

## **Interview Schedule**

### **Snyderville Basin Special Recreation Service District Administrative Control Board**

**Wednesday, March 9, 2016**

**Richins Building, conference room behind auditorium**

1 vacancy; 4 applicants

3:35 PM	Nate Brown
3:45 PM	John Pennell (phone interview 360-402-2708)
4:00 PM	Thomas Cooke
4:10 PM	Pat Lambrose

The one vacancy is a result of Brian Guyer's resignation on 1/08/2016. Pursuant to 17B-1-304, Council can now appoint an applicant to the vacancy now that it's been two months.



## STAFF REPORT

**To:** County Council  
**Report Date:** March 9, 2016  
**Meeting Date:** March 9, 2016  
**Author:** Brian Bellamy  
**Description:** Approve URS Retirement for Snyderville Basin Special Recreation District  
**Type of Item:** Discussion and Decision

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### A. Background

The Summit County Commission created the Snyderville Basin Special Recreation District (SBSRD) on October 8, 1986. At the time three individuals performed the core work for the SBSRD as contractors. This continued until 1996 when Mr. Greg Ogden, CPA, was performing his duties for Summit County as an outside auditor. Mr. Ogden noted the three individuals were not acting as contractors, but were acting more as employees of SBSRD and suggested their status be changed.

With this change came a need for salary and benefits to be paid. SBSRD staff after discussing the options elected to contract with ICMA-RC, which was the retirement option Park City Municipal was using. SBSRD continues to participate with ICMA-RC for all retirement benefited employees.

On December 28, 2015, Summit County staff discovered the District Manager's retirement was being paid into a 401a plan. This discovery occurred as staff was reviewing and creating a written contract for the District Manager. When this came to light staff contacted URS to ascertain if SBSRD was required to participate in the State's retirement system.

URS sent an "application" to the County on January 22, 2016, requesting it be completed and returned. URS wanted their legal department to review the "application" and opine whether SBSRD was required to be a participant with URS or if they were allowed to continue with their current retirement program. Staff also needed to discover if SBSRD was required to participate, what were the parameters going to be. In what timeframe would URS require SBSRD to join, staff suggested a January 1, 2016 date. The application form was completed by SBSRD and Summit County staff and returned to URS.

On January 27, 2016, Summit County was forwarded, by email, a URS January 26 memo stating "... it appears they are a special service district created under Title 17D, UCA, and

as such Snyderville Basin Special District is eligible for membership in the Utah State Retirement Systems.” (Attachment A)

Since receiving this email, SBSRD staff has gathered the necessary information to transfer SBSRD retirement to URS. Staff was also notified on February 8, 2016 to “. . . please begin to collect earnings data for the SSD employees by pay period going back to January 12, 2013, so retroactive adjustments can be calculated.” This information has been forwarded to URS.

The SBSRD Board met on February 24, 2016 to recommend approval to the Summit County Council to authorize the District’s participation in the Utah Public Employees’ Retirement System offered by URS. (Attachment B)

It appears URS will require SBSRD to pay back retirement to February/March 2013. According to URS this is the “statute of limitations” they can go back. In discussing the three year “statute of limitations” staff will exercise all of our rights to appeal this decision asking URS to accept SBSRD effective January 1, 2016.

For SBSRD to participate in URS the County Council must sign the attached resolution requesting admission to the Public Employee’s Retirement System. (Attachment C)

**B. Recommendation**

Staff recommends the Council approve and sign the attached resolution for Snyderville Basin Special Recreation District’s acceptance in the Utah Public Retirement System.

## Utah Retirement Systems

### Retirement Office

560 East 200 South  
Salt Lake City, UT 84102-2021

(801) 366-7700  
(800) 365-8772 Toll Free  
(801) 366-7734 Fax  
www.urs.org

DANIEL D. ANDERSEN  
Executive Director

### Public Employees Health Program

560 East 200 South  
Salt Lake City, UT 84102-2004

(801) 366-7500  
(800) 365-8772 Toll Free  
(801) 366-7596 Fax  
www.pehp.org

R. CHET LOFTIS  
Director

## MEMORANDUM

**TO:** LuAnn Miskin

**FROM:** Dee Larsen *DL*

**DATE:** January 26, 2016

**SUBJECT:** Eligibility of Snyderville Basin Special Recreation District

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After reviewing the information sent to us by Snyderville Basin Special Recreation District, it appears they are a special service district created under Title 17D, UCA, and as such Snyderville Basin Special District is eligible for membership in the Utah State Retirement Systems.

Attachment A



Snyderville Basin Special Recreation District  
Board Meeting Minutes  
**Wednesday, February 24, 2016**  
Board Room - Trailside Park  
5715 Trailside Drive  
Park City, Utah

**Board Members in Attendance:** Ben Castro, Cathy Kahlow, David Kottler, Aaron Newman, Gary Resnick, Marilyn Stinson

**Absent:** None

**Staff Present:** Sue Ann Brandreth, Stacy Carpenter, Brian Hanton, Director Rena Jordan, Justine Kadziel, Melissa O'Brien, Bob Radke, Matt Strader, Megan Suhadolc

**Attending Guests:** None

**DISCUSSION, CONSIDERATION AND POSSIBLE APPROVAL OF  
RECOMMENDATION TO COUNTY COUNCIL TO ENROLL THE DISTRICT IN THE  
UTAH RETIREMENT SYSTEM AS REQUIRED; AND TO TERMINATE THE  
DISTRICT'S SERVICE AGREEMENTS WITH ICMA RETIREMENT CORPORATION**

Suhadolc expressed that the only need at this time is to make a recommendation to County Council to enroll the District in URS and the District can postpone terminating any service agreement with ICMA at this time. The District needs to formally adopt a new 401 plan document by April 30<sup>th</sup> based on IRS regulations before the plan can be terminated. There is no need to rush and terminate the 401 plan because the Board decided on February 10<sup>th</sup> to stop contributions into the plan as of February 22<sup>nd</sup>. The 457 plan is still an option for Staff to contribute to even after joining URS, and therefore doesn't need to be terminated at this time. Staff indicated however that the board must in its role decide if it will formally recommend the District enroll in URS to County Council. Suhadolc asked for confirmation that Brian Bellamy had answered their questions from the prior meeting and the Board said yes and didn't have further questions.

**MOTION:** To recommend approval to the Summit County Council, governing body of the District, to authorize the District's participation in the benefit programs of the Utah Public Employees' Retirement System offered by Utah Retirement Systems. [Resnick/Kottler]. All in favor: Ben Castro, Cathy Kahlow, David Kottler, Aaron Newman, Gary Resnick, Marilyn Stinson. None Opposed. Motion carries.

Attachment B



Summit County  
Resolution Number 2016-\_\_\_\_\_

**A RESOLUTION REQUESTING ADMISSION TO THE UTAH PUBLIC EMPLOYEE'S RETIREMENT SYSTEM**

WHEREAS, Summit County is authorized to employ personnel on a full-time basis; and

WHEREAS, Summit County has created a special service district known as the Snyderville Basin Special Recreation District (SBSRD) under the provisions of Title 17D of the Utah Code; and

WHEREAS, an election is required by Utah State law to provide Public Employee's Retirement benefits for personnel employed by SBSRD; and

WHEREAS, the SBSRD Administrative Control Board recommends coverage under the Utah Public Employees Retirement Systems for SBSRD employees; and

WHEREAS, it is the intent of the Summit County Council, as the Governing Board of SBSRD to approve and authorize coverage under the Utah Public Employees Retirement Systems for SBSRD employees.

NOW THEREFORE, be it resolved by the Summit County Council as Governing Body of SBSRD, that we undertake all of the necessary actions to enroll SBSRD in the benefit programs of the Utah Employee Retirement System offered by Utah Retirement Systems, including the retirement coverage and death benefit coverage for qualified employees under the laws and regulations of the Utah Retirement Systems.

ADOPTED by the Summit County Council, this 9<sup>th</sup> day of March, 2016.

Summit County Council

\_\_\_\_\_  
Roger Armstrong, Chair

\_\_\_\_\_  
Date

Attachment C

\_\_\_\_\_  
Kent Jones, County Clerk

\_\_\_\_\_  
Date

**SUMMIT COUNTY, UTAH  
ORDINANCE NO. \_\_\_\_**

**A TEMPORARY LAND USE REGULATION PROHIBITING NEW HELICOPTER LANDING  
SITES WITHIN THE SNYDERVILLE BASIN PLANNING AREA**

**PREAMBLE**

**WHEREAS**, Utah Code Annotated (“UCA”) §17-27a-102(b) provides that counties can enact all ordinances that they consider necessary or appropriate to govern, among other things, transportation; and,

**WHEREAS**, the goal of Chapter 5 of the Snyderville Basin General Plan (“General Plan”) is to ensure that all development and land use activities undertaken is compatible and in harmony with the surrounding mountain environment while maintaining ecological balance and protecting the scenic and historic qualities of the Snyderville Basin; and

**WHEREAS**, in furtherance of this goal, §10-1-1(D) of the Summit County Code (“Code”) provides that within the Snyderville Basin Planning Area it is the intention of Summit County (“County”) to manage the development of land and land use activities so as to protect and enhance both the mountain environment and resort nature of the area; and,

**WHEREAS**, helicopter transportation impacts both the mountain environment, quiet enjoyment of residential properties and the resort nature of the Snyderville Basin; and,

**WHEREAS**, helicopter transportation can be divided into three use categories: Emergency Services, Passenger Transport, and General Aviation; and,

**WHEREAS**, Emergency Services is defined as either (a) the evacuation by helicopter of person(s) where emergency care is necessary to prevent death or serious impairment of health, or (b) the use of a helicopter for fire-fighting or law enforcement purposes; and,

**WHEREAS**, Passenger Transport is defined as the conveyance of people by means of a helicopter; and,

**WHEREAS**, General Aviation is defined as all civil aviation operations other than Emergency Services and Passenger Transport; and,

**WHEREAS**, a Helicopter Landing Site is a temporary or permanent landing area or platform for helicopters, which may include a fabricated helipad providing a clearly marked hard surface away from obstacles where a helicopter can land safely; and,

**WHEREAS**, while the Federal Aviation Administration (“FAA”) has primacy over the safe operation of helicopters, it does not have primacy over zoning regulations which govern the location of the landing sites for helicopters; and,

**WHEREAS**, helicopter transportation uses are not specified in the Use Table under Code §10-2-10, and as such, are prohibited uses within the Snyderville Basin Planning Area; and,

**WHEREAS**, as a result of the use of helicopters for Passenger Transport during the Sundance Film Festival and the attendant issues surrounding such (placement of temporary helicopter landing pads in residential zone districts), together with the subsequent judicial proceedings to prevent such operations, the Summit County Council (“County Council”) has determined that more precise regulations governing helicopter transportation and landing sites is necessary; and,

**WHEREAS**, UCA §17-27a-504 provides that the County may enact a temporary land use regulation without prior consideration of a recommendation from the planning commission where the County Council makes a finding of compelling, countervailing public interest; and,

**WHEREAS**, such a temporary land use regulation would be in effect for no longer than six months from the effective date, thus allowing adequate time for the County to enact comprehensive regulations regarding helicopter transportation through the normal statutory processes; and,

**WHEREAS**, the County Council held a public hearing on March 9, 2016; and,

**WHEREAS**, it is in the best interests of Summit County to provide for a temporary prohibition on the installation of new Helicopter Landing Sites while comprehensive regulations designed to protect the health, welfare and public safety within the Snyderville Basin Planning Area are being studied, publicly vetted and adopted;

**NOW, THEREFORE**, the County Council of the County of Summit, State of Utah, ordains as follows:

**Section 1.** **Finding.** Based upon the facts as set forth in the Preamble hereto, the County Council finds that there exists a compelling, countervailing public interest to enact a temporary land use regulation prohibiting new Helicopter Landing Sites within the Snyderville Basin Planning Area.

**Section 2.** **Prohibition.** Summit County Code §10-2-10 is hereby amended as follows:

USE TABLE

Use	RR	HS	MR	CC	SC	NC	Additional Reference
Helicopter Landing Site – Emergency Services	C	C	C	C	C	C	
Helicopter Landing Site – Passenger Transport	*	*	*	*	*	*	Prohibited Use
Helicopter Landing Site – General Aviation	*	*	*	*	*	*	Prohibited Use

**Section 3.** **Definitions.**

- A. A **Helicopter Landing Site** is a temporary or permanent landing area or platform for helicopters, which may include a fabricated helipad providing a clearly marked hard surface away from obstacles where a helicopter can land safely. Intermittent landing sites used for emergency medical service or public safety organizations are not included within this definition, and such uses are not affected by this ordinance.
- B. **Emergency Services** is defined as either (a) the evacuation by helicopter of person(s) where emergency care is necessary to prevent death or serious impairment of health, or (b) the use of a helicopter for fire-fighting or law enforcement purposes.
- C. **Passenger Transport** is defined as the conveyance of people by means of a helicopter.
- D. **General Aviation** is defined as all civil aviation operations other than Emergency Services and Passenger Transport.

**Section 4.** **Effective Date.** This Ordinance shall take effect fifteen (15) days after publication and shall sunset at 5:00 p.m. on September 8, 2016.

Enacted this 9<sup>th</sup> day of March, 2016.

ATTEST:

SUMMIT COUNTY COUNCIL

\_\_\_\_\_  
Kent Jones  
Summit County Clerk

\_\_\_\_\_  
Roger Armstrong, Chair

APPROVED AS TO FORM

\_\_\_\_\_  
David L. Thomas  
Chief Civil Deputy

VOTING OF COUNTY COUNCIL:

Councilmember Carson	_____
Councilmember Robinson	_____
Councilmember Adair	_____
Councilmember Armstrong	_____
Councilmember McMullin	_____



**MEMORANDUM:**

Date: March 9, 2016

To: Council Members

From: Annette Singleton

Re: Snyderville Basin Special Recreation Service District Administrative Control Board

Today, March 9, 2016, we will interview the following four applicants for one vacancy on the Snyderville Basin Special Recreation Service District Administrative Control Board:

Nate Brown  
John Pennell  
Thomas Cooke  
Pat Lambrose

After the interviews, Council will hold a closed session to discuss appointing one member to serve.

Appoint one member to the Snyderville Basin Special Recreation Service District Administrative Control Board. That member will serve the unexpired term of Brian Guyer, which expires December 31, 2016.



## STAFF REPORT

**To:** County Council  
**Report Date:** March 9, 2016  
**Meeting Date:** March 9, 2016  
**Author:** Brian Bellamy  
**Description:** Council Salary History  
**Type of Item:** Discussion and Decision

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### A. Background

When Summit County changed their form of government in November 2008, the Summit County Form of Governance Study Committee put a place holder of \$1.00 annually for Council salary. The thought was the new Council would set their salaries.

The County Commissioners, the last year in office (2008), each earned \$62,685.00 plus benefits. This totaled \$188,055.00 annually for the Commissioners. Benefits were an additional \$72,168.26. Total salary and benefits for the three Commissioners in 2008 was \$260,223.26 annually. There was general discussion that the Council form of government would not cost the taxpayers more than the Commission form; the County used the three Commissioner's salaries of \$188,055.00 for a starting point. This number was divided by five, giving the County a salary of \$37,611.00 for each Council member.

In 2009 the first County Council, after a comprehensive discussion, decided the salary for the new Council would be \$29,000.00 with no benefits. In 2010 the Council awarded the Chair of the Council a 20% increase in salary to compensate them for their additional time.

The Council did not receive any benefits until 2011 when they started to accrue retirement. In 2012, the Council in conjunction with other employees started to receive small increases.

Today four Council members earn \$32,736.81 with the chair earning \$38,895.21. Total for Council salary is \$169,842.45 annually. (Page 2 Chart A) When you add benefits to salary total Council salary and benefits for 2016 equals \$265,179.16 annually.

The question posed to staff was, "If the Council had taken the original amount, where would their salary be today?" Staff started with the \$37,611.00 previously addressed and added the same increase percentages awarded to the Council to arrive at \$42,450.79, with the chair earning \$50,940.95. (Page 2 Chart B) Total for Council salary in this scenario is \$220,744.11 annually. When you add 2016 benefits to salary the Council salary and benefits for 2016 would be \$328,760.43.

The difference between the two scenarios is \$63,581.27 annually.

**B. Recommendation**

Staff recommends the Council set the Council salary for 2017 prior to the candidate filing date.

**Chart A**

	<b>Salary</b>	<b>Commission/ Council Members</b>	<b>Salary Total</b>
Year 2008	\$62,685.00	3	\$188,055.00
Proposed Year 2009	\$37,611.00	5	\$188,055.00
Actual Year 2009	\$29,000.00	5	\$145,000.00
Year 2010 Increase	\$29,000.00	4	\$116,000.00
	\$34,800.00	1	\$150,800.00
Year 2011 Increase	\$29,000.00	4	\$116,000.00
	\$34,800.00	1	\$150,800.00
Year 2012 Increase	\$29,703.00	4	\$118,812.00
	\$35,644.00	1	\$154,456.00
Year 2013 Increase	\$30,000.58	4	\$120,002.32
	\$36,000.69	1	\$156,003.01
Year 2014 Increase	\$30,906.59	4	\$123,626.36
	\$36,720.70	1	\$160,347.06
Year 2015 Increase	\$31,447.45	4	\$125,789.80
	\$37,363.31	1	\$163,153.11
Year 2016 Increase	\$32,736.81	4	\$130,947.24
	\$38,895.21	1	\$169,842.45

**Chart B**

	<b>Salary</b>	<b>Commission/ Council Members</b>	<b>Salary Total</b>
Year 2008	\$62,685.00	3	\$188,055.00
Proposed Year 2009	\$37,611.00	5	\$188,055.00
Year 2010 Increase	\$37,611.00	4	\$150,444.00
	\$45,133.20	1	\$195,577.20
Year 2011 Increase	\$37,611.00	4	\$150,444.00
	\$45,133.20	1	\$195,577.20
Year 2012 Increase	\$38,524.95	4	\$154,099.80
	\$46,229.94	1	\$200,329.74
Year 2013 Increase	\$38,910.20	4	\$155,640.80
	\$46,692.24	1	\$202,333.04
Year 2014 Increase	\$40,077.50	4	\$160,310.00
	\$48,093.00	1	\$208,403.00
Year 2015 Increase	\$40,778.86	4	\$163,115.44
	\$48,934.63	1	\$212,050.07
Year 2016 Increase	\$42,450.79	4	\$169,803.16
	\$50,940.95	1	\$220,744.11