



MEMORANDUM

DATE: February 17, 2016
TO: Summit County Council
FROM: Carolyn Rose, Health Department

RE: Zika Virus

Zika Virus was first identified in 1947 in Uganda with spread to other countries in Africa, Southeast Asia, and the Pacific Islands. The mosquitos that carry the virus, *Aedes aegypti* and *Aedes albopictus* are found throughout the world, therefore it was a matter of time before mosquitos in the western hemisphere became infected. Both types of mosquitos are found in the United States (see picture), however no Zika virus has been detected in the mosquitos in the continental U.S. The mosquitos living in Mexico and countries south of Mexico through the Americas DO carry the virus. The virus is spread from an infected mosquito to a human, who becomes infected, and then passes the virus to a mosquito via a bite which then infects that mosquito. The mosquitos that carry Zika also carry Dengue Fever, Yellow Fever, and Chikungunya.

In 2015 Brazil reported a spike in babies born with microcephaly and researchers determined the cause may be linked to the mother being infected with the Zika Virus during pregnancy. This situation put the World Health Organization on alert and in a short period of time they declared a global public health emergency. The Centers for Disease Control & Prevention declared a travel alert for U.S. citizens on January 15, 2016 after the Puerto Rico Department of Health reported a case of locally acquired Zika virus. This person had not traveled out of the country.

Symptoms of the disease are fever, rash, joint pain, and conjunctivitis/red and irritated eyes. Symptoms appear within 2-7 days of the mosquito bite and last for several days to a week. Symptoms are usually mild, or absent, and most people do not know they have the disease. Severe illness and death are rare.

Testing is currently available only at CDC Fort Collins Laboratory. The Utah Department of Health will facilitate testing through a patient's provider, following the guidelines as stated by CDC. The health dept. nurses can assist with the process.



Currently the treatment is rest, fluids, and acetaminophen. There is not a vaccine.

Prevention of mosquito bites is the best method of control. CDC is advising people to limit travel to specific countries where the mosquito is active. If traveling to these areas the recommendation is to wear long sleeves/pants, use mosquito repellent containing DEET, and stay in air conditioned buildings. These mosquitos typically bite during the daylight hours. Infected people should continue to avoid mosquitos and mosquito bites to help control spread of the virus.

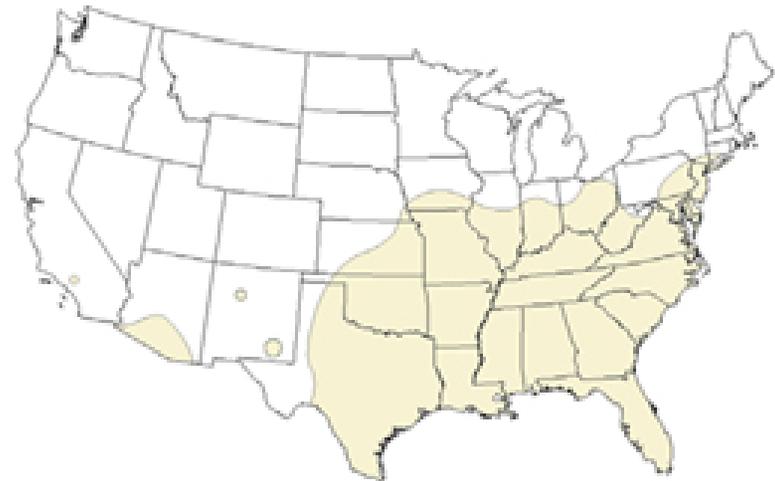
Control of breeding mosquitos can be accomplished by removing standing water, and rinsing out and replacing water in drinking containers if you have animals. Standing water includes water in plant pots, rain gutters, buckets, or any container that can hold even a small amount of water. Mosquito abatement is best done during the larvae stage. This is the same recommendations for all nuisance mosquitos.

As of Feb. 9, 2016 there are 38 cases in U.S. and 10 cases total in Puerto Rico and the U.S. Virgin Islands. Of the 48 cases, 8 cases are in pregnant women and one has been diagnosed with Guillain-Barre. One woman delivered a baby with microcephaly and two have complications with their pregnancy. There is evidence of sexual transmission in one case during this outbreak and two others historically. This remains under investigation.

Approximate distribution of *Aedes aegypti* in the United States*



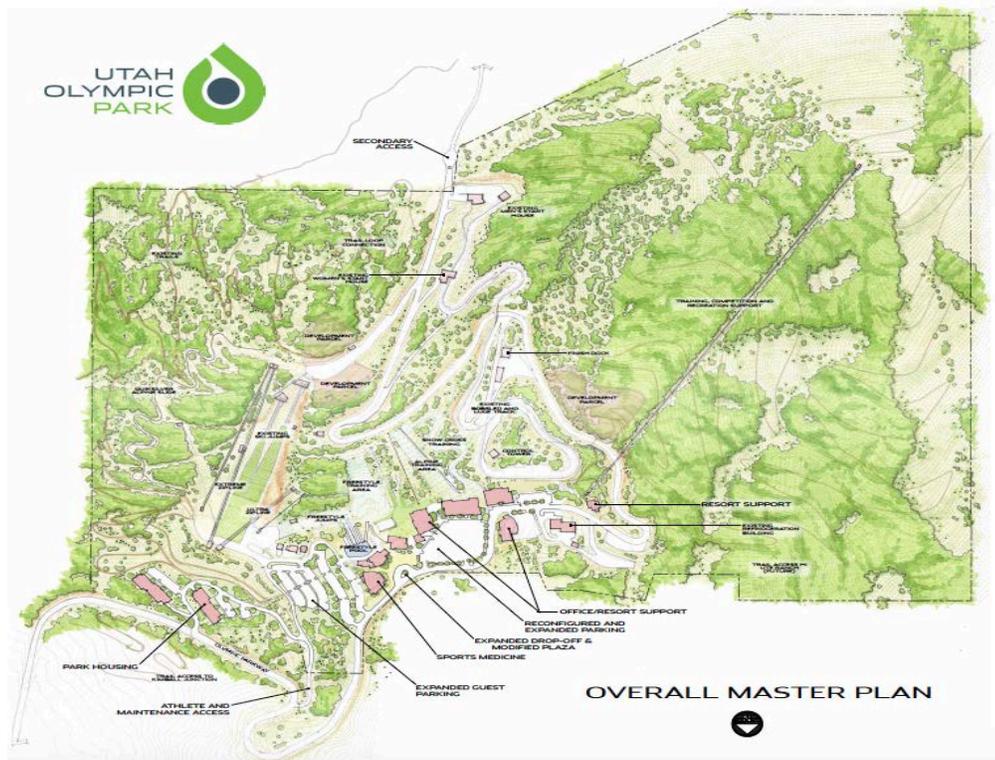
Approximate distribution of *Aedes albopictus* in the United States*



SUMMIT COUNTY COUNCIL UPDATE

Utah Olympic Park
Construction Plans and
Olympic Legacy Efforts

March 2, 2016



The World's Premier Athlete Training & Event Destination

The 2002 Olympic Winter Games transformed Utah, and Utah transformed the world when it comes to Olympic legacy.

Utah's legacy model is arguably the most successful in the world. As Olympic venues around the world sit vacant and deteriorating from lack of post-Games use, Utah's legacy venues are four times busier today than they were twelve years ago. It is this remarkable use, however, that begins to take its toll on Utah venues now beginning to show their age.

Surplus funds from a successful 2002 Games allow the Utah Olympic Legacy Foundation (UOLF) to effectively operate Utah's most financially challenged Olympic venues, Utah Olympic Park (Park City), Utah Olympic Oval (Kearns) and, beginning May 1, 2016, the Soldier Hollow Nordic Center (Midway). Annual venue operating costs are subsidized through prudent use of investment earnings. No other region in the world operates its Olympic venues without governmental assistance. As these Olympic venues age, UOLF has only half the funds necessary to keep them properly maintained at a time when the world is looking to Utah as its legacy model.

Consequently, innovative new UOLF projects and initiatives are taking shape, including robust efforts at Utah Olympic Park, which will propel Utah to a new level of world-class, positioning Utah as the premier athlete training venue in the world for U.S.

and international athletes of all levels. Strengthening Utah's Olympic footprint will also prepare Utah when the appropriate time comes to bid on another Olympic Winter Games.



Utah should continue to grow winter sport programs, host major events, and ensure Utah's Olympic venues remain viable and at world-class levels.

- Governor Herbert's
2012 Olympic Exploratory
Committee Report

Training SITE to Training CENTER

The Utah Olympic Legacy Foundation envisions Utah as the Center of Winter Sport Training in the world – the place where U.S. and international athletes come to train and compete.



Olympic Training Center, Colorado Springs

UOLF venues currently carry the Official U.S. Olympic **Training Site** designation, a title shared with 18 other Sites around the country. Only three Olympic **Training Centers** (OTC) exist in the U.S. – Colorado Springs, CO; Chula Vista, CA; and Lake Placid, NY – catering to U.S. athletes and operated at significant cost by the United States Olympic Committee (USOC).

The *Center* designation implies that additional

support services are available, which between the three current OTCs include athlete housing, dining, medical services, local transportation, recreational facilities, and professional development programs. UOLF believes Utah can provide a unique and efficient Training Center model, providing all of these services and more – to both U.S. and international athletes – in a way only Utah can.

As demonstrated prior to the 2002 Games, when Utah’s public, private, business, and community sectors come together for a common cause, mixed with a little Utah spirit, it creates a unity, a quality, and a proficiency unlike any other.

Utah’s collaborative and industrious nature is the key to its unparalleled Olympic legacy and is paramount to Utah’s Olympic future as the world’s foremost winter sport training destination – and logical host of another Games.

Utah’s collaborative and industrious nature is the key to its unparalleled Olympic legacy and is paramount to Utah’s Olympic future as the world’s foremost winter sport training destination – and logical host of another Games.

Utah should expand its national and international training programs and services.

- Governor Herbert’s 2012 Olympic Exploratory Committee Report

Utah Olympic Park

Park City, Utah



Master Plan Development Purpose

As the Utah Olympic Legacy Foundation begins to broaden its legacy to become a *Center* of winter sport training in the world, the world-class relevance and sustainability of Utah’s legacy venues is critical.

Utah Olympic Park (UOP) currently generates annual operating expenses of just over \$8M, operating revenues of approximately \$6.5M, and on average \$1.2M in capital infrastructure replacement costs. Therefore, the current requirement is to subsidize (using earnings from the UOLF endowment) the operation and upkeep of UOP at a value of approximately \$2.8M per year. Our intention is to reduce the reliance on endowment earnings.

As the Olympic facilities age, the cost of upkeep and repair will not only increase, but escalate in rapid fashion. Our UOLF Board and staff have committed to a goal of “investing” our endowment earnings in a large and impactful “Living Legacy,” while still maintaining in-perpetuity financial status. To accomplish this, we have purposefully set out to act upon the following financial strategies:

1. Seek enhanced revenue streams through increased public activity uses of our Olympic venues
2. Step up fundraising and partnership efforts
3. Effectively implement a land development plan at Utah Olympic Park
4. Always, strive to find expense reductions

Olympic Legacy efforts should engage both governmental and non-governmental entities to promote increased physical activity and healthy active lifestyles.

- Governor Herbert’s 2012 Olympic Exploratory Committee Report

Olympic Oval Training Center & Community Campus

Kearns, Utah



40,000 total sq. ft.

*State-of-the-Art High Performance
Athlete Training Center*

Testing & Nutrition Facilities

USOC Sports Medicine Services

Athlete Recovery & Rehabilitation Center

US Speedskating Hall of Fame

Kearns Oquirrh Park Fitness Expansion

Expanded Indoor/Outdoor

Meeting & Conference Spaces

Community Gathering Plaza

The iconic Utah Olympic Oval, designed as a 2002 competition venue, was not intended to train elite athletes year-round both on and off the ice. Nonetheless, Utah's unsurpassed offerings, Olympic legacy, and support of sport enticed **U.S. Speedskating** to relocate to Kearns in 2006. In order to remain competitive, this National Governing Body of speed skating had to find a way to provide high performance training facilities for its athletes as they compete against their international counterparts – many with the disputable advantage of being funded by their respective governments.

Concurrent expansion needs of the adjacent **Kearns Oquirrh Park Fitness Center** and of **Salt Lake County** to optimize this Kearns Township campus, provided a unique collaborative opportunity linked by the **Utah Olympic Legacy Foundation**. Through a creative and shared funding approach, including this highly visible and impactful project bridges the needs of these partner organizations, unites and inspires a healthy Kearns community, deepens a **U.S. Olympic Committee** presence in Utah, and significantly enhances Utah's international footprint.



Soldier Hollow Nordic Center

Midway, Utah



Utah should expand its national and international training programs and services.

*- Governor Herbert's
2012 Olympic Exploratory
Committee Report*

Uniquely situated within Wasatch Mountain State Park in Midway, Utah, the Soldier Hollow Nordic venue played host to all Olympic and Paralympic Nordic Cross-Country and Biathlon events for the 2002 Olympic Winter Games. Since then, the Soldier Hollow Legacy Foundation (SHLF) successfully operated the venue for the State as an independent 501(c)(3) organization. While these efforts have allowed for basic operation of the venue, significant deferred maintenance has reached a critical point of needing immediate attention for the venue to continue successful operation.

The reality of significant capital needs at the Soldier Hollow venue prompted engagement of the Utah Olympic Legacy Foundation, with its parallel Olympic legacy missions and history of creative support to Utah's Olympic venues. With support of Utah State Parks, the two legacy organizations are currently in the process of merging to align and consolidate efforts under UOLF. Under consolidated UOLF leadership, Soldier Hollow intends to position itself as a premier Nordic, Biathlon, and Paralympic venue in the world.



STAFF REPORT

TO: County Council
FROM: Lisa Yoder
DATE: February 10, 2016
SUBJECT: Subscriber Solar



COUNTY COUNCIL MEETING DATE: March 2, 2016

BACKGROUND

Rocky Mountain Power responded to Summit County's request for locally generated clean, renewable energy options for its residents by developing a Subscriber Solar Program. This program provides Utah customers with the opportunity to purchase 10% - 100% of their energy from a renewable resource. Subscriber solar offers an alternative to those who cannot install their own solar PV system due to any number of reasons such as shading, roof size and orientation, cost, HOA restrictions, or occupying a rental property, to name a few.

Increasing the use of renewable energy is a key component of the Climate Action Plan to reduce greenhouse gas emissions countywide 15% in 15 years and make a significant contribution to Council's goal of maintaining air quality. The County is already signed up to receive notification when the first-come-first-serve Subscriber Solar enrollment period begins in April, 2016. Additionally, Subscriber Solar will be promoted as an option for those who cannot install solar PV through the upcoming Community Solar program.

This staff report presents a high-level cost/benefit analysis of Summit County participating in Subscriber Solar to supply solar energy to county facilities.

DISCUSSION

Cost – Based on the 'energy only' cost calculations provided by Rocky Mountain Power at this time, 100% Subscriber Solar could offer some cost reduction at certain county-owned facilities/meters. (See attached spreadsheet). As noted in accompanying Power Point presentation by Chad Ambrose, only the generation component of the rate schedule is locked in for the subscription period (up to twenty years). Other components of electricity utility costs are subject to change during the subscription period. Subscriptions can be canceled after 3 years with no fee; cancelations prior to 3 years will be charged \$50/200 kwh block.

Emissions Reduction – Each 200 kWh block of power purchased through Subscriber Solar reduces to .138 Metric Tons of CO₂e annually.¹

¹ Emissions reduction calculation uses the Emissions and Generation Resource Integrated Database (eGRID) U.S. annual non-baseload CO₂ output emission rate to convert reduction of kilowatt-hours into avoided unites of carbon dioxide emissions. <http://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

Solar Study – County will embark on a study in the second quarter of 2016 to determine the total possible solar PV generating capacity on County-owned property. The results of the study are expected to provide short-term and long-term cost analysis of county-owned solar PV assets, emissions reductions associated with those assets, optimal locations for solar PV installations, and funding options for Council to consider during the 2017 budget process. Optimal potential solar PV locations will be excluded from Subscriber Solar to avoid subscriber cancelation fees.

SUMMARY

Subscriber solar offers Summit County the option to purchase renewable energy without incurring the cost of installing solar PV. On the other hand, County-owned solar PV will provide significantly lower cost electricity at a fixed rate over time.

Subscriber Solar offers cost reduction at certain locations/meters on an annual basis.

Emissions reduction will be realized with both Subscriber Solar and on-site solar PV.

100% renewable energy can be purchased through Subscriber Solar whereas on-site solar PV only produces energy during daylight hours.

Cancelation fees will be avoided by applying Subscriber Solar to locations/meters not suitable for on-site solar PV installations.

Staff is in regular communication with Chad Ambrose, well-informed of Subscriber Solar cost details and ready to subscribe during the sign-up period if directed by Council.

RECOMMENDATION

Based on the Subscriber Solar program details known today, staff recommends participating in Subscriber Solar at the locations/meters that will result in an electric utility cost reduction to the County. Participation is expected to have no substantive impact on the 2016 budget.

Should Council be inclined to purchase renewable energy under a rate schedule that increases the kWh cost of electricity to the County, staff will quantify and include that amount in the 2017 budget for consideration.

Subscriber Solar rates applied to County meters 2/10/2016

Energy Only Schedule 23

Meter Number	Meter Description	Base Costs	10% Subscriber Solar	Difference	100% Subscriber Solar	Difference
39683432	Echo TV Repeater	\$855	\$829	(\$25)	\$792	(\$63)
48386467	Peoa TV Relay	\$921	\$896	(\$25)	\$850	(\$71)
50751714	Kamas TV Repeater	\$671	\$646	(\$25)	\$620	(\$51)
50753564	PW Garage	\$334	\$323	(\$11)	\$323	(\$11)
50795444	Wanship TV Repeater	\$674	\$648	(\$25)	\$623	(\$51)
50831706	Shed, Sat dishes - Coalville	\$714	\$688	(\$25)	\$663	(\$51)
50853515	TV Repeater - Woodland, Kamas	\$1,694	\$1,669	(\$25)	\$1,566	(\$128)
50908803	Parking Lot Lights	\$1,020	\$994	(\$25)	\$1,011	(\$8)
Totals		\$6,882	\$6,694	(\$188)	\$6,448	(\$433)

Energy Only Schedule 6A	Meter Description	Base Costs	10% Subscriber Solar	Difference	100% Subscriber Solar	Difference
1229996	195 Park Rd, Coalville	\$908	\$872	(\$36)	\$1,275	\$367

Please note that values are subject to change

Subscriber Solar - 23 6 6A_2-7-2016

STAFF REPORT

TO: County Council
FROM: Lisa Yoder
DATE: February 10, 2016
SUBJECT: Solar Access Laws



COUNTY COUNCIL MEETING DATE: February 17, 2016

BACKGROUND

Council Member Carson was contacted by a resident on January 5, 2016 asking if Summit County has any solar access laws in place. This resident intended to install a rooftop solar photovoltaic system through the Summit Community Solar Program in 2013 but was denied by her Homeowners Association (HOA). The solar contractor who installed 60 residential rooftop solar PV systems during the Summit Community Solar program reported that five (5) homeowners were denied solar PV installs by their HOAs during the three-month program. Three (3) other HOAs permitted installations only after lengthy debate and demonstration that solar PV installations would not de-value or detract from the aesthetics desired by those HOAs.

As you know, increasing the use of renewable energy countywide is a key component of the Climate Action Plan to reduce greenhouse gas emissions and makes a significant contribution to Council's goal of maintaining air quality. As Summit County readies to launch Round II of the Community Solar Program in the spring of 2016, reducing barriers for residents to install solar PV will help us accomplish our goal of reducing greenhouse gas emissions by 15% in 15 years.

This staff report presents existing solar access laws that allow local governments to adopt rules that prohibit future Home Owners Associations (HOA's) and other entities from restricting a citizen's ability to install solar, thereby supporting multiple County goals.

COUNTY GOALS

Adopting a land use ordinance that prohibits HOAs and other entities from restricting citizens' ability to install solar PV would help the County achieve multiple stated goals:

- Amplify the use of renewable energy countywide (2014-2016 Sustainability Plan Goal).
- Utilize the urgency in the Georgetown University Energy Prize competition to focus on renewable energy over the next two years. (Environmental Stewardship action item, Summit County Strategic Plan-2015).
- Develop distributed renewable energy (the single most impactful strategy in the 2015 Climate Action Plan to reduce greenhouse gas emissions).
- Install 1 MW of residential rooftop solar on 200 homes (Summit Community Power Works goal to help win the Georgetown University Energy Prize).

EXISTING STATE STATUTES

Utah's Solar Access Law allows and enables (but does not require) local governments to adopt rules that prohibit Home Owners Associations (HOA's) and other entities from restricting a citizen's ability to install solar. **Utah Code, Title 10 Chapter 9a Section 610** gives land use authorities the power to refuse approval or renewal of HOA's or Private Covenants that attempt to prohibit "reasonably sited" solar collectors. For this code to take effect, a city, town, or county council must first pass it into law.

10-9a-610. Restrictions for solar and other energy devices.

The land use authority may refuse to approve or renew any plat, subdivision plan, or dedication of any street or other ground, if deed restrictions, covenants, or similar binding agreements running with the land for the lots or parcels covered by the plat or subdivision prohibit or have the effect of prohibiting reasonably sited and designed solar collectors, clotheslines, or other energy devices based on renewable resources from being installed on buildings erected on lots or parcels covered by the plat or subdivision.

DISCUSSION

Discussion with Pat Putt, Community Development Director and legal review of State statutes indicate that Summit County can take action to support solar access. If Council is supportive of such an action, solar access language can be added as part of the upcoming Snyderville Basin code rewrite and added to the Eastside Planning Code as part of the current Code amendment processes.

Pat Putt expressed his opinion that he felt there will be wide support for ensuring opportunities for solar access to residents in the future. Furthermore, the aforementioned solar contractor has been recruited by an existing HOA to add wording into their Covenants, Conditions and Restrictions (CC&Rs) that will allow solar to be installed with the appropriate approvals, indicating a growing recognition of the need for HOAs to remove barriers and support renewable energy.

RECOMMENDATION

Staff recommends that Council direct staff to work with the Snyderville Basin and Eastern Summit County Planning Commission to draft Code amendments in accordance with State Statutes that prohibit Home Owners Associations (HOA's) and other entities from restricting a citizen's ability to install "reasonably sited" solar collectors and other energy devices based on renewable resources. Council is the final land use authority for all Development Code changes and will have an opportunity to review the final draft of the proposed amendments prior to adoption.



MOUNTAIN REGIONAL WATER
SPECIAL SERVICE DISTRICT

MEMORANDUM

To: Summit County Council
From: Lisa Hoffman, Accounting Manager
Date: January 27, 2016
Subject: Successor Trustee

Over the past several months, MRW has discussed switching the Trustee of our six outstanding Revenue Bonds from Wells Fargo to Zions Bank. As shown in the table below we will save \$6,000 annually, as well as the added benefit of having the relationship with a local bank.

Bonds	WF Amount	Zions Amount
MRW Utah Water Revenue Bonds, Series 2014	\$ 4,000.00	\$ 2,000.00
MRW Utah Water Revenue & Refunding Bonds, Series 2012	\$ 3,000.00	\$ 2,000.00
MRW Utah Water Revenue & Refunding Bonds, Series 2011A	\$ 3,000.00	\$ 2,000.00
MRW Utah Water Revenue Bonds, Series 2011B	\$ 3,000.00	\$ 2,000.00
MRW Utah Water Revenue & Refunding Bonds, Series 2009B	\$ 3,000.00	\$ 2,000.00
MRW Utah Water Revenue Bonds, Series 2008	\$ 2,000.00	\$ 2,000.00
	\$ 18,000.00	\$ 12,000.00

The MRW Administrative Control Board would recommend the Summit County Council approve the change in Trustee and sign the attached Tri-party Agreement.

AGREEMENT OF REMOVAL, APPOINTMENT AND ACCEPTANCE, dated as of _____, (the "Agreement") by and among Mountain Regional Water Special Service District, Summit County, Utah (the "Issuer"), Wells Fargo Bank, National Association (the "Prior Trustee, Registrar, Paying Agent and Dissemination Agent"), and Zions Bank, a division of AB, N.A. (the "Successor Trustee, Registrar, Paying Agent and Dissemination Agent").

RECITALS:

WHEREAS, the Issuer has previously issued the series of bonds (the "Bonds") listed on Exhibit A hereto, currently outstanding under the General Indenture of Trust dated as of June 1, 2001 as amended December 1, 2011 and May 1, 2012 (the "General Indenture"), the Sixth Supplemental Indenture of Trust dated as of August 1, 2008 (the "Sixth Supplemental Indenture"), the Eighth Supplemental Indenture of Trust dated as of August 1, 2009 (the "Eighth Supplemental Indenture"), the Ninth Supplemental Indenture of Trust dated as of December 1, 2011 (the "Ninth Supplemental Indenture"), the Tenth Supplemental Indenture of Trust dated as of May 1, 2012 (the "Tenth Supplemental Indenture"), the Eleventh Supplemental Indenture of Trust dated as of June 1, 2012 (the "Eleventh Supplemental Indenture"), and the Twelfth Supplemental Indenture of Trust dated as of December 1, 2014 (the "Twelfth Supplemental Indenture") between the Issuer and the Prior Trustee, Registrar, Paying Agent and Dissemination Agent;

WHEREAS, Section 8.7 of the General Indenture provides that the Prior Trustee, Registrar, Paying Agent and Dissemination Agent may be removed at any time, by an instrument or concurrent instruments in writing delivered to the Prior Trustee, Registrar, Paying Agent and Dissemination Agent, and signed by the Issuer;

WHEREAS, the Issuer desires to remove Prior Trustee, Registrar, Paying Agent and Dissemination Agent and Issuer to appoint Successor Trustee, Registrar, Paying Agent and Dissemination Agent to succeed Prior Trustee, Registrar, Paying Agent and Dissemination Agent in such capacities under the Indenture; and

WHEREAS, the Successor Trustee, Registrar, Paying Agent and Dissemination Agent is willing to accept such appointment as Successor Trustee, Registrar, Paying Agent and Dissemination Agent under the Indenture;

NOW, THEREFORE, the Issuer, Prior Trustee, Registrar, Paying Agent and Dissemination Agent and Successor Trustee, Registrar, Paying Agent and Dissemination Agent, for and in consideration of the premises of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby consent and agree as follows:

ARTICLE I
THE PRIOR TRUSTEE, REGISTRAR, PAYING AGENT AND DISSEMINATION AGENT

SECTION 1.01 – Prior Trustee, Registrar, Paying Agent and Dissemination Agent is hereby removed as Trustee, Registrar, Paying Agent and Dissemination Agent under the Indenture.

SECTION 1.02 Prior Trustee, Registrar, Paying Agent and Dissemination Agent hereby assigns, transfers, delivers and confirms to Successor Trustee, Registrar, Paying Agent

and Dissemination Agent all rights, titles and interests of Prior Trustee, Registrar, Paying Agent and Dissemination Agent in and to the trust estate, and all duties and obligations of Prior Trustee, Registrar, Paying Agent and Dissemination Agent under the Indenture. Prior Trustee, Registrar, Paying Agent and Dissemination Agent shall execute and deliver such further documents, instruments, and certificates and shall do such other things as the Successor Trustee, Registrar, Paying Agent and Dissemination Agent and Issuer may reasonably require as to more fully and certainly vest and confirm in Successor Trustee, Registrar, Paying Agent and Dissemination Agent all the rights, titles and interests hereby assigned, transferred, delivered and confirmed to Successor Trustee, Registrar, Paying Agent and Dissemination Agent.

ARTICLE II **THE ISSUER**

SECTION 2.01 The Issuer hereby represents that all conditions relating to the appointment of Zions Bank as Successor Trustee, Registrar, Paying Agent and Dissemination Agent under the Indenture have been met by the Issuer, and the Issuer hereby appoints Successor Trustee, Registrar, Paying Agent and Dissemination Agent as Successor Trustee, Registrar, Paying Agent and Dissemination Agent under the Indenture with like effect as if originally named as Trustee, Registrar, Paying Agent and Dissemination Agent.

ARTICLE III **THE SUCCESSOR TRUSTEE, REGISTRAR, PAYING AGENT AND DISSEMINATION AGENT**

SECTION 3.01 Successor Trustee, Registrar, Paying Agent and Dissemination Agent hereby represents and warrants to Prior Trustee, Registrar, Paying Agent and Dissemination Agent and to the Issuer that Successor Trustee, Registrar, Paying Agent and Dissemination Agent is qualified to act as Successor Trustee, Registrar, Paying Agent and Dissemination Agent under the Indenture.

SECTION 3.02 Successor Trustee, Registrar, Paying Agent and Dissemination Agent hereby accepts its appointment as Successor Trustee, Registrar, Paying Agent and Dissemination Agent under the Indenture and accepts the rights, titles, interests, duties and obligations of Prior Trustee, Registrar, Paying Agent and Dissemination Agent under the Indenture, upon the terms and conditions set forth therein, with like effect as if originally named as Trustee, Registrar, Paying Agent and Dissemination Agent.

SECTION 3.03 References in the Indenture to designated office or other similar terms shall be deemed to refer to the designated office of Successor Trustee, Registrar, Paying Agent and Dissemination Agent at Salt Lake City, Utah, or any other office of Successor Trustee, Registrar, Paying Agent and Dissemination Agent at which its corporate trust business shall be administered.

ARTICLE IV **MISCELLANEOUS**

SECTION 4.01 This Agreement and the removal, appointment and acceptance effected hereby shall be effective as of the opening of business on _____ (the "Effective Date"). The responsibilities of the Successor Trustee, Registrar, Paying Agent and Dissemination Agent under the Indenture shall commence on the Effective Date, and the Successor Trustee,

Registrar, Paying Agent and Dissemination Agent shall assume no responsibility for any liability prior to the Effective Date.

SECTION 4.02 This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.

SECTION 4.03 This Agreement may be executed in any number of counterparts each of which shall be original, but such counterparts shall together constitute but one and the same instrument.

SECTION 4.04 The Prior Trustee, Registrar, Paying Agent and Dissemination Agent shall deliver each of the following to the Successor Trustee, Registrar, Paying Agent and Dissemination Agent on or before, the Effective Date:

- a. The registers relative to the current bondholders and outstanding Bonds;
- b. All unissued Bond certificates along with a copy of the original and any subsequent printer's certificates and, if the Bonds have been delivered in accordance with DTC FAST procedure, the original Bonds;
- c. A list of all assets and account balances for each trust account as of the Effective Date;
- d. The Prior Trustee, Registrar, Paying Agent and Dissemination Agent will transfer all monies or other property held by it for the Bonds to the Successor Trustee, Registrar, Paying Agent and Dissemination Agent. Delivery and receipt of such funds shall be acknowledged by execution of a cross receipt in the form attached as Exhibit B, appropriately completed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed and acknowledged and their respective seals to be affixed hereunto and duly attested all as of the day and year first above written.

Summit County Council

Attest:

Name:
Title:

By: _____
Name:
Title:

P.O. Box 982320
6421 N Business Loop Rd #A
Park City, UT 84098
Attn:

Wells Fargo Bank, National Association,
as Prior Trustee, Registrar, Paying Agent and
Dissemination Agent

Attest:

By: _____

Name:

Title:

Name:

Title:

MAC N9311-115

625 Marquette Ave 11th Fl

Minneapolis, MN 55479

Attn: Corporate Trust Department

Phone: (303)863-6450

Fax:

E-mail:

Zions Bank, a division of ZB, N.A.
as Successor Trustee, Registrar, Paying Agent
and Dissemination Agent

Attest:

By: _____

Name: Shelene Brown

Title: Vice President

Name:

Title:

One South Main Street, Suite 1200

Salt Lake City, Utah 84133

Attn: Corporate Trust Department

Phone: (801) 844-7261

Fax: (855) 547-5427

E-mail: shelene.brown@zionsbank.com

EXHIBIT A

Mountain Regional Water Special Service District, Summit County, Utah
Water Revenue Bonds, Series 2008

Mountain Regional Water Special Service District, Summit County, Utah
Water Revenue & Refunding Bonds, Series 2009B

Mountain Regional Water Special Service District, Summit County, Utah
Water Revenue & Refunding Bonds, Series 2011A

Mountain Regional Water Special Service District, Summit County, Utah
Water Revenue Bonds, Series 2011B

Mountain Regional Water Special Service District, Summit County, Utah
Water Revenue & Refunding Bonds, Series 2012

Mountain Regional Water Special Service District, Summit County, Utah
Water Revenue Bonds, Series 2014

EXHIBIT B

CROSS RECEIPT

Re: Mountain Regional Water Special Service District Water Revenue Bonds

Wells Fargo Bank, National Association, the Prior Trustee, Registrar, Paying Agent and Dissemination Agent, has delivered to the undersigned Successor Trustee, Registrar, Paying Agent and Dissemination Agent on this date, the funds and investments held under the Indenture for the bonds as referenced in Exhibit A as set forth on the account statement (or screen print of current holdings) which is attached to this cross receipt:

Such funds and investments were transferred to the following account of the Successor Trustee, Registrar, Paying Agent and Dissemination Agent:

Zions First National Bank
ABA No. 124-000-054
Account No. 080-000-433
Account Name: Corporate Trust
Ref: Mt. Regional Water SSD
Attn: Shelene Brown

The Successor Trustee, Registrar, Paying Agent and Dissemination Agent acknowledges receipt of such funds and investments.

The Prior Trustee, Registrar, Paying Agent and Dissemination Agent agrees to forward to the Successor Trustee, Registrar, Paying Agent and Dissemination Agent any earnings or other amounts relating to such funds and investments subsequently received by the Prior Trustee, Registrar, Paying Agent and Dissemination Agent promptly upon receipt.

Dated: _____

Wells Fargo Bank National Association, as Prior Trustee, Registrar, Paying Agent and Dissemination Agent

By: _____
Name:
Title:

Zions First National Bank, as Successor Trustee, Registrar, Paying Agent and Dissemination Agent

By: _____
Name:
Title:

**Mountain Regional Water
Resolution No. MRW 16-_____**

**A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE MOUNTAIN
REGIONAL WATER SPECIAL SERVICE DISTRICT
Tax Parcel Numbers: SS-13, SS-12**

WHEREAS, the Board of Commissioners of Summit County, Utah, established a local district designated as the Mountain Regional Water Special Service District (the "District"), to provide water services within its boundaries; and,

WHEREAS, Utah Code Ann. ("UCA") §17D-1-401 provides that additional land from that specified in the resolution establishing a local district may be annexed to the district in conformance with the applicable procedures; and,

WHEREAS, UCA §17D-1-203 and UCA §17D-1-401(2) provide that the County Council of Summit County, Utah (the "Council"), may be petitioned to annex an area into the District; and,

WHEREAS, there have been numerous annexations into the District since its establishment in 1987; and,

WHEREAS, Milton O. Bitner Company has petitioned the Council to annex its land (**SPCS-1**) into the District (the "Petition"). In the Petition, Milton O. Bitner Company represented that it is the sole owner of the Preserve Parcels; and,

WHEREAS, the Summit County Clerk has duly certified the Petition; and,

WHEREAS, UCA §17D-1-402 provides that the notice, hearing, and protest period do not apply if a petition for annexation of additional area is filed with the signatures of all of the owners of taxable real property; and,

WHEREAS, Milton O. Bitner has signed the Petition for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Summit County Council as

follows:

Section 1. **Findings.** The Council finds and determines that public health, convenience, and necessity requires that certain land situated in Summit County, State of Utah, being generally described as Tax Parcel, **SS-13, SS-12** located in Summit County, Utah, and more particularly described in Exhibit A hereto (the "Property"), be annexed into the District.

Section 2. **Annexation.** The Property is hereby annexed into the boundaries of the Mountain Regional Water Special Service District. The Property annexed shall be governed by and become an integral part of the District. Pursuant to this annexation, the owners of the Property shall be entitled to receive the benefit of water services and facilities provided by the District, and shall be subject to the rights, powers and authority of the District, including, without limitation, the right, power and authority to promulgate rules and regulations for the operation of the District, to levy ad valorem taxes on the Property, and to impose such fees and charges as shall be necessary to pay for all or part of the commodities, facilities and services to be provided by the District and for the payment of the District's bonds and other obligations.

Section 3. **Direction.** All officers and employees of the District are hereby directed to take such action as shall be necessary and appropriate to effectuate the provisions of this Resolution and the intent expressed herein.

Section 4. **Effective Date.** This Resolution shall take effect immediately upon its approval and adoption by the Summit County Council.

APPROVED AND ADOPTED this _____ day of _____, 2015.

SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH

Roger Armstrong
Chair

ATTEST:

Kent Jones
County Clerk

EXHIBIT

October 1, 2015

The Board of County Council
Summit County, Utah
60 N. Main Street
Coalville, UT 84017

**PETITION FOR ANNEXATION TO THE MOUNTAIN REGIONAL WATER SPECIAL
SERVICE DISTRICT**

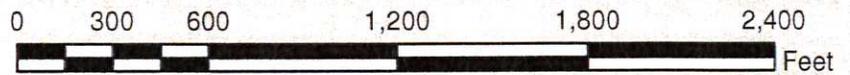
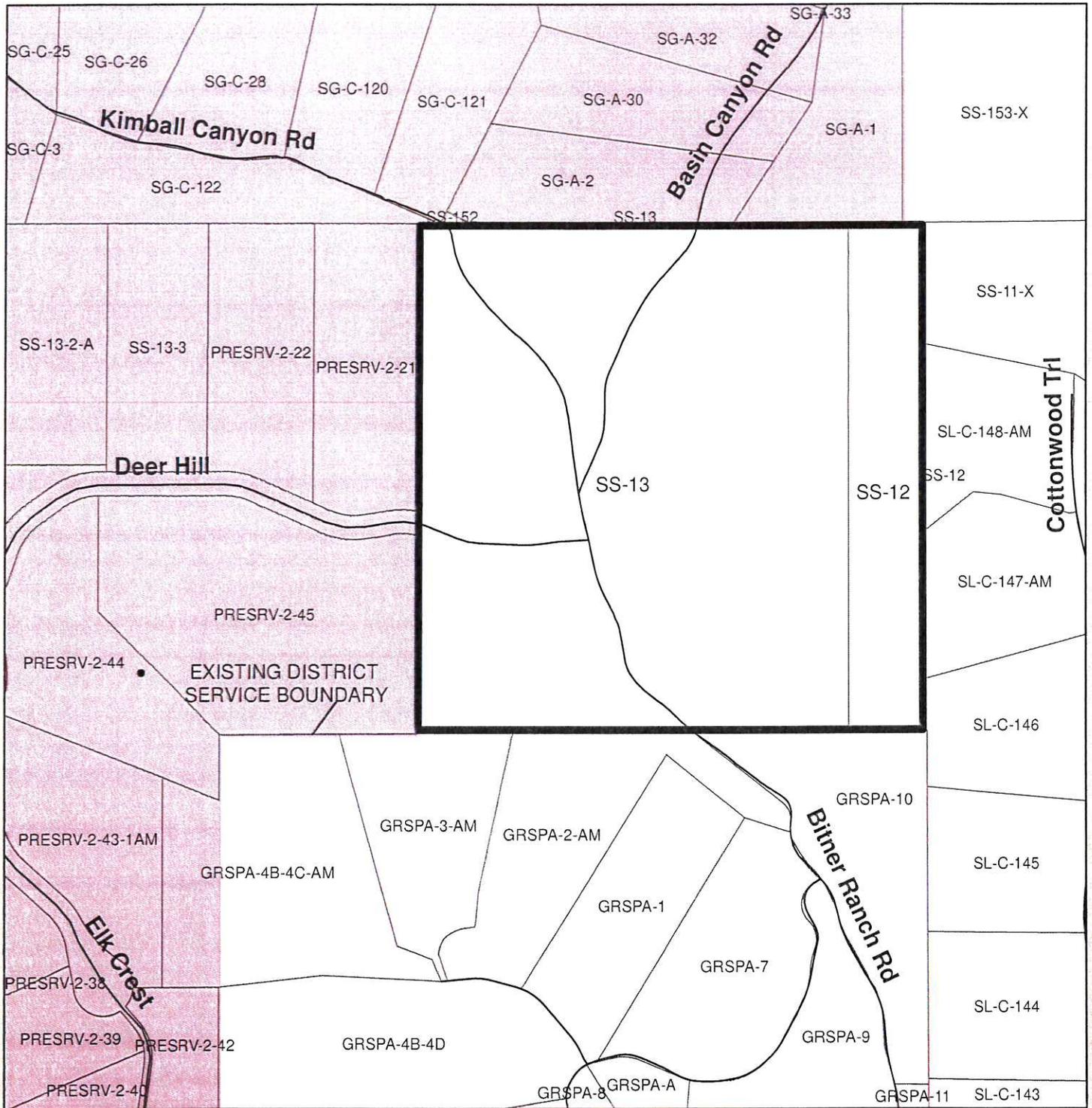
1. Pursuant to the provisions of Utah Code Annotated (UCA), Section 17D-1-401, as amended, the undersigned petitioner requests that the Board of County Council of Summit County, Utah, annex the property (Property) described in Exhibit A, which is attached hereto and incorporated by reference, into the boundaries of Mountain Regional Water Special Service District (District).
2. The undersigned petitioner(s) own one hundred percent of the Property to be annexed. Therefore, the notice, hearing, and protest requirements of Sections UCA 17D-1-1205, 17D-1-206, and 17D-1-207 do not apply.
3. The undersigned petitioner is desirous of receiving water service from the District for the Property and is willing to abide by all lawful adopted rules and regulations of the District as a condition of receiving water service from the District.

The undersigned petitioner has read and knows the contents of the foregoing Petition, and the fact set forth are true, accurate, and complete to the best of the undersigned petitioner's knowledge and belief.



Milton O. Bitner Company
By: Carol Bitner Davis, Vice President

[Attach Exhibit A that includes the property's TAX ID numbers, and legal property description, and map of the boundaries satisfactory to the County Recorder]

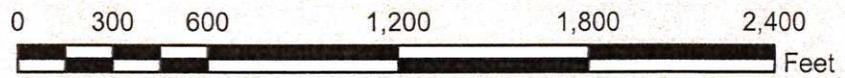
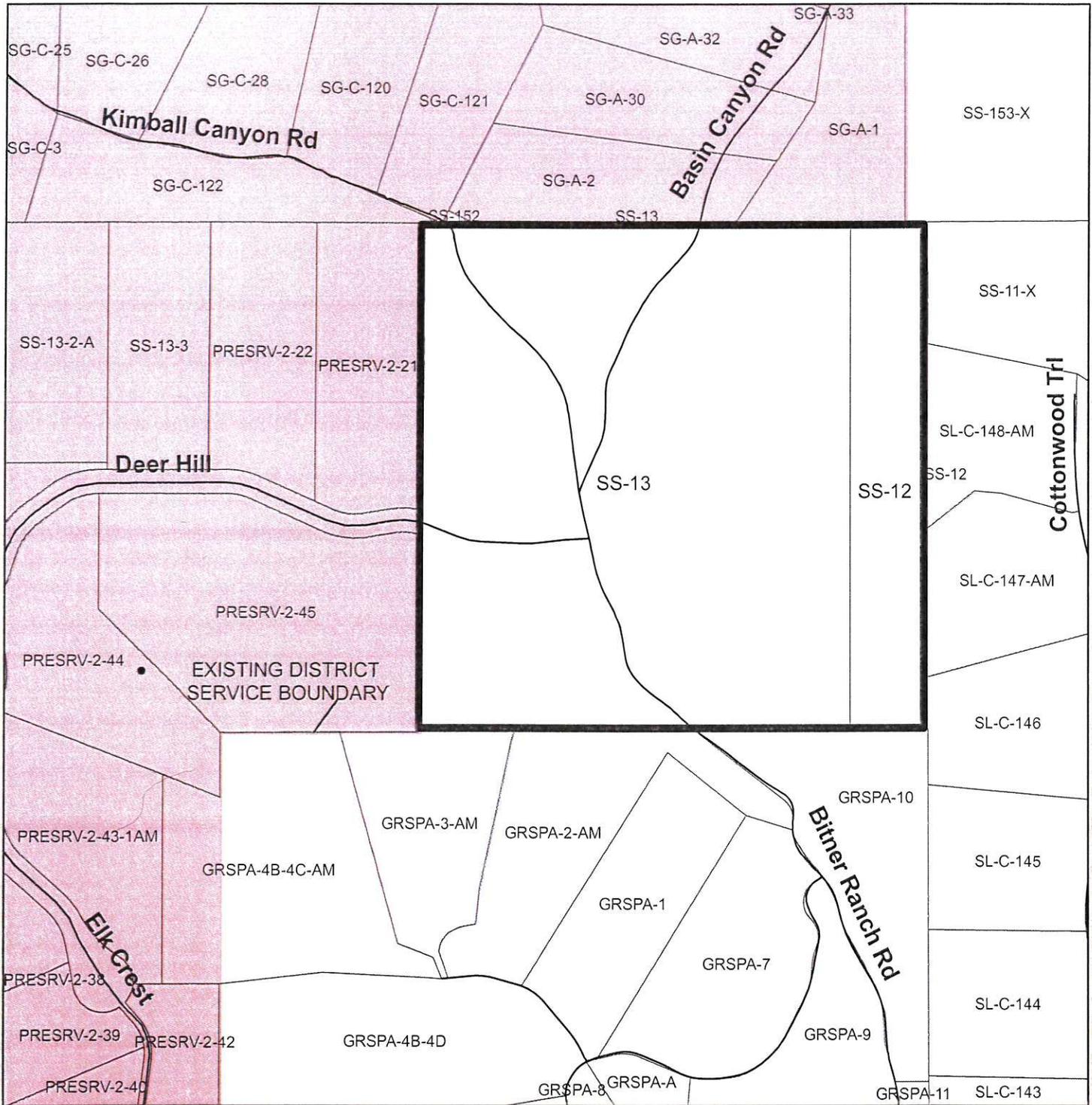


1 inch = 600 feet

By C. Braun
Date: 1/7/2016

ANNEXATION EXHIBIT MAP

PARCELS SS-12 AND SS-13



1 inch = 600 feet

By C. Braun
Date: 1/7/2016

ANNEXATION EXHIBIT MAP

PARCELS SS-12 AND SS-13

February 22, 2016

Summit County Council

RE: R & W Ranch Subdivision Rollback Tax

Council Members,

My wife and I went through the County Subdivision process and subdivided 14.54 acres in Hoytville, UT, 1/5 mile up Spring Canyon Road. During the process the Engineering Department advised us that we would need to move the property line that parallels the Spring Canyon Road back 12 ft. for the future widening of the road. We were also told that we would need to pay \$6,000.00 to the County for the same purpose. Under duress, we contributed the .16 acre of our property (\$9,107.00 value) and we paid the \$6,000.00 to the Engineering Department.

We just sold one of our two lots, the rollback tax was paid on the sold lot in the amount of \$4,030.00, which now makes our remaining lot of 3.25 acres non-eligible to remain in the Greenbelt. We have been advised by the Assessor's

Office that we owe another \$4,030.00 for this final lot. We are asking for some concession for the amount we have already surrendered. We look forward to meeting with you.

Thank you for your time and consideration,

Bill & Linda Wilde

6-21-11

PUBLIC HEARING NOTICE

Major Subdivision

R & W Ranch, Parcel NS-515-B (1/5 mile up Spring Canyon Road)

Bill Wilde / Jerrold & Cheryl Willoughby

Public notice is hereby given that the Eastern Summit County Planning Commission will conduct a public hearing to discuss and possibly recommend a major subdivision for a four (4) lot major subdivision on a 14.54 acre parcel on Spring Canyon Road in Eastern Summit County. The public hearing will be held:

Wednesday, July 6, 2011, 6:00 p.m.

Kamas City Offices, 170 North Main Street, Kamas, UT

The applicant, Bill Wilde on behalf of property owners Jerrold & Cheryl Willoughby, is requesting approval for a four (4) lot subdivision on parcel NS-515-B located approximately one fifth of a mile up Spring Canyon Road, on the northern side of the road.

For further information, please contact Kimber Gabryszak, at the Summit County Department of Community Development, P.O. Box 128, 60 North Main Street, Coalville, Utah 84017, via email at kgabryszak@co.summit.ut.us, or via phone at (435) 336-3132. Staff reports and location maps can be found by visiting our website after Friday, July 1, 2011 on our website at:

www.summitcounty.org/communitydevelopment/eastern.php.

Pursuant to the American with Disabilities Act, individuals needing special accommodations during this meeting should notify the Summit County Department of Community Development at (435) 336-3124 prior to the meeting.



Steve Martin
Assessor

February 12, 2016

Wilde Bill G
1245 S Hoystville Rd
Coalville, UT 84017

Summit County Property Owners:

In reviewing our record on properties being assessed under the Farmland Assessment Act (Greenbeet) we find that the parcel indicated below is a non-qualifying property and is subject to a rollback tax. The parcel and reason for rollback is identified as follows:

- parcel # RWR-2
- Not enough acreage in ownership
- total acres 3.25

A rollback tax has been calculated and is due by March 13, 2016 and is to be made payable to the:
Summit County Treasurer's Office
P O Box 128
Coalville, Utah 84017

Utah State Law states that failure of the owner to notify the Assessor's Office of a change in eligibility within 180 days from the date of change or to pay the rollback tax 30 days from the billing date, subjects the property to an assessment of 2% of the last year of the rollback or \$10.00 whichever is greater. State law also gives you the opportunity to appeal the decision to impose the rollback tax within 45 days of original notice to the County Board of Equalization.

If delinquent on September 15, the rollback tax and interest through November 30 will be attached to the real property Tax Notice. A lien for the amount due will be recorded against the property. However, the lien will be removed upon payment.

If the property was recently sold, the rollback tax may have been paid at the time of closing. If so, or if you have otherwise paid the tax, please provide a copy of your closing statement or receipt of payment, so our records can be corrected.

Should you have any further questions or concerns please feel free to contact our office at (435)336-3211 or nking@summitcounty.org.

Sincerely

Nicolle B King
Assessor's Office

Summit County
60 N Main Street, Po Box 128
Coalville UT 84017
(435) 336 3211



Summit County Utah Recorder

Farmland Assessment Act

Rollback Tax Notice

BILL TO:
 WILDE BILL G H/W (JT)
 1245 S HOYTSVILLE RD
 COALVILLE, UT 84017

PARCEL NUMBER: RWR-2
 ACCOUNT NUMBER: 0478426
 ACRES: 3.250
 WITHDRAWAL DATE: 02-12-2016
 PAYMENT DUE DATE: 03-13-2016

Year	District	Market Value	Tax Rate	Taxable	FAA Taxable	Taxes	FAA Taxes
2015	46	\$93,125	0.008663	\$93,125	\$622	\$806.75	\$5.39
2014	46	\$88,125	0.008682	\$88,125	\$622	\$765.10	\$5.40
2013	46	\$88,125	0.009139	\$88,125	\$622	\$805.37	\$5.68
2012	46	\$88,125	0.009077	\$88,125	\$622	\$799.91	\$5.65
2011	46	\$97,125	0.009076	\$97,125	\$618	\$881.51	\$5.61

TOTAL TAXES DUE: \$4,058.64
 LESS FAA TAXES PAID: \$27.73
 TOTAL ROLLBACK TAXES DUE: \$4,030.91

Interest will be charged beginning 30 days from the date of this rollback billing notice.

If you wish to appeal the imposition of the rollback tax, you must file an appeal application with the county auditor no later than 45 days from the date of this notice. The market value on which the rollback is calculated cannot be appealed. The only matters that may be appealed are a challenge to the withdrawal of the land from the FAA (greenbelt) or a challenge to the mathematical computation.

Steve Martin

County Assessor

2-12-16
 Date

Annette Singleton

From: Nicolle King
Sent: Wednesday, February 24, 2016 11:04 AM
To: Dave Thomas; Annette Singleton; Steve Martin
Subject: RE: Request by Bill Wilde
Attachments: 2016_02_24_10_57_12.pdf

Mr. Wilde filed the attached greenbelt application for RWR-1 and RWR-2 September 15, 2011. This was to keep them on greenbelt after they were created from a parent parcel. The two properties together had enough acreage to qualify for greenbelt. Please note number 5 under certification on the greenbelt application, Mr. Wilde signed that he is aware a rollback would be due when the land no longer qualified. When the ownership changed on RWR-1 February 9, 2016, Mr. Wilde no longer had enough acreage for RWR-2 to qualify for Green belt, our office then calculated and sent the attached rollback to Mr. Wilde. I have attached the Utah State Code and standard for Rollback tax.

NICOLLE KING
ASSESSORS OFFICE

Application for Assessment and Taxation of Agricultural Land

Summit County Utah Assessor

Farmland Assessment Act
UCA 59-2-501 to 515
Form TC-582ED

Owner
WILDE BILL G H/W (JT)
1245 S HOYTTSVILLE RD
COALVILLE, UT 84017

Date of Application
09/02/2011

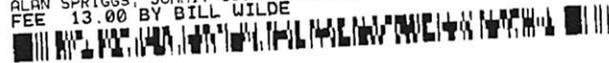
ENTRY NO. 00930287

09/15/2011 12:58:33 PM B: 2095 P: 1349

Farmland Assessment Application PAGE 1/2

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE 13.00 BY BILL WILDE



Property identification numbers and complete legal description (additional pages if necessary)

Account Number: 0478419

Parcel Number: RWR-1

LOT 1 R&W RANCH SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE
CONT 3.25 AC 2090-375-377

Account Number: 0478426

Parcel Number: RWR-2

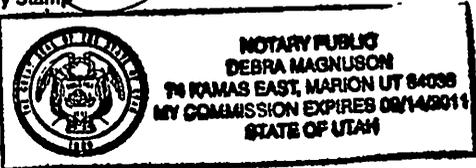
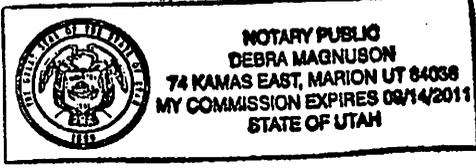
LOT 2 R&W RANCH SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE
CONT 3.25 AC
2090-375-377

Certification

Read the following and sign below.

I certify: (1) THE FACTS SET FORTH IN THIS APPLICATION ARE TRUE. (2) The agricultural land covered by this application constitutes no less than five contiguous acres exclusive of homesite and other non-agricultural acreage (see Utah Code 58-2-503 for waiver). (3) The land is currently devoted to agricultural use and has been so devoted for two successive years immediately preceding the tax year for which valuation under this act is requested. (4) The land produces in excess of 50 percent of the average agricultural production per acre for the given type of land and the given county or area. (5) I am fully aware of the five-year rollback tax provision which becomes effective upon a change in use or other withdrawal of all or part of the eligible land. I understand that I must notify the county assessor of a change in land use to any non-qualifying use, and that a penalty of the greater of \$10 or 2 percent of the computed rollback tax due for the last year will be imposed on failure to notify the assessor within 120 days after change in use.

Corporate Name

Owner Signature (WILDE LINDA E H/W (JT)) X <i>Linda E. Wilde</i>	Date 9-9-2011	Owner Signature (WILDE BILL G H/W (JT)) X <i>Bill G Wilde</i>	Date 9-9-2011
Notary Signature <i>[Signature]</i>	Date Subscribed and Sworn 9-9-2011	Notary Signature <i>[Signature]</i>	Date Subscribed and Sworn 9-9-2011
Notary Stamp 		Notary Stamp 	

County Assessor Signature (Subject to review) <i>[Signature]</i>	Date 9-9-11
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Summit County Utah Recorder

Farmland Assessment Act

Rollback Tax Notice

BILL TO:
 WILDE BILL G H/W (JT)
 1245 S HOYTSTVILLE RD
 COALVILLE, UT 84017

PARCEL NUMBER: RWR-2
 ACCOUNT NUMBER: 0478426
 ACRES: 3.250
 WITHDRAWAL DATE: 02-12-2016
 PAYMENT DUE DATE: 03-13-2016

Year	District	Market Value	Tax Rate	Taxable	FAA Taxable	Taxes	FAA Taxes
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TOTAL TAXES DUE: \$4,058.64
 LESS FAA TAXES PAID: \$27.73
 TOTAL ROLLBACK TAXES DUE: \$4,030.91

Interest will be charged beginning 30 days from the date of this rollback billing notice.

If you wish to appeal the imposition of the rollback tax, you must file an appeal application with the county auditor no later than 45 days from the date of this notice. The market value on which the rollback is calculated cannot be appealed. The only matters that may be appealed are a challenge to the withdrawal of the land from the FAA (greenbelt) or a challenge to the mathematical computation.

Steve Martin

County Assessor

2-12-16
Date

59-2-506. Rollback tax -- Penalty -- Computation of tax -- Procedure -- Lien -- Interest -- Notice -- Collection -- Distribution -- Appeal to county board of equalization.

- (1) Except as provided in this section, Section 59-2-506.5, or Section 59-2-511, if land is withdrawn from this part, the land is subject to a rollback tax imposed in accordance with this section.
- (2) (a) An owner shall notify the county assessor that land is withdrawn from this part within 120 days after the day on which the land is withdrawn from this part.
(b) An owner that fails to notify the county assessor under Subsection (2)(a) that land is withdrawn from this part is subject to a penalty equal to the greater of:
 - (i) \$10; or
 - (ii) 2% of the rollback tax due for the last year of the rollback period.
- (3) (a) The county assessor shall determine the amount of the rollback tax by computing the difference for the rollback period described in Subsection (3)(b) between:
 - (i) the tax paid while the land was assessed under this part; and
 - (ii) the tax that would have been paid had the property not been assessed under this part.
(b) For purposes of this section, the rollback period is a time period that:
 - (i) begins on the later of:
 - (A) the date the land is first assessed under this part; or
 - (B) five years preceding the day on which the county assessor mails the notice required by Subsection (5); and
 - (ii) ends the day on which the county assessor mails the notice required by Subsection (5).
- (4) (a) The county treasurer shall:
 - (i) collect the rollback tax; and
 - (ii) after the rollback tax is paid, certify to the county recorder that the rollback tax lien on the property has been satisfied by:
 - (A) preparing a document that certifies that the rollback tax lien on the property has been satisfied; and
 - (B) providing the document described in Subsection (4)(a)(ii)(A) to the county recorder for recordation.
(b) The rollback tax collected under this section shall:
 - (i) be paid into the county treasury; and
 - (ii) be paid by the county treasurer to the various taxing entities pro rata in accordance with the property tax levies for the current year.
- (5) (a) The county assessor shall mail to an owner of the land that is subject to a rollback tax a



Roll-back Taxes

- notice that:
- (i) the land is withdrawn from this part;
 - (ii) the land is subject to a rollback tax under this section; and
 - (iii) the rollback tax is delinquent if the owner of the land does not pay the tax within 30 days after the day on which the county assessor mails the notice.
- (b) (i) The rollback tax is due and payable on the day the county assessor mails the notice required by Subsection (5)(a).
- (ii) Subject to Subsection (7), the rollback tax is delinquent if an owner of the land that is withdrawn from this part does not pay the rollback tax within 30 days after the day on which the county assessor mails the notice required by Subsection (5)(a).
- (6) (a) Subject to Subsection (6)(b), the following are a lien on the land assessed under this part:
- (i) the rollback tax; and
 - (ii) interest imposed in accordance with Subsection (7).
- (b) The lien described in Subsection (6)(a) shall:
- (i) arise upon the imposition of the rollback tax under this section;
 - (ii) end on the day on which the rollback tax and interest imposed in accordance with Subsection (7) are paid in full; and
 - (iii) relate back to the first day of the rollback period described in Subsection (3)(b).
- (7) (a) A delinquent rollback tax under this section shall accrue interest:
- (i) from the date of delinquency until paid; and
 - (ii) at the interest rate established under Section 59-2-1331 and in effect on January 1 of the year in which the delinquency occurs.
- (b) A rollback tax that is delinquent on September 1 of any year shall be included on the notice required by Section 59-2-1317, along with interest calculated on that delinquent amount through November 30 of the year in which the county treasurer provides the notice under Section 59-2-1317.
- (8) (a) Land that becomes ineligible for assessment under this part only as a result of an amendment to this part is not subject to the rollback tax if the owner of the land notifies the county assessor that the land is withdrawn from this part in accordance with Subsection (2).
- (b) Land described in Subsection (8)(a) that is withdrawn from this part as a result of an event other than an amendment to this part, whether voluntary or involuntary, is subject to the rollback tax.
- (9) Except as provided in Section 59-2-511, land that becomes exempt from taxation under Utah Constitution Article XIII, Section 3, is not subject to the rollback tax if the land meets the requirements of Section 59-2-503 to be assessed under this part.
- (10) Land that becomes ineligible for assessment under this part only as a result of a split estate mineral rights owner exercising the right to extract a mineral is not



subject to the rollback tax:

- (a) (i) for the portion of the land required by a split estate mineral rights owner to extract a mineral if, after the split estate mineral rights owner exercises the right to extract a mineral, the portion of the property that remains in agricultural production still meets the acreage requirements of Section 59-2-503 for assessment under this part; or
- (ii) for the entire acreage that would otherwise qualify for assessment under this part if, after the split estate mineral rights owner exercises the right to extract a mineral, the entire acreage that would otherwise qualify for assessment under this part no longer meets the acreage requirements of Section 59-2-503 for assessment under this part only due to the extraction of the mineral by the split estate mineral rights owner; and
- (b) for the period of time that the property described in Subsection (10)(a) is ineligible for assessment under this part due to the extraction of a mineral by the split estate mineral rights owner.
- (11) (a) Subject to Subsection (11)(b), an owner of land may appeal to the county board of equalization:
- (i) a decision by a county assessor to withdraw land from assessment under this part; or
- (ii) the imposition of a rollback tax under this section.
- (b) An owner shall file an appeal under Subsection (11)(a) no later than 45 days after the day on which the county assessor mails the notice required by Subsection (5).

Amended by Chapter 279, 2014 General Session

Standard 7. 9 Rollback Taxes

7.9.0 Withdrawal from FAA

An owner may voluntarily withdraw land from assessment under the FAA. However, land is automatically withdrawn for the following reasons:

- Land is no longer actively devoted to agricultural use.
- Land does not meet acreage or other FAA requirements.
- Land has a change in ownership, and the new owner fails to file a new application.
- Land has a change in legal description, and the owner fails to file a new application.
- The owner fails to file a new application requested by the assessor.

Withdrawal subjects the land to a five-year rollback tax, except in the case of qualifying conservation easements, properties that become exempt and mineral extraction (Refer to *Standards 7.10 "Conservation Easements," 7.11 "Exempt Properties" and 7.5.3 "Mineral Extraction."*)



7.9.1 Notification of Withdrawal--Penalty

An owner is required to notify the assessor within 120 days of any change in use that withdraws land from FAA assessment. Failure to notify the assessor results in a penalty of \$10 or 2% of the rollback tax due for the last year of the rollback period, whichever is greater. [Section 59-2-506(2)]

7.9.2 Rollback Time Period

The five-year rollback time period begins on the day the land is first assessed under the FAA, or five years prior to the day on which the assessor mails the rollback tax notice, whichever is later, so that a maximum of five tax years is included. This time period is the same regardless of the length of ownership by the current owner as the land may have had several different owners during the rollback period.

The January 1 lien date applies to the fair market valuation that is required to be included on the tax notice. If land is withdrawn prior to delivery of the assessment roll, property tax on the land will be based on the fair market value for that tax year and the rollback tax will be based on previous years of FAA assessment (up to five years). If the land is withdrawn from FAA assessment after the close of the assessment roll, the rollback tax payment will be based on the current tax year's FAA assessment and previous years of FAA assessment (up to five years).

7.9.3 Rollback Tax Calculation

Land that is withdrawn from assessment under the FAA is subject to a rollback tax equal to the difference between:

- the amount of taxes that would have been charged under a market-based assessment, and
- the amount of taxes that were actually charged under the FAA assessment.

The assessor calculates the rollback tax for each year the land was assessed under the FAA, going back no more than five years.

7.9.4 Rollback Tax Rates

Actual tax rates from each year of the rollback tax period are used to calculate the rollback tax. For example, the 2002 fair market value is multiplied by the 2002 tax rate and then the 2002 actual taxes charged are subtracted to arrive at the 2002 portion of the rollback tax. The same procedure is followed for 2001, then 2000 and so on, until up to five years of rollback taxes are calculated.

7.9.5 Rollback Tax Notice

Upon withdrawal of land from assessment under the FAA, the assessor immediately sends a "Rollback Tax Notice" to the current owner. The rollback tax is due and payable on the date the assessor mails the notice. If unpaid after 30 days, the rollback tax is delinquent.

7.9.6 Rollback Tax Notice Form

- The rollback tax notice form must state the following:
- The land is withdrawn from assessment under the FAA.
- The land is subject to a rollback tax under Section 59-2-506.
- The rollback tax is delinquent if the owner of the land does not pay the rollback tax within 30 days after the day on which the county assessor mails the notice.



The rollback tax notice should include enough information to adequately identify the parcel of land that is subject to the rollback and the reason the land is withdrawn. It should clearly list the rollback calculations, total amount due and indicate how penalty and interest will be calculated on delinquencies. It should list key dates such as:

- date of the notice
- date of withdrawal from FAA
- date of owner's 120 day deadline to notify of withdrawal without penalty
- date the rollback tax is due

The notice must also inform the owner of his/her right to appeal the assessor's decision to impose the rollback tax to the county board of equalization within 45 days of the date of the Rollback Tax Notice. Click on the following link to view the form, PT-72Farmland Assessment Act Rollback Tax Notice.

7.9.7 Rollback Tax Lien

The rollback tax is a lien upon the property until paid. [Section 59-2-506(6)] When an owner files an application for assessment under the FAA, his/her signature effectively gives consent to the creation of a future lien upon the property for rollback taxes. The lien arises upon notice of the rollback tax.

7.9.8 Collection of Rollback Tax

The county treasurer collects the rollback tax. The rollback tax is due and payable on the date of the "Rollback Tax Notice". It becomes delinquent 30 days after the day upon which the county assessor mails the "Rollback Tax Notice". The following collection procedures are to be followed: [Section 59-2-506 (7)]

Interest accrues from the date of delinquency at the interest rate established for delinquent real property taxes (Section 59-2-1331) and in effect on January 1 of the year in which the delinquency occurs.

If the delinquent rollback is paid prior to September 1, calculate interest from the date of delinquency until paid.

If the delinquent rollback tax remains delinquent on September 1, calculate interest from the date of delinquency until November 30 and include the rollback tax and interest on the "Tax Notice" that is mailed on November 1.

By November 30, the delinquent rollback tax is treated in the same manner as attached personal property in the delinquent tax collection process.

7.9.9 Certification of Rollback Tax Payment

The county treasurer must certify to the county recorder that the rollback tax lien has been satisfied by preparing a release of lien document and transmitting it to the county recorder for recordation. [Section 59-2-506 (4)]

7.9.10 Distribution of Rollback Tax Revenue

Rollback taxes collected are paid by the county treasurer to the various taxing entities prorated in accordance with property tax levies for the current year. [Section 59-2-506 (4)]





MEMORANDUM:

Date: March 2, 2016

To: Council Members

From: Tom Fisher

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

Advice and consent of County Manager's recommendation to reappoint Liza Simpson and appoint Marc Watterson to the Summit County Board of Health. Liza and Marc's terms to expire December 31, 2019.



MEMORANDUM:

Date: March 2, 2016

To: Council Members

From: Tom Fisher

Re: Recommendation to appoint members to the County Fair Advisory Board

Advice and consent of County Manager's recommendation to appoint Cody Blonquist (member recommended by Coalville City) and Geoff Swarts (member recommended by PC Chamber Bureau) to the County Fair Advisory Board. Cody and Geoff's terms to expire December 31, 2019.

Advice and consent of County Manager's recommendation to appoint Lorraine Jones, Kaitlin Eskelson and Becky Grant to the County Fair Advisory Board. Lorraine, Kaitlin and Becky's terms to expire December 31, 2019.



MEMORANDUM:

Date: March 2, 2016

To: Council Members

From: Tom Fisher

Re: Recommendation to appoint member to the Summit County Library Board of Directors

Advice and consent of County Manager's recommendation to reappoint Katy Wang and appoint Emily Summers to the Library Board of Directors; Katy and Emily's terms to expire February 28, 2020.

Advice and consent of County Manager's recommendation to appoint Rob Weyher to fill the unexpired term of Stacy Kueser; Rob's term to expire February 28, 2019.

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, JANUARY 20, 2016
SHELDON RICHINS BUILDING
PARK CITY, UTAH

PRESENT:

Roger Armstrong, *Council Chair*
Chris Robinson, *Council Vice-Chair*
Kim Carson, *Council Member*
Claudia McMullin, *Council Member*
Talbot Adair, *Council Member*

Tom Fisher, *Manager*
Anita Lewis, *Assistant Manager*
Robert Hilder, *Attorney*
Kent Jones, *Clerk*
Brandy Harris, *Secretary*

CLOSED SESSION

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

The Summit County Council met in closed session for the purpose of discussing litigation from 2:10 p.m. to 2:38 p.m. Those in attendance were:

Roger Armstrong, *Council Chair*
Chris Robinson, *Council Vice-Chair*
Kim Carson, *Council Member*
Claudia McMullin, *Council Member*
Talbot Adair, *Council Member*

Tom Fisher, *Manager*
Anita Lewis, *Assistant Manager*
Robert Hilder, *Attorney*
David Thomas, *Deputy Attorney*

Council Member Carson made a motion to convene in closed session to discuss land acquisition. The motion was seconded by Vice-Chair Robinson and passed unanimously, 5 to 0.

The Summit County Council met in closed session for the purpose of discussing land acquisition from 2:38 p.m. to 3:25 p.m. Those in attendance were:

Roger Armstrong, *Council Chair*
Chris Robinson, *Council Vice-Chair*
Kim Carson, *Council Member*
Claudia McMullin, *Council Member*
Talbot Adair, *Council Member*

Tom Fisher, *Manager*
Anita Lewis, *Assistant Manager*
Robert Hilder, *Attorney*
David Thomas, *Deputy Attorney*
Patrick Putt, *Community Development Director*

Council Member Carson made a motion to dismiss from closed session and to convene in work session. The motion was seconded by Council Member Adair and passed unanimously, 5 to 0.

WORK SESSION

Chair Armstrong called the work session to order at 3:25 p.m.

INTERVIEW APPLICANTS FOR THE TIMBERLINE SPECIAL SERVICE DISTRICT

The following applicants were interviewed for positions on the Timberline Special Service District:

- Argan Johnson (via phone interview)
- Tor Boschen (via phone interview)
- Doug Anderson (via phone interview)
- Kyle Monez

DISCUSSION BETWEEN COUNCIL AND ELECTED REPRESENTATIVES REGARDING THE UPCOMING LEGISLATIVE SESSION

Chair Armstrong stated Council Member Carson is the Council's representative with UAC and with the legislative session coming asked that all officials communicate with each other as they notice issues that are relevant during the legislative session.

Council Member Carson explained update meetings are usually held at 10:00 a.m. in the Legislative Building and further information could be found online. She stated if more members attended the meetings it would provide better communication when issues come up, and it would allow the Council to have multiple voices supporting the positions important to the County.

Manager, Tom Fisher, explained there are bills the Council will be tracking. He stated Jami Brackin in the attorney's office is also keeping track of bills. Mr. Fisher will have Annette Singleton coordinate with Jami on a regular basis and they will alert leadership regarding important bills to the county.

Council Member Carson stated during those Thursday meetings the County gets a list from UAC that states the bills being tracked and the position UAC takes on those bills. Dave Thomas, Deputy Attorney, stated the Council is also tracking boxcar bills, which are bills that have titles, that have sponsors, but the bills themselves haven't been filed. He explained there is a deadline by which if you don't have a box-car filed, you can't file new bills, so the Council will still have the topics even of bills that aren't filed.

Robert Hilder, Attorney, stated Jami Brackin attends meetings every Wednesday, which are the civil bills section or civil lawyers section. Mr. Hilder follows the criminal bills and Mr. Thomas is heavily involved as well in attending meetings. Mr. Hilder asked the Council if they should report back directly to Chair Armstrong or Council Member Carson or the entire Council when

bringing a bill to their attention. Council Member Carson responded they should all receive this information.

Dave Thomas asked the Council how much they would like them to be involved in the legislative process. Chair Armstrong replied he thinks it's going to depend on the issue. He believes some land use issues will be possibly coming out of the east side of Summit County and the Council needs pay attention to those kind of things. Council Member Carson stated she agreed with Chair Armstrong, that it should be relative to the impact on the County and how important they see it to the work that they do. She stated if any County member feels there's an issue that comes up that the Council needs to have a discussion on to contact Chair Armstrong about putting it on the agenda.

UPDATE REGARDING DEVELOPMENT OF PLANS AND PERMITTING FOR NEW PEACE HOUSE LOCATION

Doug Clyde, Project Manager for the Peace House, presented the Council with a series of slides explaining the new design of the Peace House. Mr. Clyde stated he first got involved in the Peace House process approximately 18 months ago as a volunteer to help with the facility's design committee. He stated there was a committee of various professionals aiding in the design.

Mr. Clyde stated the Peace House now has a lease agreement with Intermountain Healthcare to be in their parcel adjacent to the hospital, right in between the County Health Department and the Physician's Clinic Center, known as Parcel 8.

He explained the Peace House and Intermountain Healthcare have a cooperative agreement in which Intermountain Healthcare will provide the Peace House land, and the Peace House in return shall be responsible with providing them part of their affordable housing regulation within the city. Mr. Clyde stated the agreement is done; however, the whole concept of how much affordable housing IHC can benefit from the Peace House is still a fluid issue. The Peace House has a minimum agreement set with the City with the housing authority and that has been approved. He stated the Peace House received its planning commission approval last week for this project, and so they are essentially in title development.

Mr. Clyde presented the site plan and explained the overall process of the development of the new Peace House. He explained going forward the Peace House will be in large part concentrated on transitional housing, which means not only will they be doing the emergency care, but will also be providing transitional housing for people who will be moving out of immediate, threatening conditions and trying to put their life back together. There will be 12 units of residential housing for those people in transition, 8 for emergency care. The entire facility will probably have a capacity of nightly lodging in the range of 40 to 50 people at one time.

In addition to the transitional housing, the Peace House will also have all of their support facilities as well. That includes administration as well as child care for the residents of the facility, therapy rooms, and educational facilities to help them find jobs and learn new skills.

Mr. Clyde explained the total building is composed of approximately 37,000 square feet, of which the majority 22- to 25,000 square feet is the residential portion. The remaining square footage is the support to the residential and the staff related to the overall operation.

Council Member McMullin asked what the timeline on the build-out was. Jim Smith, Chair of the Design and Review Committee, responded that they will be ready to break ground perhaps as early as late summer or early fall of 2016, and expect the build to take about a year.

Vice-Chair Robinson asked if the County needed to provide the Peace House with any documentation stating they have met their next milestone of this process, as not to delay its development. Dave Thomas replied there is nothing the Council needs to provide; however, Tom Fisher would need to provide them with a letter stating the next milestone has been met.

Council Member Carson asked Mr. Clyde to explain the affordable housing unit entitlements better in terms of IHC versus the money the Peace House is using given from the County. Mr. Clyde responded the donation that the County made to the overall Peace House project did not come with a specific number of square feet or unit of building that had to be built. The Peace House is then fulfilling an affordable housing requirement IHC has with Park City Municipal Court, which is why IHC has agreed to work with them in this development. Mr. Clyde stated the Peace House has a 50-year lease with IHC, and since IHC is never relieved from their affordable housing obligation, so if for some reason the Peace House went away in 50 years IHC would still have to maintain that building as part of their affordable housing.

UPDATE REGARDING ANIMAL CONTROL

Clay Coleman, Animal Control Director, and Brian Bellamy, Personnel Director, met with the council regarding an animal control update: Now that Park City has taken a step to open up certain areas to off-leash, does it affect the County in any way? Does it affect enforcement? Is their ordinance for whatever changes they made consistent with the County's ordinance? Is it going to create any difficulties with enforcement because of differences between the two, or is it consistent and the County?

Mr. Coleman replied that Park City has designated the Round Valley area as off-leash and the Summit County Animal Control is honoring that. He stated Summit County Animal Control plans to patrol business as usual and will treat that area as off-leash and will not drive in or go in unless they have a phone call asking Animal Control to come in and investigate. Mr. Coleman stated they do not have any officers walking the trail and are currently not working with Park City Police Department on this issue. He stated he would like to meet with Chief Carpenter to discuss and figure out how they should go forward.

Robert Hilder, Attorney, asked what does the County have that governs them and what do they need to change or correct and what is the obligation to enforce within Park City limits.

Mr. Hilder stated Animal Control will not go into this area unless called and that under the MOU between the County and the City, which was signed in 2007, the agreement was that the County has no animal code enforcement in Park City unless the City requests the use of the County equipment or personnel.

Mr. Hilder stated this process has done some good in bringing both codes together. The code that deals with conduct in off-leash areas and dogs in general is entitled 7 of the Park City Municipal Code and Title 5 of the County's code. Mr. Hilder explained both titles have the same language and is attached in the memo he provided. Mr. Hilder stated the big gap is that the County doesn't define an off-leash dog area. The difference is the jurisdictions regulate the conduct within the off-leash animal area and they regulate conduct on any other trail or throughout the county. He stated within the boundaries of a designated off-leash area, up to four dogs maybe managed by voice and site control, and an electronic collar is permitted but not required. In any other area where a dog is out and about, it appears the dog may be off of the physical leash or lead as long as managed by voice and site control and by an electronic dog collar. That's an extra requirement that does not apply in the off-leash dog area, which is the only distinction.

Mr. Hilder explained there is a trailhead issue which states in a sensitive area a dog must be on a physical leash; however, this is not a defined term. Within the County's code it says within 150 feet of any trailhead, but those are probably not the only sensitive areas. Mr. Hilder made a recommendation that the Council and City look very carefully into maybe defining dog parks and off-leash dog areas, and to make this distinction to the conduct in these areas.

Council Member McMullin stated she learned that the County was only to enforce the ordinances at the request of Park City, and otherwise Park City was going to enforce their own ordinance regarding dogs being off-leash within their own municipal boundaries.

Chair Armstrong asked if somebody gets bitten or another dog gets bitten or if some issue arises within the Park City limits and the complaining person calls Clay Coleman, if Clay should then refer that call to Park City Police Department. Mr. Armstrong stated his understanding was that if it was within the city limits, Summit County Animal Control has zero jurisdiction unless they're asked. Clay Coleman stated that is not how things are being done at this point, and it is suggested that Park City PD be present for further discussion on this issue.

Council Member McMullin suggested the MOU needs to be rewritten, so the parties need to understand what it is they are agreeing to. She stated until that happens, the County doesn't enforce Park City's dog ordinance unless asked and unless they get a call.

Chair Armstrong concluded that Mr. Fisher, Mr. Coleman, Diane Foster, and anyone else related to this issue sit down and address how enforcement is expected to be handled among the jurisdictions.

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 Adair and passed unanimously, 5 to 0.

The meeting of the Summit County Board of Equalization was called to order at 5:25 p.m.

CONSIDERATION AND POSSIBLE APPROVAL OF NUZZLES & CO. PET RESCUE & ADOPTION'S REQUEST FOR A PROPERTY TAX EXEMPTION

Ashley Berry, from the assessor's office, presented information regarding a request from Nuzzles & Co. regarding a tax exemption. Ms. Berry explained Friends of Animals underwent a name change to Nuzzles & Co. on October 20, 2015. She explained the assessor's office did not receive an application for tax exemption until January 11, 2016, which was not within 30 days, so the parcel was taxed for the remainder of 2015.

Ms. Berry stated Friends of Animals owned two properties and this is only one of them. The second entity is still owned by Friends of Animals and that one is still exempt, so it's just one property with the building on it.

Council Member McMullin asked if the issue was a lack of application and if they need to apply every year for a tax exempt status. Ms. Berry replied because the tax exemption is granted under the ownership of Friends of Animals, it's a brand-new ownership under Nuzzles & Co. and needs a new application to be filed due to this name change. Ms. Berry stated under the state code it says if there is a change of name, there has to be an application under the new owner.

Vice Chair Robinson asked if there was a conveyance signed by Friends of Animals that put title to the property in a new entity called Nuzzles & Co.. Kathleen Toth, who serves on the board of Nuzzles & Co., explained that it's the same non-profit organization. There was no change in the board. There was no change in management. There was no change in ownership. They only changed the name of the organization.

Vice Chair Robinson asked if Nuzzles & Co. recorded a certificate of name change or if they recorded a deed from the old entity to the new one, and how it is currently titled. Ms. Berry replied it is Nuzzles & Co., and there was a deed filed. Ms. Toth stated they changed the articles of incorporation and amended those with the State Department to change their name.

Ms. Berry explained the company went from Friends of Animals to Nuzzles & Co. and the assessor's office was never notified that they were the same company. To the assessor's office it looked like a new owner without an application for exception, which in that case they prorate the taxes as of the date the ownership changes.

Ms. Berry stated there are currently taxes owing on the parcel and asked the Council what they would like the assessor's office to do in regards it accruing interest and penalties. Chair Armstrong stated they should be suspended for right now.

Chair Armstrong stated the Council needed additional information to sort through this issue and that Nuzzles & Co. would have to come back with further information before being granted the tax exemption. He stated if it was just supposed to be a name change or if there's a conservation easement, there should be no issue. However, if they conveyed something else to some land conservancy and that triggers a requirement for a new notice, then that's different. Ms. Toth stated she would come back to the Council with further information.

CONSIDERATION AND POSSIBLE APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING REQUEST BY THE CHRISTIAN CENTER OF PARK CITY FOR A RELIGIOUS, CHARITABLE, OR EDUCATIONAL PROPERTY TAX EXEMPTION FOR TAX YEAR 2015

Ashley Berry, from the assessor's office, explained the reason for bringing this issue regarding the Christian Center before the Council was just findings and facts and conclusions of law, that the Council previously approved, and just needs to be accepted and signed by the Chair.

Chair Armstrong asked the Council if there were any questions or comments and there were none.

Board Member McMullin made a motion to approve the request for the Findings of Fact and Conclusion of Law Regarding Request by the Christian Center of Park City for a Religious, Charitable, or Education Property Tax Exemption for Tax Year 2015. The motion was seconded by Board Member Carson and passed unanimously, 5 to 0.

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

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

The meeting of the Summit County Board of Equalization adjourned at 5:45 p.m.

- **Pledge of Allegiance**

APPOINT MEMBER TO THE TIMBERLINE SPECIAL SERVICE DISTRICT

Chair Armstrong accepted a motion for the appointment of three board members to the Timberline Special Service District.

Council Member Carson made a motion for the appointment of Tor Boschen, Argan Johnson, and Kyle Monez to the Timberline Special Service District for the terms outlined in Council's packet. The motion was seconded by Council Member Adair and passed unanimously, 5 to 0.

CONSIDERATION AND POSSIBLE APPROVAL OF ASSESSOR'S OFFICE ERRORS AND OMISSIONS

Steve Martin, Assessor, explained to the Council that in the course of going through County properties they found a double-wide trailer that was picked up as real property by the real estate appraiser, and was being assessed as personal property, and stated the total refunds for the 15 years is \$3,000, which is the difference between the personal property and the real property tax

value. Mr. Martin stated generally the assessor's office doesn't go further back than five years in recapturing escape taxes, so the refund amount for the five years is \$973.25.

Vice-Chair Robinson asked if the amounts that were proposed to refund were without interest and Mr. Martin replied that it was just a straight tax amount.

Vice-Chair Robinson made a motion to authorize the Assessor to refund \$973.25, which represents the taxes for the five years of 2011 to 2015 without interest. The motion was seconded by Council Member Carson and passed unanimously, 5 to 0.

CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION 2016-01, A RESOLUTION WITHDRAWING RICHARDS/PCMC AND ROUND VALLEY PROPERTIES, WHICH HAVE BEEN ANNEXED INTO THE BOUNDARIES OF PARK CITY, FROM THE SNYDERVILLE BASIN SPECIAL RECREATION SERVICE DISTRICT

Rena Jordan, Director of the Snyderville Basin Recreation Special Service District, stated the District and County Council were requested by Park City Municipal to take the necessary steps to withdraw the Round Valley parcel and the Richards parcel from the Basin Recreation boundaries, as they are being annexed into the Park City Municipal boundaries. She explained Park City municipal has satisfied all of their requirements to do so. Ms. Jordan stated their board has met and is forwarding a positive recommendation to the Council to approve the resolution to withdraw these parcels from their district and is requesting the Council's approval.

Dave Thomas explained the County Auditor is setting up some specialized taxing districts because those parcels will still be subject to previous approved open space bonds. They're tax exempt since they're municipal owned property, but in case something happened in the future, they would still be part of that, which is the only real uniqueness to these parcels.

Vice Chair Robinson asked by withdrawing these parcels from the district boundary that it doesn't release them from the bonds they already have and Mr. Thomas stated it does not.

Vice-Chair Robinson asked if from a revenue generation standpoint there is no loss of revenue because there was none to begin with because they are being held by Park City, which is tax exempt. Ms. Jordan explained that is correct, with the exception of the Richards parcel because some of that is privately owned and there are property taxes being collected on that right now, so they're paying on property taxes for the debt service occurred through 2012.

Vice Chair Robinson made a motion to approve Resolution 2016-01, a Resolution Withdrawing Richards/PCMC and Round Valley Properties, Which Have Been Annexed into the Boundaries of Park City from the Snyderville Basin Special Recreation Service District. The motion was seconded by Council Member Carson and passed unanimously, 5 to 0.

PUBLIC INPUT

Chair Armstrong opened the public input.

There was no public input.

Chair Armstrong closed the public input.

COUNCIL COMMENTS:

Council Member Adair stated he previously sat on a volunteer board prior to the County Council and had resigned but has never seen anything come from them and was wondering what the process was for someone to attain that position. Dave Thomas stated it is an appointed position and their board should forward that to Annette so they can go through the process of having a new appointee.

Council Member Carson stated the Council should have received some emails regarding Congressman Bishop's Public Lands Initiative. Ms. Carson stated changes have been made that do not reflect recommendations approved by the Council. Chair Armstrong asked Attorney Robert Hilder if the County Attorney's Office could do a comparison between what the Council sent to Congressman Bishop's office that the Council approved, and the actual bill to see what the changes are, and for the most recent version of that proposal.

Council Member Carson stated that she and Chair Armstrong attended the Utah Association of County Commissions and Councils meeting and explained that they are in the process of forming an urban caucus. She stated she will be talking to other third-class counties to see if they're going to have a separate caucus that would be called a Suburban caucus.

Chair Armstrong also commented a topic of discussion at the UAC meeting was amongst the counties as to what's working and what's not working in regards to citizen issues. For example, can a County take somebody out of a felony tract by providing a treatment program and how does this program get paid for? Are there means of providing support for affordable housing for job retraining to help support them and keep them from falling back into the same old problems? Chair Armstrong stated the governor talked about having generations of families that are stuck in poverty.

Chair Armstrong stated mental health resources and addiction resources in the County are lacking and the Council needs to make sure that they continue with their committees to work on that.

Council Member Carson stated the Health Department has identified a definite need to look at what resources are available and what issues the County is having that aren't being met, and so they have begun the behavioral health assessment. She explained to do a good job it's going to take most of this year to get it completed, but they hope by next October/November to have a draft available.

Council Member Carson suggested that depending on what comes up through the legislative session, the Council should have the Valley Behavioral Health working group come in and have a work session with the Council to discuss where they are and what challenges they're seeing.

Chair Armstrong stated another topic of discussion was with the state representatives and Governor Herbert about the likelihood of some sort of Medicaid legislation getting through this session. The governor and representatives are hopeful.

MANAGER COMMENTS

Manager, Tom Fisher, stated hearing of plans and marketing regarding an Uber helicopter service that's going to be provided during Sundance. He explained this could be an approved use within the County, but would have to be permitted. He stated Summit County currently does not have a zone that would allow it.

Patrick Putt, Community Development Director, stated the Snyderville Basin Development Code does not identify it as a permitted use on the land use table and there's a process in the code by which a use is added to the table. It would have to go to the Planning Commission to have that use formally identified.

Mr. Fisher stated Ubercar is a sponsor of Sundance but Ubercopter is different. They could be the same parent company, but they're different entities, and they have had no official communication with the County. Mr. Fisher stated that Mr. Putt has sent an email to the VP of the company that is supposedly providing the service saying that it's not a permitted use and the County is not going to allow it.

Council Member McMullin asked how does the County stop it from happening and Council Member Carson asked if the County should contact the FAA.

Deputy Attorney, Dave Thomas, stated they have a provision where they don't have to have advance notice if it is a temporary use, so the County may not get a lot out of the FAA. He stated the County does know some of the sites that have been proposed and the sheriff is aware of those proposed sites, and it's his understanding they will be patrolling those areas to make sure that they are not being used for helicopter landings.

Vice Chair Robinson asked if there was any way they could accommodate the Uber helicopters for Sundance. Mr. Fisher stated the County has initiated communication with the company and they never have contacted them back and this would be a different conversation if it were two months ago with official communication, rather than 24 hours before Sundance begins.

Mr. Fisher stated that Chair Armstrong got an email this week regarding an oil drilling proposal on the national forest, and the comment period on that proposal ends January 21st. There was a request for it to be extended and it's not going to be extended. Mr. Fisher stated Lisa Yoder is drafting a letter basically looking at the area that was studied for the Bishop proposal and stating the County has concerns based on the things that are around it.

Chair Armstrong asked if it's a critical water shed and Council Member Carson replied that it is a Bear River water shed and is very critical.

Chair Armstrong suggested to Mr. Fisher that they put a finer point on water shed and possible water contamination in the letter, and Mr. Fisher stated he would send the Chair the letter to review by morning.

Mr. Fisher's final comment was that County transportation officials are going to be meeting with the director of UDOT on Friday, January 22nd, to talk about the possible switch of lead on the I-80/Parley's study and the Mountain Accord from the County to UDOT. He stated he had a meeting with them to discuss the advantages and disadvantages. He explained one of the things that came up was that because UTA is not a lead in anything related to Mountain Accord anymore, it's part of the reason why UDOT is more willing to step forward now and take a larger role within Mountain Accord.

Chair Armstrong stated that while UDOT has been a good partner with the County generally speaking, that he has some concern with it being lead on highways 80, 40, 224, and 248 and losing an advantage to a larger agency where there are already larger participants in that group than Summit County.

Mr. Fisher explained one of the things being discussed was instead of having UDOT being the lead as a whole, if Region 2 could be the lead, which would provide a little bit more of a local picture from UDOT being a lead.

Council Member Carson stated she would like to have some assurance that the County would be able to help guide the process.

Chair Armstrong asked how Park City feels about this and Mr. Fisher replied that they share the same concerns and are waiting to see what the work plan is, and if they can both agree on the work plan and how that's going to go within the study.

Mr. Fisher stated another question that needs to be answered is whether the lead is going to mean they're going to be the contracting agency and bring on a consultant or if they're going to take lead and actually do the work in-house.

The County Council meeting adjourned at 6:34 p.m.

Council Chair, Roger Armstrong

County Clerk, Kent Jones