 2015
Totals for 9/30/2015		\$ 166,714,217.00	\$ 189,723,733.00	\$ (23,009,516.00)	\$ 146,597,053.00	\$ 177,828,967.00	\$ (31,231,914.00)			
Totals for 9/16/2015		\$ 34,412,263.00	\$ 38,848,047.00	\$ (4,435,784.00)	\$ 24,171,304.00	\$ 32,924,908.00	\$ (8,753,604.00)			
Totals for 9/9/2015		\$ 176,779,950.00	\$ 222,839,821.00	\$ (46,059,871.00)	\$ 68,855,918.00	\$ 206,584,917.00	\$ (54,309,843.00)			
Totals for 8/26/2015		\$ 38,269,555.00	\$ 42,006,991.00	\$ (3,737,436.00)	\$ 28,749,294.00	\$ 35,750,043.00	\$ (7,000,749.00)			
Totals for 8/19/2015		\$ 131,164,123.00	\$ 129,173,808.00	\$ 1,990,315.00	\$ 95,356,818.00	\$ 113,606,508.00	\$ (18,249,690.00)			
Running Total		\$ 547,340,108.00	\$ 622,592,400.00	\$ (75,252,292.00)	\$ 363,730,387.00	\$ 566,695,343.00	\$ (119,545,800.00)			

The Market value decrease for 2015 is (\$ 75,252,292) As of 09/30/2015

The Taxable Value decrease for 2015 is (\$ 119,545,800) As of 09/30/2015

**MOUNTAIN REGIONAL WATER GENERAL MANAGER
EMPLOYMENT CONTRACT**

THIS AGREEMENT is made and entered into this 23rd day of September, 2015, by and between **MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT**, a political subdivision of the State of Utah (hereinafter referred to as "District"), whose address is 6421 Business Park Loop Road, Suite A, Park City, Utah 84098, and Andrew W. Armstrong (hereinafter referred to as "Manager"), whose address is 931 Williamstown Court, Park City, UT 84098.

RECITALS

WHEREAS, in July 2015, the Summit County Council, acting as the governing body of the District, enacted changes to the governing ordinance of the District which mandates that the Manager have a written employment contract with the District; and,

WHEREAS, the Manager does not currently have a written employment contract with the District; and,

WHEREAS, the District desires to employ the services of the Manager as the Chief Executive Officer of the District through a written employment contract; and,

WHEREAS, the District desires to:

1. Provide certain benefits to Manager,
2. Establish certain conditions of employment,
3. Set working conditions for Manager,
4. Secure and retain the services of Manager and to provide inducement for him to remain in such employment,
5. Provide deterrents against malfeasance or dishonesty for personal gain on the part of Manager, and
6. Provide a just means for compensation and for terminating Manager's service should he become unable to fully discharge his duties or when the District may desire to otherwise terminate his employment.

NOW, THEREFORE, in consideration of the mutual covenants herein contained,

Section 1: POWERS AND DUTIES

The District hereby agrees to employ Andrew W. Armstrong as the General Manager of the Mountain Regional Water Special Service District to exercise powers and perform the **duties specified in Summit County Code, Title 2, Chapter 9**, and to perform other legally permissible and proper duties as the Summit County Council (as the governing body of the District) or the Administrative Control Board may from time to time assign not inconsistent with, or in conflict with, the provisions of this Agreement, Summit County Code, or state or federal law.

Section 2: TERM

- a. The term of this Agreement shall be for an initial period of three (3) years from October 1, 2015 to September 30, 2018. The Manager shall notify the District 150 days prior to the expiration date of this contract.
- b. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of District to terminate the services of Manager at any time, subject only to the provisions established by this Agreement. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of Manager to resign at any time from his position with the District upon thirty (30) days written notice to the Administrative Control Board.
- c. The Manager agrees to remain in the exclusive employ of the District during the term of this Agreement. The term "employed" however, shall not be construed to include occasional teaching, writing, speaking, consulting performed on the Manager's time off, even if outside compensation is provided for such services. Said activities are expressly allowed, provided that in no case is any activity allowed which would present a conflict of interest with the District. *De Minimis* use of District's equipment (such as laptop computer) for such purposes is hereby authorized.

Section 3: TERMINATION AND SEVERANCE PAY

- a. In the event the Manager is terminated or asked to resign by the Administrative Control Board for any reason other than as set forth in paragraph (b) below, and the Manager is willing and able to perform his duties under this Agreement, then in that event the District agrees to pay Manager a lump sum cash payment equal to six (6) months aggregate salary and benefits. The Manager shall also be compensated for all paid time off, deferred compensation and all other accrued benefits to date.
- b. In the event Manager is terminated with cause, which is defined for purposes of this contract as: conviction of a felony, malfeasance in office, or misfeasance in office, then the District shall have no obligation to pay the severance indicated, except for items Manager may be legally entitled to.

- c. In the event Manager voluntarily resigns as the General Manager of the Mountain Regional Water Special Service District, the District will be under no obligation to continue to compensate Manager after the date of resignation except for items Manager may be legally entitled to.

Section 4: SALARY

- a. Manager's salary effective at the time of this Agreement shall be \$124,737.60 per year. The District agrees to an annual increase in salary, which shall be consistent with and up to the increase provided for all District employees in the annual budget.
- b. Manager shall be paid installments at the same time as other employees of the District are paid.

Section 5: DISABILITY

If the Manager is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity, or health for a period of six (6) successive months beyond any accrued sick leave, the District shall have the option to terminate this Agreement, subject to the severance pay requirements of Section 3 of this Agreement.

Section 6: BENEFITS

- a. All provisions of the District's personnel policies, and other regulations, directives, policies, practices and procedures shall apply to Manager unless otherwise provided herein. This shall include the following benefits:
 - (1) Health
 - (2) Dental
 - (3) Life Insurance
 - (4) Retirement in the Utah Retirement System Tier I program
 - (5) 403(b) Plan
 - (6) Family and Medical Leave
 - (7) Short Term Disability
 - (8) Sick leave as accrued per District policy
 - (9) Long Term Disability
- b. Manager shall accrue paid time off at the rate of 200 hours (25 days) per year. One half of paid time off may be carried over year to year up to a maximum of 240 total hours.

- c. The Manager's duties require exclusive and unrestricted use of an automobile. The Manager shall provide his own personal vehicle(s) for District use in exchange for an \$800 per month vehicle allowance. This allowance is the limit of the District's financial contribution to the Manger for his work related vehicle usage. The Manager shall provide at his own cost all vehicle insurance required by state law for any and all personal vehicles used in relation to his duties as Manager. In addition, the Manager shall pay 100% of all costs related to ownership of his personal vehicle used for District use, including but not limited to purchase, operations, maintenance, repairs, replacement and fuel. Such benefit to be documented through IRS form 1099.
- d. For the purposes of accessibility, the District shall, at its cost, provide the Manager, with an active mobile phone device and active service for such device during his time of employment with District.

Section 7: HOURS OF WORK

It is recognized that the Manager must devote a great deal of his time outside normal office hours to business of the District, and to that end Manager will be allowed to take administrative time off as he shall deem appropriate during normal office hours.

Section 8: PROFESSIONAL DEVELOPMENT

- a. The District will provide through the budgeting process resources, as it deems appropriate, for Manager to attend seminars, short courses, professional association meetings, and similar functions for his continued professional development and for the good of the District. District agrees to pay for the Manager to attend conference/training the District determines the Manager should attend.
- b. District will provide through the budget process resources, as it deems appropriate, for the Manager to maintain professional association memberships that are held by Manager and any civic club memberships where the Manager participates.

Section 9: PERFORMANCE EVALUATION

District shall annually review the performance of the Manager in December of each year subject to a process, form, criteria, and format for the evaluation that shall be mutually agreed upon by the District and Manager. The process at a minimum shall include the opportunity for both parties to: (1) prepare a written evaluation, (2) meet and discuss the evaluation, and (3) present a written summary of the evaluation results. The final written evaluation should be completed and delivered to the Manager within 30 days of the evaluation meeting.

Section 10: INDEMNIFICATION

Beyond that required under Federal, State or Local Law, District shall defend, save harmless and indemnify Manager against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Manger's duties or resulting from the exercise of judgment or discretion in connection with the performance of those duties or responsibilities, unless the act or omission involved willful or wanton conduct. The Manager may request and the District shall not unreasonably refuse to provide independent legal representation at District's expense. Legal representation, provided by District for Manager, shall extend until a final determination of the legal action including any appeals brought by either party. The District shall indemnify Manager against any and all losses, damages, judgments, interest, settlements, fines, and court costs.

Manager recognizes that the District shall have the absolute right to settle any claims or lawsuits unless the settlement is of a personal nature to Manager, in which event the Manager may exercise his veto over the settlement. Further, District agrees to pay all reasonable litigation expenses of Manager throughout the pendency of any litigation to which the Manager is a party, witness or advisor to the District. Such expense payments shall continue beyond Manager's service to the District as long as litigation is pending. Further, District agrees to pay Manager's reasonable consulting fees and travel expenses when Manager serves as a witness, advisor or consultant to District regarding pending litigation.

Section 11: RESIDENCE

During the term of this Agreement, Manager agrees that he shall live within the boundaries of Summit County, Utah, unless otherwise approved by the Administrative Control Board.

Section 12: BONDING

District shall bear the full costs of any fidelity or other bonds required of the Manager under any law or ordinance.

Section 13: GENERAL PROVISIONS

- a. This Agreement sets forth and establishes the entire understanding between the District and the Manager relating to the employment of the Manager by the District. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated and made a part of this Agreement.

- b. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Manager.
- c. If any provision, or any portion thereof, contained in the Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, and shall not be affected and shall remain in full force and effect.

Section 14: NO REDUCTION OF BENEFITS

The District shall not at any time during the term of the Agreement reduce the salary, compensation, or other financial benefits of the Manager, except to the degree of such a reduction across-the-board for all employees of the District.

Section 15: NOTICES

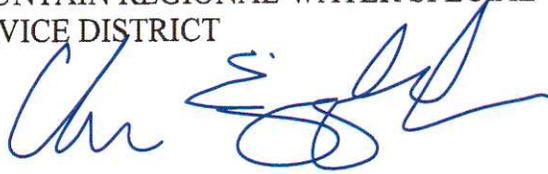
Notices pursuant to the Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

- a. DISTRICT: Administrative Control Board
6421 Business Park Loop Road
Suite A
Park City, Utah 84098
- b. MANAGER: Andrew W. Armstrong
931 Williamstown Court, Park City,
UT 84098.
(or as amended by Manager)

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

IN WITNESS WHEREOF, Mountain Regional Water Special Service District has caused this Agreement to be signed and executed in its behalf by its Chairman, Administrative Control Board, and the Manager has signed and executed this Agreement the day and year first above written.

MOUNTAIN REGIONAL WATER SPECIAL
SERVICE DISTRICT



CHRIS EGGLETON
Chairman, Administrative Control Board

CONSENT:

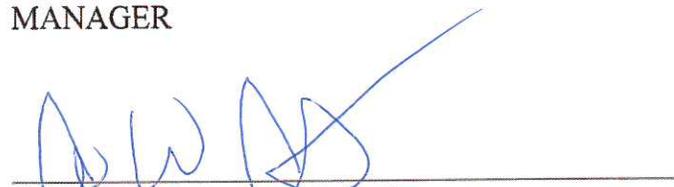
KIM CARSON
Chair, Summit County Council

APPROVED AS TO FORM:



DAVID L. THOMAS
Chief Civil Deputy

MANAGER



ANDREW W. ARMSTRONG

SUMMIT COUNTY COUNCIL WORK SESSION

-Solid Waste Financials-

Jaren Scott
Solid Waste Department



THE PROBLEM:

FINDING SOLUTIONS FOR THE FUNDING
OF THE SOLID WASTE DIVISION LONG-
TERM



Summit County, Utah
Statement of Revenues, Expenses, and Changes in Net Position
Proprietary Funds
For the Year Ended December 31, 2014

	Primary Government			Governmental Activities	
	Transit District	Landfill	Echo Sewer	Total	Internal Service Funds
Operating Revenues					
Assessments	\$ 459,634	-	-	459,634	7,034,156
Charges for services	-	1,238,733	15,390	1,254,123	-
Total operating revenues	459,634	1,238,733	15,390	1,713,757	7,034,156
Operating Expenses					
Bus service	2,194,792	-	-	2,194,792	-
Salaries	25,501	615,995	-	641,496	-
Maintenance and supplies	365,967	\$20,617	30,996	917,580	154,294
Contractual services	-	214,933	-	214,933	-
Insurance claims	-	-	-	-	3,780,508
Administration fees	-	-	-	-	588,871
Other	-	17,410	-	17,410	-
Depreciation and amortization	19,874	-	-	19,874	1,397,682
Total operating expenses	2,606,134	1,368,955	30,996	4,006,085	5,920,755
Operating income (loss)	(2,146,500)	(130,222)	(15,606)	(2,292,328)	1,113,401
Nonoperating Revenues (Expenses)					
Transit sales taxes	\$ 1,733,871	-	-	1,733,871	-
Intergovernmental	647,721	-	164,425	782,146	-
Gain on disposal of capital assets	-	-	-	-	(73,887)
Bond costs	-	-	-	-	-
Interest revenue	4,845	-	895	5,740	15,320
Total nonoperating Revenues (expenses)	2,386,437	-	165,320	2,521,757	(58,567)
Income before transfers	209,937	(130,222)	149,714	229,429	1,054,834
Transfer (to) from other funds	-	-	-	-	-
Change in net position	209,937	(130,222)	149,714	229,429	1,054,834
Total net position - beginning of year	1,623,198	(547,859)	6,042	1,081,381	10,989,951
Total net position - end of year	\$ 1,833,135	(678,081)	155,756	1,310,810	12,044,785

The notes to the financial statements are an integral part of this statement.



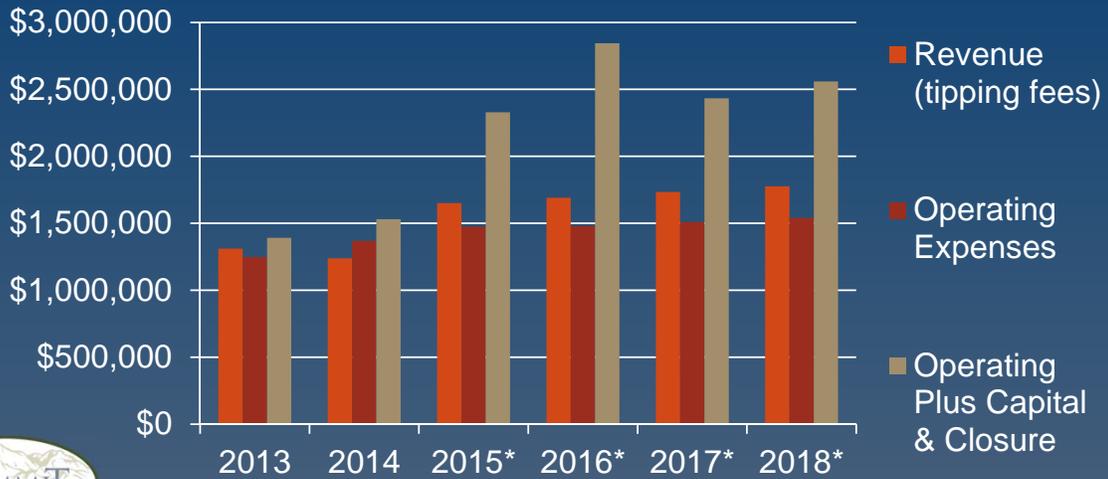
RECENT CHANGES:

- Increased tipping fees from \$25 to \$30/ton (\$275,000 in increased revenue for 2015)
- Economy has picked back up. Total tons in 2014 were 52,865. YTD=51,615 tons.
- Loss in commodity values (white goods from \$220/ton to \$55/ton) = less recycling.
- Started new cell development



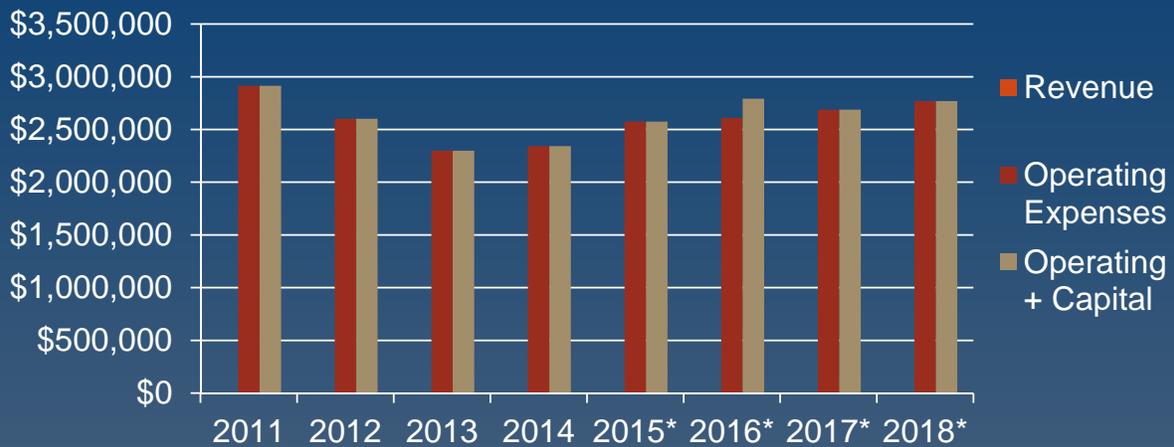
Landfill Enterprise Only

*Projected/Requested (using 2007-2014 average of 55,000 tons/yr)

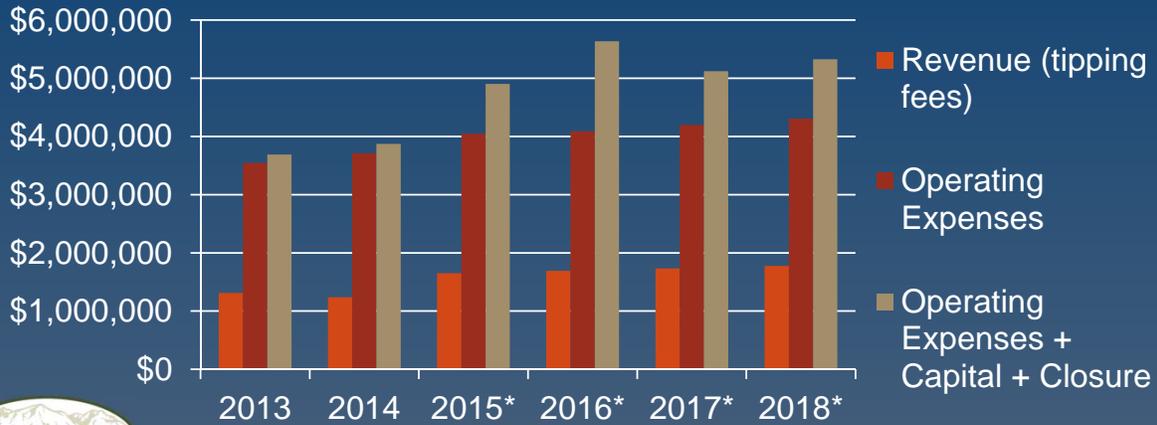


Waste Collection Only

*Requested/Projected



ALL Solid Waste (Landfill + Collections) *Projected/Requested (using 2007-2014 average of 55,000 tons/yr)



Capital and Closure Needs

- 2015: \$854,293
 - (\$560,000 for Henefer Land Acquisition, \$150,000 for New Cell Construction, \$144,293 Closure)
- 2016: \$1,546,293
 - (\$200,000 cell development, \$1,020,000 green waste, \$182,000-Collections Weber Transfer Remodel, \$144,293 Closure)
- 2017: \$924,293
 - (\$765,000 New Cell Construction, \$15,000 Transfer Station Design, \$144,293 Closure)
- 2018: \$1,019,293
 - (\$875,000 Transfer Station Construction, \$144,293 Closure)



Additional Revenue Possibility

- Snyderville Basin Water Reclamation District (SBWRD).
8,000 tons of biosolids
 - Approx. \$240,000 in revenue, depending on terms
- Looking for a long-term contract (~20 years)
- Key Component of a Green Waste/Composting Program
- Ability to compost/mono-fill/landfill the material.
- Reliable income that could be bonded against
 - \$2-\$4million depending on the years bonded for



Options

- Do Nothing (Continue to run deficit and balance using the general fund)
- Change Tipping Fees (Only has impact on landfill enterprise fund)
- Implement Waste Management Fee (as discussed in 2014, to impact the enterprise, the Collections, or both)
- Make Solid Waste (Landfill & Collections) Self-Sustaining through a combination of both tipping fees and a waste management fee.



Adjusting Tipping Fees

- The average annual deficit for the enterprise fund is \$615,000
- It would take an increase of \$11.20/ton ($\$11.20 \times 55,000 = \$616,000$)
 - Bringing our tipping fees to \$41.20
 - Northern Utah average=\$31.20 (see next slide)
 - Would that high of a rate push our waste to neighboring counties?
- I recommend a hybrid approach
 - A tipping fee increase of \$3/ton ($\$3 \times 55,000 = \$165,000$)
 - Institute a waste management fee of \$24/household/year ($20,000 \times \$24 = \$480,000$)



Rate Comparison **SUMMIT COUNTY= \$30**

- Salt Lake County: \$31.35/ton
- Transjordan: \$29/ton
- Wasatch Integrated: \$30/ton
- South Utah County: \$35/ton
- North Pointe (Northern Utah County) \$33.50/ton
- Logan landfill \$29/ton.
- Weber County \$32/ton
- **Average: \$31.40**



Making the Solid Waste Division (Landfill & Collections) Self-Sustaining

- The average annual deficit for the entire division is: \$3,200,000
 - A tipping fee increase of \$3/ton ($\$3 \times 55,000 = \$165,000$)
 - 20,000 households $\times \$13 \times 12$ months totals \$3,120,000
 - Fee Billing allows future opportunities for opt-out/opt-in (green-waste/more recycling).
 - Allows Solid Waste to be billed as a utility and not funded from the general fund.
 - Could be any combination and implemented over time.



- If the Solid Waste Division becomes self-sustaining, general fund dollars would be available for transportation and other capital needs.



Annette Singleton

From: Steve Martin
Sent: Monday, September 21, 2015 12:29 PM
To: Annette Singleton
Subject: errors and omissions DCRK-1

Annette;
Could you forward this to the Council for the earliest possible Council appointment.. thanks

To the Council;

It has been brought to our attention that a mobile home has been, for the past 10 years, assessed as both a home (real property, DCRK-1) and as a mobile home (personal property) . this has resulted in a scenario of double taxation for the mobile home part of the property. The appellant would rather the MH be left as personal property and the real property adjusted back 4 years and refunded. It has been corrected for this year via the BOE.

The owners name is Wendell Stembridge

Below are the calculated overpayments for each year and the total proposed refund going back to 2010

Year	taxable	Tax rate	refund amount
2010	31680	.009214	\$291.90
2011	31680	.009435	\$298.90
2012	31680	.009446	\$299.25
2013	57600	.009339	\$537.93
2014	57600	.008643	\$497.84
	Total refund		\$1,925.82

Submitted for your consideration

Thank you

STEVE MARTIN

SUMMIT COUNTY ASSESSOR

smartin@summitcounty.org

435.336.3251

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, AUGUST 19, 2015
SHELDON RICHINS BUILDING
PARK CITY, UTAH

PRESENT:

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

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

CLOSED SESSION

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

The Summit County Council met in closed session for the purpose of discussing litigation from 1:45 p.m. to 2:25 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*

Anita Lewis, *Assistant Manager*
David Thomas, *Deputy Attorney*
Jami Brackin, *Deputy Attorney*

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

The Summit County Council met in closed session for the purpose of discussing property acquisition from 2:25 p.m. to 2:55 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*

Anita Lewis, *Assistant Manager*
David Thomas, *Deputy Attorney*
Jami Brackin, *Deputy Attorney*

Council Member Ure made a motion to dismiss from closed session and to convene in work session. 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 3:05 p.m.

- **Presentation by John Bennett, LeRay McAllister Conservation Fund, regarding funding options to leverage open space bond funds**

John Bennett with the LeRay McAllister Conservation Fund stated that he has come to understand that there are basically three questions to ask before deciding on a conservation project. First, he would ask what land they are talking about. Second, he would want to know what for, or why they want to conserve the land and the conservation values that make it important to conserve a particular piece of land. The third is what conservation looks like. He stated that the last question has become more important in the last five years, because the money available for conservations easements has become quite scarce, especially at the State level. He stated that conservation may be different than what they traditionally think of, such as agricultural conservation to help the farmer stay on the land. That might be better done by the County adopting policies to allow those farm businesses to continue without placing a conservation easement on the land.

Mr. Bennett stated that it is not difficult to find federal money, but it is hard to find matching money for conservation easements. For the McAllister Fund, the maximum they fund is 50%, but they typically fund a far smaller percentage than that. The federal government usually funds at about 75%.

He explained that conservation is a team sport in Utah, and they cannot expect to succeed without assistance from all the partners, which includes the federal government. Those funding sources are from the Farm Bill through the Natural Resources Conservation Service (NRCS), and other miscellaneous habitat funding is sometimes available. Another partner is the State of Utah. He noted that the State Legislature has been willing to invest a lot to improve rangeland and less for conservation easement acquisition. The State has decided that a win for them is improvement of the rangeland and the health of the land and not necessarily perpetual preservation of those lands. Besides the McAllister Fund, other funding comes primarily through the Department of Natural Resources, with some funds also available through the Department of Agriculture. Other funding sources would be local governments, private for-profit organizations, land owners, and non-profit land trust organizations. He noted that federal tax deductions have been quite generous, particularly for farmers who make a living as farmers.

Mr. Bennett stated that in Utah they have seen businesses make direct contributions as a business expense, listing themselves as a sponsor of a conservation project, typically for recreation projects. Often businesses have non-profit foundations through which they make contributions to conservation, and a number of those exist in Utah. Those foundations will look at whether they are being asked to shoulder most of the load or a smaller part of the load and will look for a match. Everyone needs to do their part for a conservation project to work. He commented that some proposals that have not yet been tried could be a way to leverage individual donors for

conservation. One would allow an individual to buy the conservation on a particular square of ground in an area they would like to preserve. The idea would be to match business contributions with individual contributions and leverage people who like to use particular recreational properties. Mr. Bennett stated that non-profit land trusts are good at raising money for individual projects that they support.

He reiterated that conservation is a team effort and needs public money at both the local and State level. He suggested that the Council express their support for State conservation funds and ask the Utah Association of Counties (UAC) to weigh in on that, too. He did not believe there is enough private money to do what everyone wants to do unless they have some State funding.

Mr. Bennett explained that funding sources depend on why the property is being conserved. There would be different funding sources for trail segments than for other types of conservation. The State tends to be more interested in issues related to habitat and agricultural conservation, particularly as it relates to the Endangered Species Act. He noted that agricultural conservation is more difficult, because there are passionate supporters as well as passionate detractors of perpetual conservation easements on agricultural land, and federal money requires a perpetual easement. The most money is available for preservation of agricultural properties that also have habitat on them, especially if it is habitat for protected species. There currently seems to be support for agriculture from the general public, but it is unknown whether that will translate to legislative funding. Much of Summit County is Sage Grouse habitat. Any conservation people want to do in those areas will have an easier time, and there is more State money for that.

Council Member Robinson recalled that the McAllister fund received \$1 million last year and asked if Mr. Bennett anticipates that will happen again. Mr. Bennett explained that the original funding of the McAllister Fund is now gone, and the State now uses the fund for one-time funding they know will be spent on projects rather than people. The Sage Grouse plan calls for spending about \$1million a year, but he did not know whether it would go through the McAllister Fund or other sources. Council Member Robinson asked about the Forest Legacy Fund. Mr. Bennett explained that goes through the USDA and is another large funding source that Utah has done well at receiving, because it has a dedicated source of matching funds. Most of those funds come to the Department of Natural Resources through the State Forester's Office and require that the land be largely forested. Council Member Robinson asked about funding from some of the hunting organizations. Mr. Bennett replied that their funding would be species specific and would depend on the reason why someone might want to preserve the land.

Mr. Bennett noted that the County is eligible to apply for funds from the McAllister Fund. He can make contributions directly to the County but cannot make them directly to land owners. He suggested that the County make sure its ordinances are supportive of agriculture.

- **Presentation of the Water Quality Study; Lucy Parham, SWCA**

County Health Director Rich Bullough recalled that a couple of years ago the County included funds in the Health Department budget for a study based on its strategic priority of water quality, specifically as it relates to septic systems. He introduced Lucy Parham to provide the data from that study. He noted that the Health Department will request funds in next year's budget for a County-wide study.

Ms. Parham recalled that a Total Maximum Daily Load (TMDL) study was completed for the Echo and Rockport Reservoirs, and it was found that 2% to 15% of the nutrient contribution to surface waters was from septic systems. SWCA then did a preliminary analysis of where the septic contamination was likely occurring. They looked at subdivisions based on three parameters: location of systems within a flood-irrigated landscape, density of the septic systems, and the age of the septic systems. That study, along with visual observation of septic systems on the ground, were the impetus for developing a more intense study.

Ms. Parham explained that septic systems are formally called conventional on-site wastewater systems and described how they function. She explained factors that could cause septic systems to fail and noted that the State of Utah and Summit County have regulations for how to site these systems. The study was broken into two analyses, a priority analysis to identify subdivisions in the Snyderville Basin that are at the highest risk for causing surface water contamination from septic systems, and the exclusion analysis to identify areas in Summit County that are least optimal for installation of conventional septic systems. She presented the methodology and results of the priority analysis as described in the staff report and explained that they identified Highland Estates, Timberline, Hidden Cove, and Silver Creek Estates as the subdivisions where septic systems are most likely to fail.

Council Member Ure asked if the Snyderville Basin sewer system has the capacity to handle the waste from all these homes that are on septic systems. Chair Carson explained that this is only the study, and they need to address that question later.

Council Member Armstrong asked if there would be more subdivisions in the high ranking in 20 years and more failures in the medium range if they were to do nothing. Ms. Parham stated that, if they leave things as they are and continue to develop, many medium-ranked subdivisions would eventually become high risk for failure.

Ms. Parham described the exclusion analysis, the purpose of which was to determine the areas of the County that are least optimal for installation of conventional systems based solely on landscape characteristics. She reviewed the parameters for the analysis based on existing regulations for slope, proximity to surface water, and protection zones. She presented the data from the study as shown in the staff report. She explained that this data will show, in general, areas that are more or less suitable for septic systems, but site specific assessments are encouraged.

Mr. Bullough explained that he has included funds in his budget request to further study whether substances in the water are human sourced and to do sampling in certain areas of Summit County to get a better sense of what is happening in the County. Ultimately, the goal will be to set policy, and the Health Department has already strengthened its policies regarding installation of septic systems. They would like to develop maps based on the data so they will have defined areas and not make mistakes again with regard to septic systems. He explained that there are other alternatives for areas that are unsuitable for conventional systems, such as advanced systems and ultimately sewer.

- **Discussion regarding Local Option Sales Tax for Transportation; Matt Leavitt, Finance Officer**

Chair Carson recalled that the Council discussed the proposal of a transportation tax in June, and they were waiting to see what some of the other counties decided. She received an update today, and Weber, Davis, Utah, Tooele, Salt Lake, Uintah, Beaver, Box Elder, Grand, Juab, Morgan, Carbon, and San Juan counties have decided to put it on the ballot in 2015. Other counties, like Summit County, have talked about this not being a general election year and not having transportation plans, and they felt they needed to explore other taxing options. Because of the deadline to put this on the ballot, they have decided not to put it on the ballot this year. She believed the Council should discuss how they wish to proceed.

Finance Officer Matt Leavitt stated that he would question any efforts to place this on the ballot at this time. He recalled that HB 362 changed the tax applied to fuel at the pump from a per-gallon basis to a percentage basis. The Utah League of Cities and Towns analysis of the percent change indicates an estimated increase in revenue for Summit County of \$236,000. Chair Carson clarified that change does not require a vote and will take effect January 1, 2016. The legislature also added caps and other changes to the formula, which will be reevaluated annually by the State Tax Commission, which may result in the potential for additional revenues for Summit County and its municipalities as well. Mr. Leavitt recalled that the Legislature also enacted a .25% local option sales tax on all goods in the County which would be County-wide and can only be implemented by the County. It is estimated that would raise about \$1.3 million in additional revenue for Summit County, depending on which counties participate in this tax. If the counties along the Wasatch Front and Washington County participate, this tax will be more beneficial for Summit County, because it would not be a contributing county. Of the .25% sales tax, .1% would go to the municipalities in the County, .1% would go to the transit districts, and .05% would come to the County. It is estimated that the Snyderville Basin Transit District would receive between \$400,000 and \$500,000. The entire County combined could get \$1.5 to \$2 million based on the League of Cities and Towns estimates. He explained that the Council needs to consider when to place the sales tax on the ballot and the need for a strategic transportation plan.

Mr. Leavitt noted that the County could explore some other sales and use tax options that would also require a vote of the citizens. One is a fixed guideway tax, and there would be a restriction on how those revenues could be spent. Another is a transit-related tax, but the municipalities in the County would not benefit from it. Both of those taxes are also .25%. He clarified that the League of Cities and Towns estimates are based on all counties in the State participating, and it appears that currently only 13 counties plan to put the local option sales tax on the ballot this year. He recommended that the County have a transportation plan in place before taking this to a vote of the citizens so they know how the money will be spent.

Chair Carson noted that the municipalities in the County support the local option sales tax and have immediate needs for the funds, but they also support waiting until 2016 to put it on the ballot. She believed they should also further investigate the other tax options available for transportation. She noted that the Park City School Board has decided to move forward with a bond this year, and she would hate to compete with that. Mr. Leavitt noted that the County has some needs that are not transit-related, and they also need to decide how to address those.

Deputy County Attorney Dave Thomas commented that it would be prudent to wait. He noted that a provision in the statute governing transportation taxes states that they can have elections during a general election of a county, which includes the municipalities and the unincorporated county, or during a municipal general election, which is an election of just the municipalities. No one has been able to explain to him how they can have a county-wide election in a municipal election year. He does not know what the authority would be for an election in the unincorporated county during a municipal election year for purposes of a county-wide tax. He has brought this up a number of times, and no one from the State wants to answer the question. From a legal standpoint, he advised the Council to wait until next year to place the tax on the ballot.

Council Member Armstrong commented that one advantage of waiting until next year is that, by the time Summit County puts it on the ballot, they will know which counties have already approved the tax.

CONVENE AS THE BOARD OF EQUALIZATION

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

The meeting of the Summit County Board of Equalization was called to order at 4:30 p.m.

Board Member Robinson made a motion to approve the 2015 stipulations as presented. The motion was seconded by Council Member Armstrong.

Chair Carson commented that she would approve the stipulations, but it looks like more properties than usual have moved to non-primary status, and she would like to know why. She also questioned why there are so many unbuildable lots. Assistant Manager Anita Lewis offered to talk to the County Assessor and have him provide that information.

The motion passed unanimously, 5 to 0.

DISMISS AS THE SUMMIT COUNTY BOARD OF EQUALIZATION AND CONVENE AS THE GOVERNING BOARD OF THE MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT

Board Member Robinson made a motion to dismiss as the Summit County Board of Equalization and convene as the Governing Board of the Mountain Regional Water Special Service District. The motion was seconded by Board Member Armstrong and passed unanimously, 5 to 0.

The meeting of the Summit County Board of Equalization adjourned at 4:32 p.m.

The meeting of the Governing Board of the Mountain Regional Water Special Service District was called to order at 4:32 p.m.

CONSIDERATION OF CERTIFICATION OF PROPERTY TAX LIENS ON PAST DUE ACCOUNTS; MARTI GEE

Marti Gee with the Mountain Regional Water Special Service District explained that each year they certify to the County the delinquent accounts for customers from whom the District has not been able to get payment.

Board Member Armstrong asked if there is a reason why people do not pay. Ms. Gee explained that these are standby fees, and the District has no ability to shut off water service in order to collect the delinquencies. She stated that they are very liberal in working out payment plans for people who have difficulty making payments, and they also have the ability to do adjustments for people who may have leaks. Tax liens are certified to the County Treasurer, who places the delinquency on the property taxes and then reimburses the District in November. They also place liens on the property so that, if it sells or goes into foreclosure, the title company will get that payoff information when they call. She explained that all of these charges are pledged to make the bond payment, so they are diligent in trying to collect the bad debts. With regard to the \$50 fee charged when a delinquency is certified to the County, she explained that helps to cover some of their administrative costs to try to collect and file the delinquencies.

Board Member McMullin made a motion to approve the certification of property tax liens on past-due accounts for the Mountain Regional Water Special Service District as presented. The motion was seconded by Board Member Robinson and passed unanimously, 5 to 0.

DISMISS AS THE GOVERNING BOARD OF MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT

Board Member Robinson made a motion to dismiss as the Governing Board of the Mountain Regional Water Special Service District and to reconvene as the Summit County Council. The motion was seconded by Board Member McMullin and passed unanimously, 5 to 0.

The meeting of the Governing Board of the Mountain Regional Water Special Service District adjourned at 4:40 p.m.

REGULAR MEETING

Chair Carson called the regular meeting to order at 4:40 p.m.

- **Pledge of Allegiance**

REVIEW AND POSSIBLE ADOPTION OF RESOLUTION 2015-15 ADOPTING SUMMIT COUNTY CLIMATE ACTION PLAN; LISA YODER, SUSTAINABILITY COORDINATOR

Sustainability Coordinator Lisa Yoder recalled that the Climate Action Plan was a follow-up to a greenhouse gas emissions study done in 2011 that looked at County-wide greenhouse emissions from 2005 to 2010. Ms. Yoder reported that the County is on a steady downward trend of about

1% per year, and to continue to decrease greenhouse emissions going forward, this plan proposes several strategies. The plan was created with the help of the Brendle Group and a stakeholder group, and the Brendle Group also did a cost-benefit analysis of the strategies to determine which strategies would give the greatest amount of reduction. The plan includes near-term and long-term strategies and the emissions reductions that will result from those strategies.

Chair Carson asked Ms. Yoder to thank the stakeholder group and asked if they would remain intact. Ms. Yoder replied that they would convene as questions arise or when it is time to review the plan.

Council Member Ure stated that he had spoken with Ms. Yoder about checks and balances in the sustainability program and asked if they know whether their overall bill is actually decreasing. He asked if there would be an outside audit and stated that, just because something says sustainability does not mean it will pay for itself if it costs more money. He believed they need a system in place to verify what the County is actually accomplishing. Ms. Yoder explained that the County is implementing utility tracking software that will input the bills from Rocky Mountain Power and Quester so they can print out the usage reports by building. Council Member Ure referred to recent information from the School Trust Lands that indicates that solar panels do not last 20 years and are not as efficient as they thought they would be. Chair Carson felt that was a good idea and stated that it would help them decide what future projects to do if they get good results with certain strategies.

Council Member Armstrong made a motion to adopt Resolution 2105-15 adopting the Summit County Climate Action Plan. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.

APPOINT MEMBERS TO THE HOYTSTVILLE CEMETERY MAINTENANCE DISTRICT

Council Member Ure made a motion to reappoint Gary Pace and Glenn Shaw and to appoint Deborah Spader and Gale Pace to the Hoytsville Cemetery Maintenance District with their terms to expire December 31, 2019. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

APPOINT MEMBERS TO THE RECREATION ARTS AND PARKS ADVISORY COMMITTEE – RAP TAX CULTURAL

Council Member Ure made a motion to reappoint Ben Castro and to appoint Amy Yost to the Summit County Recreation Arts and Parks Advisory Committee (RAP Tax Cultural Committee) with their terms to expire June 30, 2018. The motion was seconded by Council Member Armstrong and passed unanimously, 5 to 0.

APPEAL OF AN ADMINISTRATIVE DECISION OF THE ENGINEERING DEPARTMENT TO DENY THE DRIVEWAY AS CURRENTLY CONSTRUCTED AT 3428 WESTVIEW TRAIL; MCCORMICK CONSTRUCTION COMPANY, APPLICANT; MICHAEL KENDELL, ENGINEER II

Mike Kendell from the County Engineer's Office presented the site plan submitted by the applicant and approved by the Engineer's Office. He reported that, when he did a final inspection on the driveway, the driveway was too steep, and he asked one of the County's more experienced surveyors to help him survey the driveway. The grades exceeded the maximum allowable grade of 12%. He provided an exhibit showing the approved plan for the driveway compared with the driveway grade as constructed and indicated the difference in the slope of the driveway. The grade of the driveway is not in compliance, and that, along with a small grading issue, is the reason why a passing final inspection was not granted.

Council Member Robinson asked how the driveway could have been shortened to cause the steeper grade. Mr. Kendell explained that the level pad at the top of the driveway is longer than what was shown on the plan. Council Member Robinson asked if the applicant disputes the data from the County Engineer's Office. Ryan McCormick, the appellant, stated that he does not dispute it. Council Member Robinson asked if Mr. McCormick has an explanation for why the driveway was not built per the plan. Mr. McCormick stated that he assumed the excavator who did the initial grade work put it in according to plan. Once that was done, they had a pre-surface inspection, which passed, and then he immediately surfaced the driveway. He believed it was Mr. Kendell's stand that they changed the driveway after the inspection. Mr. Kendell clarified that he is new with the County and has no idea whether anything changed after the pre-surface inspection. The information he has from the pre-surface inspection is that the length was 190 feet, and he had to assume that the sub-grade has to have changed. Council Member Robinson confirmed with Mr. Kendell that the only possibilities are that either the driveway was measured incorrectly or that something changed. Mr. Kendall stated that, based on the information he has regarding the pre-inspection, he would have to conclude that something has changed.

Chair Carson asked about the typical accuracy of the equipment used for the original inspection. Mr. Kendell replied that he was not here when it was done, and the inspector may have had different equipment than he has available, but the measurement should be very accurate, within a few inches.

Council Member Armstrong asked why the driveway is out of conformance. The excavator clearly did not do what he was supposed to do to County standards. He asked if the applicant checked to be sure the driveway met the standards or if the excavator provided a certificate verifying the driveway met the grade requirements. Mr. McCormick stated that he has not had much experience in Summit County and knew the excavator had, so he left it up to the excavator's experience. He also relied on the experience of the engineer, and the only way he knew it conformed was the approval from the inspector. That is what he has relied on with his previous jobs in the County, and he has never had a problem. Council Member Armstrong asked if the Engineer's Office makes any warranties as to the accuracy of its inspections. Public Works Director Derrick Radke replied that they do not make any warranties. If there was a big discrepancy between the Engineer's Office and the contractor, they would have met together and worked it out and measured again. The interesting thing with this driveway is that the survey is

very close to the actual plan, so something has to have changed between the time of the inspection and when the driveway was surfaced.

Chair Carson asked if there is a difference between the plan and the length of the pad at the top of the driveway. Mr. Kendell confirmed that there is and indicated how it had been moved closer to the street.

Council Member Robinson confirmed the date of the inspection and the date the driveway was surfaced with the appellant. He confirmed with Mr. McCormick that it is his position that the driveway had the current grades when the inspector came out.

Chair Carson asked if the inspector compares their measurement with the plan. Mr. Radke replied that his experience with this inspector is that, if there was a difference from the plan, she would make a note of it, and he does not see any notes to that effect on this inspection. When she measured it, it measured according to the plan.

Council Member McMullin asked if the inspector would have the plans with her when she goes to do the measurement. Mr. Kendell explained that they would normally have a folder with the inspection sheet and a copy of the plan. Council Member McMullin asked who was present the day the inspection took place and who was present the day the driveway was poured. Mr. McCormick stated that he and the cement contractor were there the day the cement was poured, and there was no other equipment on the site at that time.

Mr. Kendell and Mr. Radke explained how the readings as shown on the inspection report would have been taken by the inspector.

Mr. McCormick commented that, as he thought about this driveway and adjoining driveways in the neighborhood, he asked himself how those driveways could be as steep as or steeper than his and have passed. He presented measurements showing the grade on other driveways in the area that are as steep as or steeper than the driveway on this lot and provided his measurements of those driveways.

Council Member Robinson asked Mr. Radke to explain the Code requirements. Mr. Radke replied that a driveway must be an average of 10%, but on long driveways there can be up to 250 feet of 12.5% grade. Some driveways may go up or down over a long distance, and the average is 10%. Council Member Armstrong believed the Code is inconsistent as it is written. Council Member Robinson discussed how he thought the inspector made her measurements and what he thought may have happened. Mr. Radke explained again how the driveway was measured. Mr. Kendell reviewed how the grade break or flat part of the driveway had been moved, which caused the driveway to be steeper overall. Council Member Robinson asked where the ordinance talks about where the driveway measurements starts or stops. Mr. Radke confirmed that it says the measurement is from the grade break outside the garage.

Council Member Robinson made a motion to convene in closed session for deliberation on this item. The motion was seconded by Council Member Armstrong and passed unanimously, 5 to 0.

The Summit County Council met in closed session for deliberation from 5:40 p.m. to 6:15 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

Anita Lewis, Assistant Manager

David Thomas, Deputy Attorney

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

Chair Carson reported that, after the Council's deliberations, they determined that they need additional time to gather specific evidence. They have instructed the County Attorney to pursue that evidence, which may include live witnesses, and they will try to do so in a timely manner.

Mr. McCormick explained that, in order to avoid a lawsuit with his client, he had to sign an agreement to start construction of a new driveway on Monday if this decision did not go his way. He stated that the buyers of this property are very unreasonable, and he had not anticipated the process would take this long. Council Member McMullin asked if it might make a difference if the County Attorney's office were to contact Mr. McCormick's client and let them know the Council will have a decision by next Wednesday. She encouraged him to elicit whatever help he needs from the County to get an extension from his agreement with the client. Chair Carson offered to write a letter on Mr. McCormick's behalf to get an extension to the following Thursday morning.

Council Member Armstrong commented that he believed the excavator's insurance should cover this, because it was probably the excavator who made a mistake. Mr. McCormick stated that, if the excavator had known the driveway was out of compliance, he would have made the necessary changes at that time, and they were just following the inspections and the approvals.

APPROVAL OF MINUTES

AUGUST 5, 2015

Council Member Robinson made a motion to approve the minutes of the August 5, 2015, Summit County Council meeting as written. The motion was seconded by Council Member Ure and passed unanimously, 5 to 0.

PUBLIC INPUT

Chair Carson opened the public input.

Gale Pace commented on the wonderful trail for biking, walking, and jogging along Rasmussen Road and from Newpark South. He assumed the County Council approved those trails, and he believed they are appropriate and wanted to thank them for it. He also thanked them for the dog parks. He thanked them for approving the Tour of Utah on Hoytsville Road. He commented on the number of bikers on Chalk Creek Road and felt it was not fair to have a bike trail there but acknowledged that there is no room for it. Council Member McMullin commented that they also need to thank the voters, because the residents of the Snyderville Basin agreed to tax themselves to issue bonds for those trails. Chair Carson explained that they will be looking at additional trails throughout the County as part of the transportation plan.

Chair Carson closed the public input.

PUBLIC HEARING AND POSSIBLE APPROVAL OF RESOLUTION NO. 2015-16, 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

Chair Carson recalled that this boundary adjustment was requested by Zions Bank and reviewed by the Council previously. Additional information was needed, and she believed they had everything worked out between the two entities. Ron Russell, the attorney for Zions Bank confirmed that the resolution was approved by Morgan County and reviewed some adjustments to the resolution requested by Morgan County. He noted that this is a resolution that resulted from a previous survey problem. The house was built in a location that straddled the County line, and Zions did not find that out until after it had foreclosed on the property. They worked out the boundary adjustment with the adjacent property owners through a settlement agreement.

Chair Carson opened the public hearing.

There was no public comment.

Chair Carson closed the public hearing.

Council Member Robinson made a motion to approve Resolution No. 2015-16, 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 with the changes to the resolution as outlined. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

PUBLIC HEARING AND POSSIBLE ADOPTION OF ORDINANCE NO. 848, AN ORDINANCE APPROVING AND ADOPTING THE AMENDED LAND USE AND ZONING CHART, ALSO KNOWN AS EXHIBIT B, OF THE DEVELOPMENT AGREEMENT FOR THE CANYONS SPA AS AMENDED (TO ACCOMMODATE A SKI MAINTENANCE FACILITY); RAY MILLINER, COUNTY PLANNER

Principal Planner Ray Milliner presented the staff report and explained that the applicant is requesting an amendment to the Canyons SPA Development Agreement. The applicant proposes a ski maintenance facility on Parcel WWD-4 in the Canyons, but the Use Chart does not allow that use on this property, so an amendment to the Use Chart is required to allow that use. He

referred to the amended notes in the Use Chart and noted that he had provided an additional copy of the Chart with an additional amendment to the notes. Staff recommended that the County Council approve the proposed ordinance.

Spencer White, the applicant, explained that this parcel is owned by Dr. Krofcheck, and they will exchange properties with him.

Council Member Robinson expressed concern about the lodging density that would remain on this site and how they would account for the 19,000 square feet of structure that will be built on this parcel. He believed the 180,000 square feet should be reduced by the density of the maintenance facility. He also asked who would determine where the 180,000 square feet of density would be moved.

Mr. White explained that the SPA allows for resort-related amenities, such as maintenance facilities, that do not count against the density, and this maintenance facility falls within that definition. Moving the 180,000 square feet will require a SPA amendment when it is moved, and the County Attorney's Office felt it would be best to leave the density on this parcel until they return with a request to move the density through a SPA amendment. Mr. Thomas explained that it was intended for density to be moved within the SPA, which is at the discretion of the County Council, because a SPA amendment is required in order to move the density. Council Member McCullin explained that it would have to go through the DRC, RVMA, and Planning Commission before it would come to the Council. Council Member Robinson wanted to make it clear in the ordinance that moving the density would be at the Council's sole discretion. He also believed they should recite in the notes that the 19,000 square feet for the maintenance facility does not count against the density, because he did not want this to result in confusion. Mr. Thomas agreed and noted that this applicant does not have any rights that are different from any other parcel owner in the Canyons when it comes to transferring density between parcels.

Council Member Armstrong confirmed with Staff that nothing in this ordinance affects any transfer of density.

Council Member Robinson suggested that they change Finding of Fact 6 to add language, "consistent with the terms and conditions of the SPA Development Agreement." He also requested an additional Conclusion of Law stating that the density used by the maintenance building does not count against the 180,900 square feet of density on this property. He confirmed with Mr. White that they would be able to meet the target dates set by the County Manager.

Chair Carson opened the public hearing.

There was no public comment.

Chair Carson closed the public hearing.

Council Member Robinson made a motion to adopt Ordinance 848, an ordinance approving and adopting the amended Land Use and Zoning Chart, also known as Exhibit B, of the Development Agreement for the Canyons SPA as amended with the following Findings of Fact and Conclusions of Law as shown in the staff report and as amended in this meeting and to authorize the Chair to sign after the final changes have been made:

Findings of Fact:

1. On May 1, 2015, the applicant applied for the development of a Ski Maintenance Building on Parcel WWD-4 of the West Willow Draw Development Area.
2. The proposed facility would be approximately 19,000 square feet in size.
3. The site is located northwest of the Grand Summit Lodge near the end of Willow Draw Road.
4. The applicant is requesting an amendment to the Canyons SPA Development Agreement Land Use and Zoning Chart to allow Resort Operations and Maintenance Facility with Associated Storage and Surface Parking.
5. There are 180,900 square feet of Hotel/Lodging Units assigned to the parcel.
6. The amendment will leave the density on site until it can be transferred to another parcel consistent with the terms and conditions of the SPA Development Agreement.
7. The proposed maintenance building is a requirement listed in the July 2014 County Manager's 7th Addendum to the Findings of Fact and Conclusions of Law in the "Enforcement of and Status of the Amended and Restated Development Agreement for the Canyons Specially Planned Area."
8. The agreement requires that a new ski maintenance building be under construction by fall/winter of 2015 and the existing ski maintenance building in Frostwood be removed by June 2016.
9. The proposed facility was approved by the Canyons DRC, indicating that it met the minimum requirements for approval per their requirements.
10. The current location is sited near the mountain, away from existing development.
11. The proposed site is situated in an area that is generally undeveloped.
12. The Planning Commission forwarded a positive recommendation to the County Council on July 15, 2015.

Conclusions of Law:

1. The proposed SPA amendment complies with all requirements of the Snyderville Basin Development Code and the Canyons DA.
2. The proposed SPA amendment is consistent with the Snyderville Basin General Plan, as amended.
3. The amendment is not detrimental to public health, safety, and welfare, as the roads and public services in the area are sufficient to accommodate the increase in intensity of the use.
4. The amendment is compatible with the existing neighborhood character and will not adversely affect surrounding land uses.
5. The density used by the maintenance facility will not count against the 180,900 square feet of density assigned to this parcel.

The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

COUNCIL COMMENTS

Council Member Armstrong reported that he met with JTAB and discussed a short-range transportation plan. A consulting company is compiling the Park City, Summit County, and Snyderville Basin data. They are riding buses, looking at routes, and gathering additional types of information, and then they will start to prepare a recommendation. Council Member McMullin asked who determines the bus routes. Council Member Armstrong replied that they are determined by the people who operate the transit system. Mr. Thomas explained that the routes are renegotiated every year. Council Member McMullin explained that her question relates to the new hotel on Highway 224 and whether the routes and the bus stops are appropriate for that location.

Chair Carson reported that she attended the UAC meeting of commission and council chairs with the Governor. They had a good discussion and an opportunity to bring up some important issues, one of which was the public lands transfer. She thanked the Governor for the public lands initiative the County participated in.

Council Member Ure reported that they had a good COG meeting the previous evening. Chair Carson reported that they talked about planning events, and Erin Bragg presented information on the services the Summit Land Conservancy can provide. On the next agenda they will schedule a more detailed discussion from AllWest Communications regarding data transmission in the County.

Council Member McMullin commented that there is no light industrial space in the County and very little commercial space.

MANAGER COMMENTS

There were no Manager comments.

The County Council meeting adjourned at 7:00 p.m.

Council Chair, Kim Carson

County Clerk, Kent Jones

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, AUGUST 26, 2015
SHELDON RICHINS BUILDING
PARK CITY, 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 Armstrong made a motion to convene in closed session to discuss property acquisition. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.

The Summit County Council met in closed session for the purpose of discussing property acquisition from 12:00 noon to 12:35 p.m. Those in attendance were:

Kim Carson, *Council Chair – by telephone*
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*
Jami Brackin, *Deputy Attorney*
Rena Jordan, *Snyderville Basin Recreation*

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

The Summit County Council met in closed session for the purpose of discussing litigation from 12:35 p.m. to 1:30 p.m. Those in attendance were:

Kim Carson, *Council Chair – by telephone*
Roger Armstrong, *Council Vice Chair*
Claudia McMullin, *Council Member*
Chris Robinson, *Council Member*
David Ure, *Council Member*

Anita Lewis, *Assistant Manager*
David Thomas, *Deputy Attorney*
Jami Brackin, *Deputy Attorney*

Council Member Ure made a motion to dismiss from closed session and to convene in work session. 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 1:50 p.m.

- **Update on the Public Lands Initiative; Casey Snider, Congressman Bishop's Office**

Chair Carson acknowledged those who served on the Public Lands Advisory Group.

Casey Snider with Congressman Bishop's office stated that he believed the draft initiative would be available by the end of September. He summarized that this is the culmination of a three-year process. Congressman Bishop's Office recognized that there has been some conflict in the State that does not serve anyone well, including environmental interests, industry, grazing, and other interests, because they need certainty long term. Congressman Bishop, the Governor's Office, and Congressman Chaffetz believed there had to be a better way to reach a solution. They reached out to all the stakeholders they could think of, and the Public Lands Initiative (PLI) is a balanced approach to solving the problem for everyone. They have utilized wilderness as currency to overcome some of the difficulties of designating wilderness in some places by guaranteeing other things, such as long-term protections for grazing, road access for some counties, and release of WSAs for wilderness areas. They will propose 3.9 million acres for wilderness designation, which would make this the largest wilderness bill ever. Some counties are concerned about future administrative actions, particularly for monuments, and they will be exempt in some way from the Antiquities Act.

Council Member Armstrong asked about the quid pro quo for designating the wilderness and stated that this is the first he has heard of counties being exempt from the Antiquities Act. Mr. Snider explained that some counties specifically requested that as part of the PLI, but that is not part of the final agreement at this point. He stated that Summit County is an exception to this, but there are more complicated issues in other counties. He noted that request was also made by the Governor's Office. He stated that this is a county-driven process and described the situation in Daggett County, explaining that they were unable to broker something that was viable there. Daggett County was unable to make any changes and asked to not be part of this process.

Mr. Snider reviewed the information submitted to Congressman Bishop's Office for Summit County's participation in the PLI and indicated the areas that will be designated wilderness. He also indicated the watershed management areas. He discussed what would be allowed in the watershed management areas and in the wilderness areas. He indicated areas of release that will no longer be considered roadless. He referred to parcels that will be conveyed to the County and Park City as a public purpose conveyance as open space. If those parcels are ever divided, they would revert back to the federal estate. If the County would like to have certain public purposes designated for those parcels, they should be included in the PLI. Mr. Snider explained that, when the draft bill comes out, there will be an opportunity for public comment.

Council Member Robinson asked if there would still be an opportunity to add some parcels, and Mr. Snider confirmed that they could before the PLI is completed.

Council Member Armstrong stated that he is opposed to any Antiquities Act exclusion in this bill. Although that may not apply in Summit County, he believed it would create problems for the State of Utah. Utah has some extremely sensitive treasures and lands, and he would not want to create an expedited process short of a Congressional resolution for a national monument to protect those lands. He acknowledged that he is speaking for himself personally, but he believed approving that would probably risk endangering this entire process. Mr. Snider explained that what they are trying to do is promise certainty, and if someone negotiates through this process, a deal needs to be a deal. They need to find a way through that is not offensive and does not jeopardize the entire action, but at the same time they can't have unilateral executive action a few years later taking away what is negotiated. Chair Carson shared Council Member Armstrong's concerns, but knowing what goes into reaching these agreements, she would want to see what is agreed to. If it would take care of some of the most precious resources that are the highest priority for the conservation groups in those areas, she believed that could be acceptable as long as it is restricted to the counties that have requested it.

Brad Barber from Barber Consulting commented that the language issues are critical. He recalled that the committee carefully crafted language, especially on the special management areas, and what was talked about here may be a little different. He stated that the conservation community will have some concerns about some of the changes in language.

- **Discussion regarding crossing at SR-224; Derrick Radke, Rena Jordan, and UDOT representatives**

Public Works Director Derrick Radke recalled that the last time they met with the Council they went through alternatives, and the Council requested more facts.

Gary Horton with Project Engineering Consultants reported that they looked at additional information and recalled that they are looking at a grade-separated pedestrian crossing as an alternative to an at-grade crossing. The decisions are whether to build a bridge versus a tunnel and the location. He presented ideas for both bridges and tunnels. As far as location, one option would be at the intersection or within 50 feet, and the other alternative would be a crossing about 300-350 north or south of the intersection. With the geology of the area, a bridge would be better for a crossing north of the intersection, and a tunnel would be better south of the intersection. Crossing at the intersection would require a double bridge or double tunnel. He reviewed factors to consider when making a decision. He provided accident data in the area of this intersection for the last three years and noted that there is no distinct pattern showing that any particular thing creates accidents. The accidents are spread throughout the area, so an overpass or underpass may not eliminate accidents. He noted that, aside from the pedestrian fatality, these were all vehicular crashes. From UDOT's perspective, the lack of pattern would indicate that a crossing would not solve the problem. The time needed to build a bridge would be 60 to 90 days, and it would not impact traffic. A tunnel would involve utility relocations, and excavation would be difficult. It is anticipated that a tunnel would take 120 to 150 days to build, and UDOT would require the same number of lanes there are currently and would not allow them to shut down traffic lanes. Because of that, costs could go up and construction could take longer. With regard to public opinion from the open house, there was great interest in having the crossing at Bear Hollow Drive, and some people were adamant they did not want an overpass, with the majority wanting an underpass. He discussed the demographics of the trail users that cross the highway. He reviewed the costs associated with building a bridge away from the intersection at \$2.8 to \$3.3 million compared to an underpass away from the intersection at \$3 to

\$3.5 million, and the costs of a bridge at the intersection of \$4 to \$4.5 million compared to a tunnel at the intersection at \$4.5 to \$5 million. In general UDOT supports the grade separated crossing, but he would not want to guarantee that UDOT would put money into it, because they do not see a need for it at this time. If they use federal funds, it could make the project more expensive, because they would have to federalize everything.

Mr. Horton reported that this same presentation was made to the Snyderville Basin Special Recreation District Board, and their recommendation is to move forward with the project. Because of their limitations on funding, they would recommend the bridge to the north. Rena Jordan with the Recreation District reported that they have \$2.95 million to spend on this project.

Council Member McMullin stated that she understands the concerns of parents with children going to school, but she would like to know what recreation or trail issue they are trying to solve at this location. Ms. Jordan explained that this was always designated as the location for a connection from both sides of the highway for the Millennium Trail in the Trails Master Plan. She acknowledged that they also looked at it with the school site in mind, but connecting the trails is the recreation component. She noted that many of their trails serve dual purposes. Bob Radke with the Recreation District indicated the trails and park that would be connected by this crossing and commented that most of the people live on the east side of the highway, but many of the trails are on the west side. A number of people who live on the west side also want to access the park on the east side, and this crossing is all-encompassing for this area. Council Member McMullin asked if this is the correct place to connect a trail. Mr. Radke noted that it would also serve people at the Canyons Resort.

Chair Carson noted that the presentation indicated that the Recreation Board was supportive of the bridge and asked what their preference would have been if money was not a factor. David Kottler, Chair of the Recreation Board, stated that he believed the Board's recommendation had been overstated. In their last Board meeting there was not a consensus on a recommendation for the bridge to the north or the tunnel to the south. The consensus was a recommendation to go forward with the process based on the long history of this issue, the trails plan, UDOT's support for it, and the public's apparent support for it. He believed there is widespread support, and they recommend moving forward with the project, but there was no recommendation on the specifics other than to avoid the dual tunnel or dual bridge. Council Member McMullin asked if the Recreation Board reached a consensus about where it should be located. Mr. Kottler replied that they did not. They support either a bridge to the north or a tunnel to the south, but they did not reach a consensus for one or the other.

Council Member Robinson asked for clarification of the 2014 bond proceeds and how the other \$8.75 million from the 2014 bond is earmarked. Ms. Jordan explained that \$5.5 million is for the fieldhouse expansion to build a gymnasium, \$2.5 is allocated for a second sheet of ice at the Park City Ice Arena, and the remainder is for trail projects.

Chair Carson recalled that the Recreation District has talked about trail projects for a while, but the Council has not seen what that looks like. She asked how a bridge might affect a potential future rail project. Mr. Radke replied that it probably would not interfere with light rail at all. If it is a monorail or gondola, they might have to make some adjustments, depending on where they go with the rail system. In any event, they could work around a bridge.

Council Member Ure asked if the School Board proposal would make a difference in the number of students using this intersection. Council Member Armstrong explained that it would change the age of the oldest children using the intersection from 5th graders to 4th graders. He believed most students are driven to school, and he anticipated that would continue. He suggested installing flashing lights at the crosswalk if the parents in the neighborhood are concerned. If there were a large number of debilitating or fatal injuries at this intersection, he could understand the need for this, but the data does not support that. He did not understand why they would want to propose spending \$3 to \$4 million in assets to try to solve a problem that does not exist. It appears they have a solution in search of a problem. He asked if they considered that 5th graders will be taken out of this intersection. Mr. Radke replied that they have not, and they do not have anyone crossing there now, but for 10 years he has received input from people living on both sides of the road asking for a crossing. There is no pedestrian access, because people are afraid to cross at this crosswalk, and they get very little green light time to cross the road. Council Member Armstrong maintained that there are ways to solve that problem without spending millions of dollars. Because of the snowy weather, he did not believe parents would send their children down to this intersection to walk to school between November and April.

Council Member Robinson asked to what degree the building of a grade-separated crossing is driven by safe school crossing versus being the right place to connect the trail systems on both sides of Highway 224. Ms. Jordan stated that they looked at this purely from a recreation standpoint when they proposed the bond, and safety was a secondary issue. They have already identified the need to connect the two trail segments, and this would provide an opportunity to get people to the Canyons safely. Now they need to ask for partners to help them get this built.

Regional Transportation Planning Director Caroline Ferris asked the Council to keep in mind where the County is trying to go with comprehensive transportation planning. She has driven and ridden the bus through this intersection and would never attempt to cross. She believed people do not try to cross here because it won't work. She noted that they want people to come to the County and say there is good transportation and safe crossings, and she believed this would further the County's goal.

Chair Carson requested that the Council Members expression their opinions regarding a bridge versus a tunnel. Council Member Robinson was in favor of a tunnel to the south and did not believe the cost of a bridge was worth the visual impacts it would create. Chair Carson confirmed with Council Member Armstrong that he is not supportive overall of a crossing at this time. Council Member Ure recalled that, when he was in the Legislature, they appropriated money for a crossing over I-80 that is hardly ever used. They will spend taxpayer money to do this, and if the difference in cost between the tunnel and the bridge is as close as projected, he would be in favor of the tunnel to the south, but he hoped it would be used more than the pedestrian bridge has been. Council Member McMullin stated that, if anything, she would favor a tunnel to the south. Chair Carson stated that she would favor a tunnel to the south, because if it is in a good location and well connected, she believed it would get year-round use, but a bridge would not get as much use. She also believed a bridge would require more ongoing maintenance, and she was also concerned about the visual effects. She recommended that they get more information. They have not seen the whole trail vision planned by the Recreation District and how this crossing could tie the pieces together. She encouraged the public to contact Council Members with their concerns and support and stated that they will allow public input at the next meeting at which they discuss this issue. She also requested bond language and more information on the entire capital budget for the Recreation District so the County can see what

shortfall may need to be covered. Council Member Robinson stated that he would like to see more refinement of what is allocated from the 2014 bond and what is left from the 2010 bond.

Chair Carson asked if consideration was given to wildlife at this crossing. Mr. Horton replied that he did not believe UDOT had seen a need for a wildlife crossing at this intersection.

Chair McMullin commented that the County provides safety and recreation for the residents and the visitors. She encouraged the Recreation District to look for the best location to serve the most people to connect the trails for everyone who uses them, which includes the Canyons and hotels on either side. She noted that they do not provide services for the residents only but for their visitors as well, and safety should be of paramount importance for both.

Council Member Armstrong asked what the traffic impact would be of extending the time for pedestrians to cross at the intersection and the cost of enhancements such as flashing lights prior to the intersection. That is something that could be put in place right away to see if it solves some of the problems. Putting in a tunnel is a long process, and he believed things could be done right now to solve the crossing problem. Mr. Horton explained that the County can request a speed change at any time from UDOT, and they will do a study to see if it is warranted. He also asked if they could get a UDOT representative to attend the next meeting when this is discussed.

CONVENE AS THE BOARD OF EQUALIZATION

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

The meeting of the Summit County Board of Equalization was called to order at 3:35 p.m.

CONSIDERATION OF APPROVAL OF 2015 STIPULATIONS

Chair Carson reported that she had exchanged emails with County Assessor Steve Martin and had asked for a refresher on how the stipulation process works so they can refine the process for approving stipulations in the future.

Mr. Martin explained that he has until May 22 to certify the values for the current tax year, and those then go to the Auditor and State Tax Commission to set the tax rates. The only time he can make changes or corrections to the tax rolls is during the 45 days from August 1 to September 15 through the Board of Equalization. Disclosure notices are sent out with the potential tax for the year, and property owners have 45 day to appeal. Each appeal must be qualified to be sure it includes a determination of value and supporting documentation. Those appeals are divided up to be evaluated and determine if there is a preponderance of evidence regarding the property value. Once they reach a conclusion, they create the stipulations, which the Council approves before they are sent to the property owners. The property owners can either agree or disagree with the stipulation, and if they disagree, they are scheduled for a hearing date before an Administrative Law Judge or a Hearing Officer in person. If they do not return a disagreement with the stipulation, it is assumed that they agree with it. Then the tax notices go out.

Chair Carson confirmed with Mr. Martin that the number of appeals is down so far this year. Mr. Martin explained that most of the appeals this year have been primary and secondary home appeals, and there have been very few value appeals. He explained that when a Certificate of Occupancy or change of ownership occurs, a form is sent to the owner to complete to declare whether the home is a primary or secondary home. He confirmed that they use every available resource to find changes in ownership.

Board Member Robinson stated that he had sent emails to Mr. Martin regarding constituents' concerns about three- and four-fold property value increases. Mr. Martin explained that Utah is a market value state, and if there are no sales in an area, there is no way to justify to the taxpayer a raise in rates. If there are sales, there is no way to justify to the Tax Commission why they would not adjust values. If there are areas where there are no sales for a number of years and then they do have sales, it results in a sudden change that accounts for a number of years, which can create sticker shock.

Chair Carson asked if the values are re-evaluated every five years. Mr. Martin clarified that one-fifth of the County is evaluated in detail every year, and if they find an area that is an anomaly compared with the rest of the County, they evaluate that as well. Chair Carson suggested that the Council review the stipulations as soon as they receive them, and if they have question, they can email Mr. Martin so he can bring the information to the Council. She did not believe it is necessary to have a representative from the Assessor's Office attend each meeting where stipulations are approved.

Board Member Ure made a motion to approve the stipulations as presented. The motion was seconded by Board Member McMullin and passed unanimously, 5 to 0.

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

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

The meeting of the Summit County Board of Equalization adjourned at 3:50 p.m.

REGULAR MEETING

- **Pledge of Allegiance**

DISCUSSION AND POSSIBLE ACTION REGARDING APPEAL OF ADMINISTRATIVE DECISION REGARDING THE STAYPARKCITY.COM SIGN AT THE PARK CITY TECH CENTER BUILDING I; SEAN LEWIS, COUNTY PLANNER

Council Member McMullin disclosed that she had a discussion with the appellant without knowing the County Council was the appellate body and learned more about this appeal than she should have and prejudged the outcome. She recused herself from discussing and taking action on this item.

County Planner Sean Lewis presented the staff report and explained that this is an appeal of an administrative decision to deny a sign for StayParkCity.com, a tech company in Building I of the Park City Tech Center. In checking the Comprehensive Sign Plan for this development, Staff confirmed that the Plan restricts signs on the buildings to “major tenants.” Unfortunately, there is no definition of a major tenant in the Comprehensive Sign Plan, the Development Agreement, or the Development Code, so it is left up to the Community Development Director to determine. At the time of the sign permit application, the information Staff had was that this software company with 2 to 3 full-time employees was leasing space from All Seasons Resort, which owns the second floor of the building, or approximately 12,000 square feet. At the time of the application, Staff did not know how much space would be leased by Stay Park City, and based on the information they had at the time, Community Development Director Patrick Putt determined that three employees is not a major tenant and denied the sign permit. Since then, Staff has learned that The Boyer Company gave All Seasons control of two of the four walls signs on the building as part of their sales agreement. However, that does not give them leverage to determine who is or is not a major tenant.

Council Member Robinson asked how many signs are on the building now. Mr. Lewis replied that he believes there are two signs on the building. Council Member Robinson asked if any of those signs advertise All Seasons Resort or one of their subtenants. Mr. Lewis replied that there was a wall sign for RyanTech, which was a sublessee of All Seasons. Council Member Robinson asked if they would be considered a major tenant under the definition. Mr. Lewis replied that he does not know anything about the RyanTech sign or how it was issued.

Council Member Ure asked about the window sign in the building. Community Development Director Patrick Putt explained that a separate part of the Sign Plan addresses window signs, and the window sign complies with those requirements.

Chair Carson confirmed with Mr. Lewis that the appellant is not requesting a monument sign.

Council Member Armstrong asked what would be considered a major tenant. Mr. Putt replied that, to him, the major tenants would be the owners of the four condominium units, not a sublessee. He did not believe three employees leasing a small portion of 12,000 square feet constitutes a major tenant. He also expressed concern about allowing major tenant space to be used by subtenants on this gateway building to the project. He believed a lot of time and effort went into the appearance of the building and not wanting it overly signed. This was not the type of use in his estimation that would generate a lot of traffic to and from the building from the highway, which is another reason this does not meet the threshold of being a major tenant.

Council Member Robinson confirmed with Mr. Putt that he would consider All Seasons Resorts to be a major tenant. He asked if there is any evidence that Boyer assigned rights to this tenant. Mr. Lewis stated that the sign application was signed by the owner of All Seasons Resorts indicating that they agreed to the application. Council Member Robinson believed the issue is the number of signs and asked why the County cares if All Seasons wants to make its tenant happy by allowing them to have a sign on the building. Mr. Putt replied that it does not comply with the Comprehensive Sign Plan, which does not contain a provision to convey the sign to another tenant. Deputy County Attorney Dave Thomas explained that the County needs to live within the four corners of the Sign Plan, which provides for one sign each for each of the major tenants. If the Sign Plan said they could have four signs and that the property owner could assign those signs, he would agree with Council Member Robinson, but that is not what the

agreement says. The Comprehensive Sign Plan specifically states that the signs are to be for the major tenant. He believed the reason was that the major tenant was viewed as the primary user of the facility. County Attorney Robert Hilder stated that it does not matter who owns the building, the language has to do with tenants. The intent is to allow the identification of major tenants, and he did not see any documentation showing that Stay Park City is a major tenant. Staff did not base their decision on square footage but on the number of employees, and the Council could certainly base it on square footage if they choose if they have evidence of what square footage Stay Park City occupies. Council Member Robinson stated that he would like to consider whether a major tenant gets one sign and whether they can designate it to a tenant in their space. He believed All Seasons is attempting to exercise the right of a major tenant to have a sign to identify their tenant. Council Member Armstrong argued that All Seasons has the right to identify itself. Council Member Robinson believed the intent of this language was to prevent the proliferation of signs, which are seen as bad, but he did not think this would set a precedent. He believed they are reading a lot into this by saying the sign has to be for advertising the major tenant. If the major tenant has no need of an advertisement but has a subset of that tenant that needs an advertisement, he believed it is just semantics and that the intent would be met.

Council Member Armstrong commented that he believed it was also intended to limit the kinds of signs they could have on a building. Someone could put up a sign that promotes something else and does not identify the tenant's business. He believed the language intends for the sign to identify the tenant of the building, and there needs to be some relationship to the tenant.

Mr. Thomas stated that this language is intended for the signs on the building to identify major tenants. If the Council wants to change that, they should amend the Comprehensive Sign Plan for this development, because whatever applies here will apply throughout the entire project.

Chair Carson stated that, based on the advice of their attorney, she did not believe they have the grounds to grant this appeal, and it could open up a can of worms. If the subtenant wants to pursue getting the Sign Plan changed through the Boyer Company, they could pursue that.

Council Member Robinson maintained that, if a major tenant has a subset that requires advertising, and the major tenant does not, it would not be offensive to him to allow that, as long as it advertises on-premise activities. He believed it should be left up to the owners or lessees of the space to determine which tenant gets the right to the sign. He did not believe anyone would care whether it says All Seasons Resorts or Stay Park City. Mr. Hilder stated that the language is not hard to follow, and the Sign Plan says they are trying to minimize the impact of signs, so the language would have to be changed to go down the road Council Member Robinson suggests. Council Member Robinson argued that he did not believe the language is as black and white as everyone else is trying to make it.

Council Member Armstrong stated that allowing a major tenant to sublease and subgrant the right to a sign to a third party will virtually guarantee that there will be four signs on the building. Council Member Armstrong was not convinced that having two signs on the façade of these buildings would cause a problem nor that they have to be so stringent.

Chair Carson confirmed with Mr. Putt that there are other opportunities to put a sign on the building, and the Council would not be taking away the opportunity to have a sign. Mr. Putt explained that this would also not take away the ability to have this building identified on the directory in the building.

Council Member Ure stated that, philosophically, he agrees with Council Member Robinson. Chair Carson stated that, if that is the way they feel, they need to make some changes to the Sign Plan so they do not open up a can of worms for future buildings in this project. Under that scenario, a business could pay a minimal amount for a lease just to have a sign on the building. This clearly is not a major tenant, and if there are concerns about the actual language, the appellant could petition to open it up.

Council Member Robinson stated that before he could support the appeal, he would need evidence from the owner that they agree to allow the tenant to have a sign on the building.

Council Member Armstrong made a motion to deny the appeal of an administrative decision regarding the StayParkCity.com sign at the Park City Tech Center Building I and ratify the decision of the Community Development Director based on the following findings of fact and conclusions of law as contained in the staff report subject to the signature of the Chair:

Findings of Fact:

1. **The application submitted requested: one (1) wall-mounted sign measuring 19 feet x 3 feet (57 square feet).**
2. **Section 10.8.2.D of the Snyderville Basin Development Code allows “uses that are subject to the provisions of a previously approved comprehensive sign plan may choose to continue the use of that sign plan”**
3. **The Park City Tech Center has established a comprehensive sign plan that governs signage within the development.**
4. **The 2nd Amendment to the Park City Tech Center Comprehensive Sign Plan was approved by the Summit County Manager on 15 August 2013 and is the comprehensive sign plan for the Park City Tech Center project.**
5. **As stated in the 2nd Amendment to the Park City Tech Center Comprehensive Sign Plan, “The intent of the sign plan for PCTC is to provide functional signs that allow businesses and uses to be easily identified, but to also be balanced in scale and to minimize competition with and disturbance to the architectural features of the buildings.”**
6. **The 2nd Amendment to the Park City Tech Center Comprehensive Sign Plan states that, “It is the general intent of PCTC that individual buildings will not have monument signs, particularly those buildings that are multi-tenant in nature.” (emphasis added)**
7. **The 2nd Amendment to the Park City Tech Center Comprehensive Sign Plan also states, “The intent of signs on buildings shall be to identify major tenants, but balance this by minimizing impact on the building frontage and appearance.**
8. **The applicant has indicated that StayParkCity.com has a total of three (3) employees.**
9. **The Summit County Community Development Department denied the application for a wall sign via letter dated June 29, 2015,**
10. **An application to appeal was submitted to the Community Development Department on July 9, 2015.**

Conclusions of Law:

1. **Based upon the number of employees and size of leased space within the Park City Tech Center Building A, StayParkCity.com is not considered to be a “Major Tenant” and, therefore, is not eligible for the requested wall signage.**

The motion was seconded by Council Member Robinson and passed unanimously, 4 to 0. Council Member McMullin recused herself from voting on this item.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION NO. 2015-17MRW, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT (TAX PARCEL SPCS-1); ANDY ARMSTRONG

Council Member Robinson made a motion to adopt Resolution No. 2015-17MRW, a Resolution annexing certain real property to the Mountain Regional Water Special Service District (Tax Parcel SPCS-1). The motion was seconded by Council Member Armstrong and passed unanimously, 4 to 0. Council Member McMullin was not present for the vote.

CONTINUATION AND POSSIBLE DECISION REGARDING APPEAL OF AN ADMINISTRATIVE DECISION OF THE ENGINEERING DEPARTMENT TO DENY THE DRIVEWAY AS CURRENTLY CONSTRUCTED AT 3428 WESTVIEW TRAIL; MCCORMICK CONSTRUCTION COMPANY, APPLICANT; MICHAEL KENDELL, ENGINEER II

Mr. Thomas recalled that at the last meeting the Council heard evidence regarding the appeal and determined that they would need additional information. They requested that the County Engineer re-shoot the driveway grade of this driveway and other representative driveways that the appellant had presented to determine how other driveways were approved and to gain insight into whether any changes were made to the pre-inspection grade before the asphalt was put down. Staff has done what was requested and provided a report to the Council and Mr. McCormick.

Mr. Radke reported that he took the previous inspector's equipment and went to each property, including the driveway that is the subject of the appeal, and measured each driveway grade. On Monday, Engineer John Angell took out their most sophisticated piece of equipment and also measured the driveway grades. With some minor differences, there is no substantial difference in the results. In looking at each driveway, different conclusions were reached for each one, but his general observation is that the previous inspector took the average grade of the driveway beyond 20 feet, and if it was less than 12%, they approved the driveway. He noted that one driveway was built in 2003 that is far too steep, and he did not know how it was approved. He suspected that it may have received a variance, but he has no proof of that. One other driveway did not meet the criteria, and he did not know how it was approved, but the portion of the Ordinance that says the grade could not exceed 12% was generally ignored in almost every driveway that was shot except the last one, which does comply and received a Certificate of Occupancy last week. It is his conclusion that the driveways prior to Mr. McCormick's were approved based on the overall average beyond 20 feet. Mr. McCormick followed the advice of the inspector because he was new to building in Summit County, and technically this driveway does not meet the ordinance, but neither do the others.

Mr. Thomas asked if the driveway built by Mr. McCormick would have received final approval if it had been evaluated in the same manner as the other driveways. Mr. Radke surmised it probably would have, but it does not meet the Ordinance. Given the detail of the previous inspector's measurements, he assumed that the pre-surfacing grades were actually shot, and something changed between then and construction, either methodology or something else, but he

does not have that information. He confirmed that the driveway does not comply with the Ordinance, because it has sections of 14% grades.

Council Member Robinson suggested that, going forward, they make the County's specific standards known. Mr. Radke explained that it is better to allow a 1% variance that is unwritten to allow for small errors than to set a higher percent and have people creep above that.

Council Member Armstrong asked if the same engineer who measured this driveway measured the grades on the other driveways. Mr. Radke replied that he could not say for sure, but in the instance of three other driveways, he could confirm that they were shot by the same inspector. The last of the three is not out of compliance, but the first two are.

Mr. Radke recommended that, if this driveway was treated like the others, they should let it go forward. However, the question is at what point they take a stand and say they will enforce the rules. Council Member Ure commented that they have a new Engineer who brought this to the County's attention and is committed to do it right. He believed this is the time to do it right. Council Member McMullin agreed that, going forward, they should do it the right way. Mr. Thomas believed they could distinguish this situation on the basis in the findings of an estoppel claim because of the unique facts. That would be different than fact patterns in the future. Council Member Robinson commented that, if there are other situations in the future that received approval on the same basis of these unique circumstances, they will have to treat them like they do this situation. Other than that, driveways need to comply.

Chair Carson suggested that Staff take a picture when shooting the driveway grade, because it would be obvious if something were changed when comparing it to a photograph taken after the driveway is constructed.

Council Member Armstrong made a motion to grant the appeal of the administrative decision of the Engineering Department to deny the driveway as currently constructed at 3428 Westview Trail on behalf of McCormick Construction Company based on the findings of fact and conclusions of law to be prepared by the County Attorney's Office for the signature of the Chair. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

COUNCIL COMMENTS

Council Member McMullin commented that it is very difficult to find commercial and light industrial space in Summit County.

The Council Members discussed the County Fair with Fair Coordinator Travis English. They discussed the success of the demolition derby and the rodeo. Mr. English reported that the carnival rides were successful and provided extra action for the fair. Assistant Manager Anita Lewis noted that she has received positive comments, even from people she would not have anticipated. Council Member Ure stated that he has received comments from people about the need for new fairgrounds who were previously opposed to that idea. He believed the fair had been better attended and more successful than it has been for many years. Ms. Lewis also confirmed that the seniors were very pleased with the luncheon.

Council Member Robinson commented that he has a friend whose son wants to do an Eagle Scout project by erecting a flagpole at the Beehive Home and asked what permits are required. County Planner Sean Lewis explained that flags are exempted in the sign code, and no permit is required.

Chair Carson reported that she received an email from UAC asking her to serve on the Legislative Coordination Committee, which reviews proposals for legislation UAC will propose to the Legislature. She is interested in doing that but will be unable to attend the first meeting on September 30. Council Member McMullin agreed to attend in Chair Carson's behalf.

Council Member Armstrong stated that he would like to get CCA moving and has talked to representatives from the Salt Lake County Council. They were interested, and he will send them a package of information. He would like to see if everyone is interested in taking steps toward engaging a consultant and sending out an RFQ or RFP for a feasibility study regarding manufacturing and storing their own electricity.

Chair Carson noted that Dolores Ovard and Clayton Page are retiring and suggested that they send them a note thanking them for their work.

MANAGER COMMENTS

County Manager Tom Fisher reported that meetings with Park City regarding contaminated soils have been very productive, and they are working together well.

Mr. Fisher stated that he had lunch with Mayor Marchant and discussed joint planning of the Kamas services building, and Mayor Marchant is very open to working with the County on that. He felt it was good preparation for the COG meeting, because they were able to talk through a number of issues Mayor Marchant wanted to bring up at the COG meeting.

He noted that next week is the quarterly meeting with the School District and Park City Council. That same day he has a joint Manager's meeting with Wasatch County, Heber, Park City, and Summit County, and they will review a regional transit study conducted by Park City.

Chair Carson stated that she believes the comprehensive trails plan should be addressed by the Transportation Director to see how it fits into the overall transportation plan. Council Member Armstrong agreed that the Recreation District should talk to Caroline Ferris and Patrick Putt to start coordinating with a larger transportation plan.

COUNCIL COMMENTS – (Continued)

Travis English was given special recognition by the Council for the work he did on the fair.

APPROVAL OF COUNCIL MINUTES

AUGUST 11, 2015

Council Member Robinson made a motion to approve the minutes of the August 11, 2015, Summit County Council meeting as written. The motion was seconded by Council Member Armstrong and passed unanimously, 3 to 0. Council Members McMullin and Ure abstained from the vote, as they did not attend the August 11 meeting.

PUBLIC INPUT

Chair Carson opened the public input.

There was no public input.

Chair Carson closed the public input.

PUBLIC HEARING AND POSSIBLE APPROVAL OF ORDINANCE NO. 849, AN ORDINANCE TO APPROVE THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE CANYONCORNERS SPECIALLY PLANNED AREA; RAY MILLINER, COUNTY PLANNER

County Planner Ray Milliner presented the staff report and indicated the location of the proposed development. He reported that the Planning Commission has reviewed the amendments five times over the last six months and forwarded a positive recommendation to the County Council. The Planning Commission's discussions centered on community benefits and traffic impacts. He recalled that the original development agreement included a number of improvements plus a \$150,000 donation to the County to help cover the cost of infrastructure improvements and studies. In addition to those benefits, the Planning Commission worked with the applicant on additional benefits, including a \$50,000 donation to a Kimball Junction bus circulation system, a bicycle sharing program with 24 bikes at three stations, low-emission vehicle parking, and a 20-unit affordable housing project on the second floor of Building B of the project.

Chair Carson asked if the affordable housing would have priority for employees of the project or stores in adjacent retail developments. Mr. Milliner replied that Scott Loomis with Mountainlands Affordable Housing Trust has indicated that there is a way to do that.

Mr. Milliner reported that the final benefit is that the applicant will install improvements to Landmark Drive, which was a significant issue discussed by the Planning Commission. Staff recommended that the County Council approve the SPA amendment based on the recommendation of the Planning Commission. He noted that a couple of changes to the development agreement have been recommended by the County Attorney's Office.

John Paul Worthy with CenterCal Properties provided a background of the Specially Planned Area (SPA) and stated that they now have a project that both Staff and the Planning Commission support. He reviewed the improvements in the original development agreement and the proposed improvements. He explained that they conducted a traffic study and then did additional counts for the existing Whole Foods in the Snyderville Basin and the Trolley Square store, which is most like the proposed store, and added 10% to the trip count for a seasonal adjustment. They also met with UDOT to discuss the traffic study. After all the analysis, the issue of safety came up, so they studied traffic on Landmark Drive and came up with traffic calming measures for Landmark Drive. He reviewed the proposed traffic circulation plan for the site.

Mike Kramer with Whole Foods stated that they have several stores in the Colorado mountains and share a love for the mountains. They would like to bring some new programs and ideas to Park City, and the current store will not accommodate those. He recalled that the current store

was formerly a Wild Oats store, and the size and shape are not conducive to the Whole Foods programs they want to implement. The new location will have a larger footprint to allow for a full array of their programs, and he compared the square footage of the current and proposed stores. He introduced some of the current store staff.

Rich, the team leader at the current store, stated that he has 30 years' experience working with food and is excited about highlighting the culinary expertise of their team members and offering simple, easy, and affordable food to customers, which he cannot do with the current size limitations. Debbie Labelle with Whole Foods stated that she is excited about the large variety of prepared foods they will have.

Mr. Worthy stated that the affordable housing component of this project came late in the process, and Whole Foods is excited to have their employees close by. They plan to offer the affordable housing to their employees first, which would be a big benefit for the employer. Rich stated that the existing Whole Foods has 110 employees, and they will need another 30 to 40 employees. Council Member McMullin asked how many employees live locally. Rich replied that about 50% live in Park City, about 30% live in Heber or Kamas, and about 20% live in Salt Lake.

Council Member Robinson asked about the relationship between CenterCal and Whole Foods. Mr. Worthy explained that CenterCal will own the development, and Whole Foods will lease from them.

Council Member Ure asked to see how the trucks would access the Whole Foods store. Alec Paddock, representing the applicant, provided an exhibit showing the truck radius. Rich discussed the times trucks would be allowed to deliver to the store.

Mr. Worthy explained that one goal was to come up with creative ideas to minimize traffic to the project. One was to create a bus shelter with wi-fi and heaters. Another was to provide three bike share stations, one on this project, and they would work with owners of other properties to place the other two stations on their property. They agreed to contribute \$50,000 toward a circulator bus to help that program get off the ground. He clarified that the current traffic impact fees are \$650,000, and the developer will pay that instead of the \$150,000 proposed in the original development agreement.

Council Member Ure asked how much traffic would be generated by this project. Scott with Hales Engineering stated that their data shows that the p.m. peak hour traffic generation will be approximately 630 vehicles.

Council Member Robinson stated that he did not understand the discussion on the roundabout. Mr. Worthy replied that there was a discussion about whether a roundabout would be a good idea, so they studied it. The grades coming down Landmark Drive and the existing grade into the proposed project and the Hampton Inn would require a significant rebuilding of Landmark Drive. It would be safer, but it would not increase capacity. Council Member Robinson asked who would pay for the roundabout. Mr. Worthy replied that, because the roundabout is not in the capital facilities plan, the impact fees from this project would not apply to the roundabout. Council Member Armstrong commented that his understanding of the discussion with the Planning Commission is that a roundabout would also require a significant amount of right-of-way from the Hampton Inn property. Council Member Robinson did not believe they should skip that improvement, because if they are ever going to do it, now is the time.

Mr. Radke explained that the Planning Commission's primary desire for a roundabout was related to safety concerns. The traffic analysis does not show it is needed for capacity like the one at Wendy's and Newpark. He acknowledged that roundabouts are safer, but they are very expensive and not contemplated in the County's capital facilities plan in this location. It is their opinion that a roundabout is not necessary in this location to create a safer intersection. He noted that the roundabout would have a huge impact on the Hampton Inn property. He reviewed the proposed traffic calming features and traffic circulation plan with the Council Members. Council Member Armstrong stated that he is not as much concerned about safety at this intersection as he is about capacity with changes at the school that will also add a significant amount of traffic to this intersection. He questioned the need for a left-turn lane out of the development. Mr. Worthy stated that it will frustrate their customers if they cannot turn left out of the project, and there will be many times during the day when someone can easily make a left turn out of the site. Mr. Paddock commented that sending more traffic to the existing roundabout to turn around might also cause the existing roundabout to fail. Council Member Armstrong expressed concern about that, and Mr. Paddock explained that was based on figures they received from the County. Council Member Robinson confirmed with Mr. Radke that the sight distances are adequate for vehicles coming out of the site.

Council Member Robinson asked about the change in intensity of the previously approved use and what is now proposed and the parking analysis. Mr. Paddock explained that their traffic analysis shows that the p.m. peak traffic would actually be higher with the previously approved development, but overall traffic generation throughout the day would be higher with the proposed project. Mr. Worthy explained that they allowed for 24 parking spaces for the affordable housing, which increased the number of parking stalls.

Chair Carson commented that, if they find a left turn out of the project becomes an issue, it is something that can easily be changed. Mr. Radke confirmed that language has been included in the development agreement that, if it becomes a problem, the County will act in the interest of public health and safety.

Council Member Armstrong asked if the County has the ability to require additional traffic mitigation measures if it turns out there are problems. Mr. Radke explained that was a point of disagreement with the developers, because they did not want the unknown hanging over them. Council Member Robinson confirmed with Mr. Radke that the County has the right to alter the turning movements for this project. Mr. Thomas clarified that the County Council is the highway authority for Landmark Drive, which means they can make changes, but that does not mean they can charge the applicant for something that was not contemplated in the development agreement.

Chair Carson opened the public hearing.

Nick Novasic with the Hampton Inn across the street from this project expressed concern about the traffic plan. He noted that the traffic survey was done on October 30 when only four cars came into the Hampton and only nine left. That is probably the lowest point in their season, and using that date does not take into account the amount of traffic during high season, both winter and summer. He noted that people trying to turn left into the Hampton Inn will compete with traffic trying to make a left turn out of Whole Foods to go eastbound on Landmark Drive. He believed a right turn only at that entrance would be helpful and would not hurt his business.

Council Member Robinson asked what Mr. Novasic thinks about the need for a roundabout. Mr. Novasic replied that, if it would not cut down on his parking, he would be in favor of it, but he did not see how they could do that.

Council Member Robinson asked how the traffic study adjusted for seasonal traffic. Scott with Hales Engineering explained that they use data provided by the UDOT permanent traffic count stations, so they get a very good seasonal adjustment factor. He also explained that it is not prudent to design a road to accommodate traffic on the busiest peak hour of the year. They base their analysis on about the 80th percentile, which is accepted in the industry as a good balance to accommodate capacity for most of the time without overbuilding roads. He further discussed with the Council how the traffic analysis was done and the projected levels of service.

Jacque Hess stated that she is a stay-at-home mom and is familiar with how Kimball Junction traffic works when it does work and how it does not work when it does not. Based on the proposed project, she would love to have a Whole Foods like this in the community, but she does not like what is proposed. One objection is the lack of walkability and location. In the current location, Whole Foods is easily walkable for the Fox Hollow townhouses and condos at Newpark, people can ride their bikes, and people from the surrounding businesses can easily walk there. By moving it across Highway 224, more cars will have to travel across Highway 224, and it will become a destination. She believed she would just go to Whole Foods and not the other retail stores in that location. Another objection is that the truck delivery area requires trucks to travel all the way through the parking lot and pass the entry and exit to the store. For many stores, the trucks have access behind the store so they do not interfere with the flow of traffic, and this does not seem like good design. The site plan seems to be forced and does not flow, and this is not the best use for this commercial property. If six or more cars were backed up to turn left out of the project, they could block everyone into Whole Foods, and people would not be able to get to the other exit if there were an emergency. She noted that the tables and landscaping are adjacent to I-80, but the existing Whole Foods has pleasant, quiet patios for people to enjoy. She objected to the parking, noting that this store will draw more people, and she questioned whether there are enough parking stalls for a project this size. She also expressed concern about the residential development that will consume even more of the parking stalls. She noted that there are parking problems at Liberty Peak Apartments, and the residents now park on Overland Drive. She expressed concern that the same thing would happen here. She addressed traffic and stated that traffic studies can be misleading, because the developer pays for them. She believed the developer should pay a fee and that the County should hire an engineer to conduct the traffic study. She commented that Kilby Road is often clogged during high traffic times and experiences high traffic flows to and from Ecker Hill Middle School. She referred to traffic problems during Christmas and Sundance when traffic diverts to Kilby Road to avoid the backup on Highway 224. She recalled that a raised crosswalk was already installed in this location and has since been taken out. There is a crosswalk by the outlets with flashing lights, and she has tried to cross there, but cars keep flying right by. She believed the developer should provide a traffic signal, because that is the only way they can get cars safely across the intersection. She believed a lot of local residents would cut through the car wash and Best Western to get to this new popular retail area. She did not believe it is fair to the owner of the Best Western or that it would be safe for the patrons of the hotel or the car wash customers. Overall, she loves Whole Foods and would love to have a new one in the community, but she believes this is a poor location to approve one.

Tim Nemeckay stated that he sat through most of the Planning Commission meetings for this project, and he supports it. He believed the developer had done a tremendous amount of work with Staff and had completed the traffic studies. He expressed concern that every time a traffic study comes in, it is always assumed to be wrong, and he did not believe that is true. Quality people do this work, and they are planning to 2040. Somehow people think that everyone will follow Whole Foods to this location and that the building will be left empty. He believed a Trader Joe's or Sprouts or some other store would go into the current location, and not everyone will follow Whole Foods to this location. He believed the developer has done everything they were asked to do. The County needs workforce housing, and the developer has given it to them, but now they want to argue over whether there are enough parking spaces. There are very few places they can put a project like this, and this happens to be one of them. There is a new school going in, but schools create a lot of traffic, and it is about time for schools to be forced to solve the problems related to the traffic they generate. He reiterated that he supports this project.

Chair Carson closed the public hearing.

Council Member Ure commented that he has not heard anything about snow removal. Mr. Worthy explained that they did a detailed snow storage analysis, which is shown in an exhibit in the packet that meets the County Code regarding snow storage.

Chair Carson asked if they looked at a different flow for truck traffic. Mr. Worthy replied that they looked at a number of different solutions for the site, and this plan impacts the site the least.

Council Member Armstrong discussed with Mr. Thomas some changes and edits to the language in the development agreement. He requested language stating that the bicycle program will be operated in a best practices fashion. He asked what would happen to the bike program after the three years shown in the development agreement and requested that the three-year period be removed from the agreement.

Council Member Robinson asked when the affordable housing would be built. Mr. Worthy agreed to include language that they would provide the affordable housing prior to a Certificate of Occupancy on the retail building. Council Member Robinson stated that he would like to include in the agreement a mechanism for determining when the affordable housing will be provided. Council Member Armstrong stated that he would like to include language indicating that preference for the affordable housing will be given to workers on the site.

Council Member Armstrong commented that for all future development they need to see what kind of transportation mitigation they can build into the development so they do not create more traffic problems. If they can house workers on site, they are in a much better position. He is still concerned about traffic and would like to build in an obligation that, if it turns out within two years of completion of the project that it can be determined that this project has created additional traffic problems, the County can request additional mitigation. Council Member McMullin asked how they could distinguish that this project is causing the problem rather than the school. Mr. Thomas replied that they would have to conduct another traffic study, and if the problem comes from traffic trying to turn left on the road, a traffic study should be able to determine that. Council Member McMullin asked about a traffic light at this intersection, and Chair Carson explained that would cause traffic to back up on the hill. Mr. Worthy stated that he did not know how they could segregate the traffic from this project from background traffic. If a problem is associated with a turn lane, he could understand that, and they have already agreed to

let the County change that if necessary. He did not believe they could agree to an open-ended mitigation without knowing if the traffic is generated by this project.

Council Member Robinson asked about the possibility of offsetting a roundabout completely onto the applicant's property. He believed they would be taking a tool off the table by not making allowance for a right-of-way for a roundabout. Mr. Worthy replied that would make this project uneconomical, and they would have to go back to the original plan. He noted that the approved plan would create more traffic in the p.m. peak with significantly less mitigation. He confirmed that even leaving the roundabout in the middle of the street would not allow them to move forward with the proposed project. Chair Carson believed the developer should cover the cost if the County has to change the access to a right-hand turn only to accommodate their traffic, because it would be an issue directly caused by this development. Mr. Worthy replied that they would need to understand what they would be obligated to do in the future with regard to traffic issues. If there was a safety issue standard, he believed they would agree to pay for the cost of that. Council Member Armstrong asked if causing congestion is considered to be a safety issue. Mr. Radke replied that it is not. Council Member Armstrong stated that the major concern that the residents have with this project is traffic as it relates to congestion, not safety, and he believed they need to give some credibility to those concerns. Chair Carson requested that Mr. Radke work with the developer to come up with some language to address the traffic concerns.

Council Member Robinson stated that he did not understand how a roundabout would not increase capacity. He would like to see the design work that was done on the roundabout before closing the door on that possibility.

Council Member Armstrong asked for an explanation of the language at the top of page 7 of the agreement. Tom Ellison, the applicant's attorney, explained that many improvements have already been constructed on the site, and they are now modifying the plans. They do not want to have an implied obligation to reconstruct the things they have already constructed. Council Member Armstrong asked Mr. Ellison to rewrite the language so it is easier to understand.

Council Member Robinson asked when the bus shelter would be built and stated that needs to be clarified in the development agreement. He stated that they want the community benefits immediately and not have to wait five years, which is the term of the agreement, to receive them. He did not believe the developer should be able to ask for an extension of the agreement if they have not developed due to inaction.

Council Member Armstrong asked if they are happy with the list of approved uses if the Whole Foods were to go away and if those uses are negotiable or fixed. Mr. Thomas explained that it is in the initial development agreement, and they are reconfiguring the site. Council Member Armstrong asked if there is a reason to revisit the uses to be sure they are appropriate to this site. Mr. Ellison explained that they tried to call out the uses with greater intensity and place size limitations on them. Council Member McMullin asked why this use table was decided on. Mr. Milliner explained that Whole Foods may not be there in 20 years, and the default would be to the use table. Council Member McMullin stated that this is the time to limit the uses, and if they don't have a vision for this parcel other than Neighborhood Commercial or what existed in the prior development agreement, this would be a good time to go through that exercise. She asked if the Planning Commission discussed the use table. Mr. Milliner replied that they discussed the issues the Council has previously discussed but did not address the use table. Mr. Worthy believed there was a lot of thought and discussion about the uses when the original development

agreement was negotiated. Council Member McMullin confirmed with Planner Milliner that Staff has no problems with the use table and stated that, if anyone else has a problem with it, they need to open it and start the process again.

Council Member Robinson suggested that they continue this discussion to a subsequent meeting in the near future and ask the County Attorney's Office to make the changes that have been discussed. He also asked that the Planning Staff look at the schedule of approved uses and be prepared to discuss it at greater length when they next meet. He requested more information on the roundabout and the constraints of building a roundabout. He asked about the developer's philosophy regarding where the buildings face and why the building does not back up against I-80 to be used as a buffer from the highway. Mr. Worthy explained that they looked at multiple layouts, and there were a number of considerations. They wanted easy access from the bus stop to the store. There is a significant amount of grade on the site, and they had to consider how to get people into and out of the site, how to hide the loading area from the freeway and the neighbors, and a significant amount of thought went into this plan.

Mr. Worthy commented that he knows traffic is very important to the community, and the developer takes it very seriously. When they come into a community to develop a project, they seek out the best consultants. They will invest a significant amount of money into this project and will own it for the foreseeable future and want the project to be successful. If people cannot get into and out of the project, it will not work for their tenants, and the project will not be successful. He discussed the traffic study that was done on this project and stated that they have done a significant amount of analysis. They think they have solutions that work, but it would be difficult to have an open-ended requirement to come back and address a problem they would have no way of underwriting. He explained that they have tried to come up with creative solutions that address the concerns of the community. He believed they could come back and address all the concerns that have been addressed regarding traffic.

Chair Carson noted that the Council meeting for September 2 has been cancelled, and they are not meeting on September 9. She suggested that they continue this item to September 16.

The County Council meeting adjourned at 8:30 p.m.

Council Chair, Kim Carson

County Clerk, Kent Jones