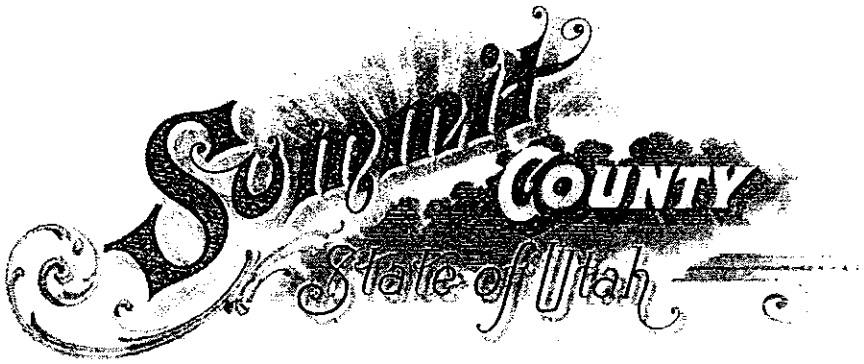
Auditor

Blake Frazier



January 3, 2012

County Council;

Please consider approving the 2011 BOE Stipulations that will be prepared for your review by Travis Lewis. They are on the January 11th agenda.

Thank You,

Kathryn Rockhill

Kathryn Rockhill
BOE Clerk

P.O. Box 128 • Coalville, UT 84017
Coalville: (435) 336-3016 • Park City: (435) 615-3016 • Kamas: (435) 783-4351 ext. 3016
Fax: (435) 336-3036 • Park City Fax: (435) 615-3036

2011 BOE Adjustments

Serial #	New Market Value	Old Market Value	MV Difference	New Taxable Value	Old Taxable Value
AS-210	$ 315,000.00	$ 360,000.00	$ (45,000.00)	$ 315,000.00	$ 360,000.00
CSLC-A418-AM	$ 1,600,000.00	$ 2,000,000.00	$ (400,000.00)	$ 1,600,000.00	$ 2,000,000.00
CWPC-3B-115	$ 4,317,826.00	$ 5,246,974.00	$ (929,148.00)	$ 2,389,600.00	$ 5,246,974.00
CWPC-3C-137-1AM	$ 5,925,000.00	$ 6,368,881.00	$ (443,881.00)	$ 3,264,170.00	$ 6,368,881.00
CWPC-II-77	$ 4,150,000.00	$ 4,574,284.00	$ (424,284.00)	$ 4,150,000.00	$ 4,574,284.00
ESCLAL-447-AM	$ 734,000.00	$ 780,000.00	$ (46,000.00)	$ 734,000.00	$ 780,000.00
FHE-29	$ 1,273,680.00	$ 1,551,359.00	$ (277,679.00)	$ 700,524.00	$ 1,551,359.00
GLDG-201	$ 1,750,000.00	$ 1,750,000.00	$ -	$ 1,750,000.00	$ 1,750,000.00
HPCR-207-AM	$ 600,000.00	$ 830,000.00	$ (230,000.00)	$ 600,000.00	$ 830,000.00
HPCR-301-AM	$ 600,000.00	$ 730,000.00	$ (130,000.00)	$ 600,000.00	$ 730,000.00
LKSD-9-D	$ 675,000.00	$ 675,000.00	$ -	$ 675,000.00	$ 675,000.00
LT-4-25	$ 3,400,000.00	$ 3,800,000.00	$ (400,000.00)	$ 3,400,000.00	$ 3,800,000.00
NS-224-H	$ 490,250.00	$ 552,554.00	$ (62,304.00)	$ 254,649.00	$ 552,554.00
NS-227-D	$ 104,250.00	$ 138,470.00	$ (34,220.00)	$ 104,250.00	$ 138,470.00
PI-F-39	$ 60,000.00	$ 105,000.00	$ (45,000.00)	$ 60,000.00	$ 105,000.00
PI-F-67	$ 53,365.00	$ 113,365.00	$ (60,000.00)	$ 53,365.00	$ 113,365.00
PWV-D-56	$ 340,000.00	$ 340,000.00	$ -	$ 340,000.00	$ 340,000.00
RCC-1B-B-305	$ 659,000.00	$ 775,000.00	$ (116,000.00)	$ 659,000.00	$ 775,000.00
RGP-129	$ 650,000.00	$ 650,000.00	$ -	$ 357,500.00	$ 650,000.00
RKC-A	$ 973,600.00	$ 1,550,000.00	$ (576,400.00)	$ 973,600.00	$ 1,550,000.00
RPL-IV-165	$ 852,500.00	$ 878,827.00	$ (26,327.00)	$ 852,500.00	$ 878,827.00
RV-55	$ 691,614.00	$ 691,614.00	$ -	$ 380,388.00	$ 691,614.00
SLC-206-AM	$ 310,528.00	$ 345,000.00	$ (34,472.00)	$ 310,528.00	$ 345,000.00
SNC-1057	$ 148,240.00	$ 160,000.00	$ (11,760.00)	$ 81,532.00	$ 160,000.00
SNC-1061	$ 148,240.00	$ 160,000.00	$ (11,760.00)	$ 81,532.00	$ 160,000.00
SNC-1062	$ 148,240.00	$ 160,000.00	$ (11,760.00)	$ 81,532.00	$ 160,000.00
SSTARL-204	$ 944,600.00	$ 1,000,000.00	$ (55,400.00)	$ 944,600.00	$ 1,000,000.00
WILD-2	$ 360,272.00	$ 360,272.00	$ -	$ 210,975.00	$ 360,272.00
CBRLC-1-1-2AM	$ 124,800.00	$ 230,000.00	$ (105,200.00)	$ 124,800.00	$ 230,000.00
CBRLC-1-2-2AM	$ 193,000.00	$ 330,000.00	$ (137,000.00)	$ 193,000.00	$ 330,000.00
CBRLC-2-1-2AM	$ 124,800.00	$ 230,000.00	$ (105,200.00)	$ 124,800.00	$ 230,000.00
CBRLC-2-2-2AM	$ 193,000.00	$ 330,000.00	$ (137,000.00)	$ 193,000.00	$ 330,000.00
CBRLC-3-1-2AM	$ 124,800.00	$ 230,000.00	$ (105,200.00)	$ 124,800.00	$ 230,000.00
CBRLC-3-2-2AM	$ 193,000.00	$ 330,000.00	$ (137,000.00)	$ 193,000.00	$ 330,000.00
CBRLC-4-2-2AM	$ 193,000.00	$ 330,000.00	$ (137,000.00)	$ 193,000.00	$ 330,000.00

CBRLC-5-1-2AM	$	124,800.00	$	230,000.00	$	(105,200.00)	$	124,800.00	$	230,000.00
CBRLC-5-2-2AM	$	193,000.00	$	330,000.00	$	(137,000.00)	$	193,000.00	$	330,000.00
CBRLC-6-2AM	$	300,000.00	$	430,000.00	$	(130,000.00)	$	300,000.00	$	430,000.00
CBRLC-7-2AM	$	300,000.00	$	430,000.00	$	(130,000.00)	$	300,000.00	$	430,000.00
CBRLC-8-2AM	$	300,000.00	$	430,000.00	$	(130,000.00)	$	300,000.00	$	430,000.00
CBRLC-C-4-1-2AM	$	124,800.00	$	230,000.00	$	(105,200.00)	$	124,800.00	$	230,000.00
NS-1	$	1,165,353.00	$	1,489,978.00	$	(324,625.00)	$	1,165,353.00	$	1,489,978.00
RHWK-II-11	$	372,500.00	$	395,650.00	$	(23,150.00)	$	372,500.00	$	395,650.00
RS-10-1AM	$	1,733,688.00	$	1,733,688.00	$	-	$	1,733,688.00	$	1,733,688.00
RS-1-1AM	$	3,750,000.00	$	3,750,000.00	$	-	$	3,750,000.00	$	3,750,000.00
RS-20-1AM	$	424,710.00	$	424,710.00	$	-	$	424,710.00	$	424,710.00
RS-2-1AM	$	1,900,000.00	$	1,900,000.00	$	-	$	1,900,000.00	$	1,900,000.00
RS-3-1AM	$	1,390,000.00	$	1,390,000.00	$	-	$	1,390,000.00	$	1,390,000.00
RS-4-1AM	$	2,480,000.00	$	2,480,000.00	$	-	$	2,480,000.00	$	2,480,000.00
RS-5-1AM	$	2,340,000.00	$	2,340,000.00	$	-	$	2,340,000.00	$	2,340,000.00
RS-6-1AM	$	6,870,000.00	$	7,770,000.00	$	(900,000.00)	$	6,870,000.00	$	7,770,000.00
RS-7-1AM	$	12,470,000.00	$	13,080,000.00	$	(610,000.00)	$	12,470,000.00	$	13,080,000.00
RS-8-1AM	$	4,730,000.00	$	4,730,000.00	$	-	$	4,730,000.00	$	4,730,000.00
RS-9-1AM	$	470,448.00	$	470,448.00	$	-	$	470,448.00	$	470,448.00
SW-2-A-85	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SW-2-A-86	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SW-2-A-87	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SW-2-A-88	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SW-2-A-89	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SW-5-52	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-53	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-54	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-55	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-56	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-57	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-58	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-59	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-60	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-61	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-62	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-63	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-64	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-65	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-66	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-67	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00

SW-5-68	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-69	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-70	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-71	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-72	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-73	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-74	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SW-5-75	$	35,000.00	$	202,100.00	$	(167,100.00)	$	35,000.00	$	202,100.00
SWP-1	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-10	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-11	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-12	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-13	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-14	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-15	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-16	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-17	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-18	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-19	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-2	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-20	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-21	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-22	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-2-25	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-2-26	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-2-27	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-2-28	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-2-29	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-23	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-2-30	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-2-31	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-2-32	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-2-33	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-24	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-3	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-3-34	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-3-35	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-3-36	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-3-37	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-3-38	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00

SWP-3-39	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-3-40	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-3-41	$	35,000.00	$	92,711.00	$	(57,711.00)	$	35,000.00	$	92,711.00
SWP-3-42	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-3-43	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-3-44	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-3-45	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-3-46	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-3-47	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-3-48	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-3-49	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-3-50	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SWP-3-51	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SW-VII-1	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SW-VII-2	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SW-VII-3	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
SW-VII-4	$	35,000.00	$	92,771.00	$	(57,771.00)	$	35,000.00	$	92,771.00
Totals for 1/11/2012	$	77,590,904.00	$	92,549,668.00	$	(14,958,764.00)	$	71,239,944.00	$	92,549,668.00
Totals for 12/14/2011	$	27,384,253.00	$	31,143,110.00	$	(3,758,857.00)	$	27,032,050.00	$	268,183.00
Totals for 12/7/2011	$	46,165,733.00	$	56,032,964.00	$	(9,867,231.00)	$	40,357,231.00	$	56,032,964.00
Totals for 11/30/2011	$	74,045,506.00	$	113,265,689.00	$	(39,220,183.00)	$	65,334,025.00	$	57,713,979.98
Totals for 11/16/2011	$	28,200,432.00	$	57,293,470.00	$	(29,093,038.00)	$	25,479,889.00	$	57,293,470.00
Totals for 11/9/2011	$	64,789,101.00	$	68,855,543.00	$	(4,066,442.00)	$	59,073,582.00	$	63,846,159.00
Totals for 11/2/2011	$	22,659,413.00	$	27,176,420.00	$	(4,517,007.00)	$	20,000,329.00	$	27,176,420.00
Totals for 10/26/2011	$	163,884,443.00	$	229,949,534.00	$	(66,065,091.00)	$	155,706,959.00	$	163,884,443.00
Totals for 10/12/2011	$	102,565,931.00	$	124,219,936.00	$	(21,653,465.00)	$	91,729,629.00	$	1,072,192.35
Totals for 10/5/2011	$	52,000,489.00	$	59,929,053.00	$	(7,928,564.00)	$	50,875,257.00	$	504,120.82
Totals for 9/21/2011	$	164,340,877.00	$	219,139,928.00	$	(54,799,051.00)	$	139,345,499.00	$	219,139,928.00
Totals for 9/14/2011	$	85,729,024.00	$	119,777,161.00	$	(34,048,137.00)	$	71,377,372.00	$	119,777,161.00
Totals for 8/31/2011	$	84,373,698.00	$	101,976,442.00	$	(8,743,072.00)	$	65,653,679.00	$	101,976,442.00
Running Total	$	993,729,804.00	$	1,301,308,918.00	$	(298,718,902.00)	$	883,205,445.00	$	961,235,131.15

Annette,

So far this year(2011)the Market value decrease is ($ 298,718,902) As of 1/1/2012

We have sent 1,935 appeals to the council for signature. That is 91% of the appeals.

We have 2,114 appeals for 2011.

MINUTES

SUMMIT COUNTY

BOARD OF COUNTY COUNCIL
WEDNESDAY, DECEMBER 14, 2011
COUNCIL CHAMBERS
COALVILLE, UTAH

PRESENT:

Chris Robinson, *Council Chair*
David Ure, *Council Vice Chair*
Sally Elliott, *Council Member*
John Hanrahan, *Council Member*
Claudia McMullin, *Council Member*

Robert Jasper, *Manager*
Anita Lewis, *Assistant Manager*
Dave Thomas, *Deputy Attorney*
Kent Jones, *Clerk*
Annette Singleton, *Office Manager*
Karen McLaws, *Secretary*

CLOSED SESSION

Council Member Elliott made a motion to convene in closed session for the purpose of discussing litigation. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

The Summit County Council met in closed session from 2:05 p.m. to 2:55 p.m. to discuss litigation. Those in attendance were:

Chris Robinson, *Council Chair*
David Ure, *Council Vice Chair*
Sally Elliott, *Council Member*
John Hanrahan, *Council Member*
Claudia McMullin, *Council Member*

Robert Jasper, *Manager*
Anita Lewis, *Assistant Manager*

Council Member Ure made a motion to dismiss from closed session to discuss litigation and to convene in work session for the purpose of discussing personnel. The motion was seconded by Council Member Hanrahan and passed unanimously, 5 to 0.

Chair Robinson called the work session to order at 2:55 p.m.

WORK SESSION

- **Presentation regarding Echo Sewer Company; Lane Peirce, Sunrise Engineering**

Lane Peirce with Sunrise Engineering explained that the State has seen problems with Echo Sewer Company for many years, and last year the Sewer Company asked Sunrise Engineering to discuss how to remediate those problems. The deficiencies include cracked pipe, caving pipe,

and failure of the drainfield. The State has pledged money to help Echo fix its deficiencies, but they must form a body politic in order for the State to loan them the money.

David Snyder with the Division of Water Quality reported that they put dye in the system to see if they could see any breakage. The die surfaced, resulting in a violation, and the State has issued a notice of violation to Echo Sewer. They must follow certain steps to correct the violation, and this is one of those steps.

Mr. Peirce explained that the sewage in Echo travels under the highway and the railroad tracks into the seepage field. The pipeline has been videoed, and the pipe under the railroad tracks has partially collapsed, causing solids to back up into the manhole above. They have pumped out the manhole several times to prevent sewage backup throughout the city. It has been determined that the current drainfield is no longer feasible because of high groundwater, and Mr. Peirce discussed two potential locations for a new drainfield.

Council Member Elliott stated that she is in favor of forming a body politic for Echo Sewer. She noted that the fire hydrants on the west side of the railroad tracks connect to nothing, and none of the houses along the railroad on the northwest side of the highway have fire protection. Mr. Peirce reported that Echo approached the State Division of Drinking Water about that and received a funding package to fix fire hydrants, but the Echo Water Company determined that the water rates would be too high to implement the upgrades.

Council Member Ure asked if the upgrade and maintenance of the sewer system would be too costly for the residents. Ed Macauley with the Division of Water Quality explained that before the State spends any public money, it requires all the alternatives to be analyzed. This would require a full engineering investigation to look at all the alternatives and select the best, most cost effective alternative before any Water Quality Board money could be spent.

Council Member Hanrahan asked if they would preclude any potential lawsuits down the road by forming a body politic. Mr. Macauley replied that by not forming a body politic, no public funding would be made available.

Chair Robinson asked if it is intended that the body politic would be a dependent or an independent district. Eric Johnson, an attorney representing the Sewer Company, explained that there are a variety of districts that could be formed. Echo Sewer has asked that he propose a special service district, which is the most flexible type of entity. The governing body of the district would be the County Council. They could create an administrative control board to run the district day to day and delegate all powers to that board except the power to tax and the power to secure debt with taxes. Council Member Hanrahan asked how the initial tax rate would be established. Mr. Johnson replied that it might not be necessary to tax at all because of the sewer fees. County Manager Bob Jasper explained that the County Council can retain whatever powers it wants, and he suggested that they start with tight budget controls until the district is well established. Mr. Macauley explained that the Water Quality Board has an affordable financial limit on a sewer system of 1.4% of the median adjusted gross income. If the project were to cost more than that, the Water Quality Board would typically provide grant money. The Sewer Company is currently charging $5 per month, and the residents can afford to pay about $45, and that is what they will have to pay in order to repay the loan.

Council Member Hanrahan recalled that they previously heard about this problem in relation to a Community Development Block Grant (CDBG) and asked if that that was pursued. Mr. Peirce explained that he went to the CDBG board and spoke for Echo Sewer and Echo Water. The board awarded some grant money to the water system but not to the sewer system.

Mr. Johnson commented that it appeared the County would be more comfortable with having an administrative control board appointed by the Council rather than an elected board. He explained that the process would be that the County Council would consider a resolution, call a public hearing, and receive public comment on the proposal to create the district. He asked for feedback about what to include in the proposal. Council Member Elliott stated that she would like an administrative control board with the County Council appointing the board, approving the annual budget, and maintaining the right to tax and/or set fees.

Bob Swenson with the Summit County Health Department commented that it might be possible to do this through the Eastern Summit County Conservation District, which is already formed, and Echo falls within their jurisdiction. Chair Robinson suggested that they de-annex Echo from the Conservation District and set up a special service district for Echo to meet their specialized needs.

- **Public comment**

Glen Brown stated that he had hoped to attend the budget hearing this evening but would be unable to attend and had asked Chair Robinson for permission to make comment during the work session. He stated that he speaks as a citizen who lives in the unincorporated area of the County and for senior citizens, those are struggling to make their mortgage payments, and other citizens distressed because of the economy they live in. He pleaded with the County Council to not raise the municipal rate as proposed. He did not know how many people have given up hope of changing the minds of elected officials when it comes to taxation. It was his opinion that the timing of the proposed increase is absolutely irresponsible. The County has just asked citizens for a transfer of $2 million from the tax stability fund to balance the budget. He recalled that he proposed to the County Commission years ago that they create that fund, and he believed this was the first vote there had ever been to move money out of it. He commented that he has spent years hearing testimony on unmet and unfunded needs that exist in the public process. The State of Utah has billions of dollars, and when they turn that over to engineers and people who track information, there are always unfunded needs, and there will always be unfunded needs for public infrastructure. The people in this County who are being asked to pay this cannot afford it; it is irresponsible, and the timing is wrong. If the County has uncommitted revenues to be able to lend $500,000 to the water company, he did not understand why they are asking citizens who live in the unincorporated area of the County to pay more. The County should live on what it has. It may not be all they want, and it may not be all they need, but the problem is that government just cannot make do. They always have to have more. There are capable people working on whatever needs this will fund, and they will make it happen. The time when they are not going to keep up as a society is when they are struggling economically, and they catch up when things are good. They don’t go back to the well in a time of struggle to try to make up unmet needs, which is the opposite of what they should do. If this is for road or infrastructure repairs in the unincorporated areas of the County, he did not understand why they do not use General Fund money. The State does not tax people who live in rural areas of the State more to drive on public State-owned highways than people who live in the cities. It is a common purpose and responsibility. He believed the Municipal Fund is being abused on the backs of those who

live in those areas. He stated that he has not seen the Council make any serious cuts, and he did not think it was in the best interest to go to the people and ask for a tax increase when they have not made serious cuts. He stated that poor citizens do not advocate much, because they do not have time, and they are not organized. The Council hears from agencies and those who want things every day pleading their cause for needs, but the poor citizens don't have an advocate to equal their voice. He pleaded with the Council to not raise the tax in the Municipal Fund this year, because it is not responsible. He asked them to make adjustments somewhere else and not go back to the people to get more right now.

Council Member Elliott stated that for her it is an issue of fairness. She lives in an incorporated municipality where all of her municipal services are paid for to a municipality. She resents having to pay for municipal services out of the General Fund for those who live in the unincorporated area. Mr. Brown argued that a highway is not a municipal function; it is a general function.

Council Member Hanrahan explained that residents of Park City pay taxes in Park City for the road work in Park City. They also pay taxes into the County General Fund, which pays for County roads. The Municipal Fund is for people in the unincorporated of the County to pay specifically for the roads in that area, just the same as citizens of Park City pay for roads in the City. He noted that the actual budget in 2009 was $51 million, in 2010 it was $47 million, and in 2011 it is $46 million. The 2012 budget will be about $45 million. They have cut positions in the County from 290 to 275, which is a significant cut. Mr. Brown acknowledged that they have done some cutting but stated that they should not go to the well for more money in these times. Council Member Hanrahan also noted that the $500,000 loan to Mountain Regional Water comes from the $10 million in the tax stability fund, which has to be invested somewhere. This loan will give the County three times as much money as it currently gets, which is a good investment. It has nothing to do with raising taxes for road infrastructure.

Chair Robinson explained that they are trying to pay as they go. If there is a service that is not general to the whole County, they want those who receive that service to pay a portion of the cost for the County to provide that service. The County has taken General Fund money to subsidize the Municipal Fund. He explained that the tax increase will be about $24 on a $500,000 home. It is a minor thing, but it will allow them to get on a seven-year rotation of doing basic road maintenance that will avoid the much more significant costs of having to rebuild roads. They do not like to do it, but they believe it aligns philosophically with having those who use it pay for it as opposed to using General Fund money.

Council Member Hanrahan stated that, in his view, this will save the County money from having to reconstruct entire roads in the future.

Mr. Brown stated that they could thank the State Legislature the last 30 years for saying no, which has put the State into its current economic position. If the State had bought all the arguments the Council is buying into, this would be one of the most poorly financed states, like those that are in the deepest trouble in the country, because people could not say no to the bureaucracy. He also recommended that they suspend every fee in the County and review their purposes and the amounts, because it is driving this County into ruins.

CLOSED SESSION

Council Member Elliott made a motion to convene in closed session for the purpose of discussing litigation. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

The Summit County Council met in closed session from 3:35 p.m. to 3:45 p.m. to discuss litigation. Those in attendance were:

Chris Robinson, *Council Chair*
David Ure, *Council Vice Chair*
Sally Elliott, *Council Member*
John Hanrahan, *Council Member*
Claudia McMullin, *Council Member*
Robert Jasper, *Manager*
Anita Lewis, *Assistant Manager*

Council Member Ure made a motion to dismiss from closed session and to reconvene in work session. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

- **Interview six applicants for vacancies on the Snyderville Basin Special Recreation District**

The Council Members interviewed the following applicants for positions on the Snyderville Basin Special Recreation District Administrative Control Board:

Richard Callahan
Karl Redel
Brian Guyer
Ben Castro
Tim Hendrickson
Scott McClelland

Questions included whether the applicants had time to serve on the Board, why they want to serve on the Board, what they consider to be important issues for the Recreation District, whether they have conflicts of interest, how they would relate to other Board members, how they would handle their personal interests while serving on the Board, and how their background and experience would be an asset to the Recreation District.

CLOSED SESSION

Council Member Hanrahan made a motion to convene in closed session for the purpose of discussing personnel. The motion was seconded by Council Member Elliott and passed unanimously, 5 to 0.

The Summit County Council met in closed session from 5:15 p.m. to 5:20 p.m. to discuss personnel. Those in attendance were:

Chris Robinson, *Council Chair*
David Ure, *Council Vice Chair*
Sally Elliott, *Council Member*
John Hanrahan, *Council Member*
Claudia McMullin, *Council Member*

Robert Jasper, *Manager*
Anita Lewis, *Assistant Manager*

Council Member Elliott made a motion to dismiss from closed session and to reconvene in work session. The motion was seconded by Council Member Hanrahan and passed unanimously, 5 to 0.

CONVENE AS THE BOARD OF EQUALIZATION

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

The meeting of the Summit County Board of Equalization was called to order at 5:23 p.m.

CONSIDERATION OF APPROVAL OF 2011 STIPULATIONS

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

DISMISS AS THE BOARD OF EQUALIZATION

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

The meeting of the Summit County Board of Equalization adjourned at 5:25 p.m.

WORK SESSION – (Continued)

- **Budget Discussion**

Council Member Hanrahan recalled that when he left the budget discussion the previous Friday, they were discussing the Sheriff's vehicle policy and overtime. Chair Robinson explained that they allowed $100,000 in overtime, as opposed to $160,000. With regard to the take-home vehicle policy, they decided to hold a work session with the Sheriff early next year to review the policy, the possibility of following Park City's lead in providing a housing allowance to incentivize deputies to live within the County, and to study how deputies are compensated for special events.

Council Member Ure stated that he understands Public Works does not give overtime for snow events but provides compensatory time instead. He asked why they could not do that in the Sheriff's Department.

Mr. Jasper commented that he believed they could reduce the budget during the year, but he did not believe it could be increased. He also believed they could issue an order at any time that certain money allocated in the budget cannot be spent. He requested that the Council adopt the chart of positions as part of the budget.

Council Member Hanrahan noted that they allocated $35,000 to the indigent defense fund, and the County Attorney has indicated that legally he needs at least $5,000 in that fund. He believed that would be a drop in the bucket if they have a capital murder case that requires indigent defense funds. He suggested decreasing the fund to the legal limit of $5,000. Council Member McMullin questioned whether the indigent defense fund is the same as the capital defense fund.

Chair Robinson stated that they changed the solid waste budget to reflect the current contract amount for the full year plus half the curbside recycling amount under the theory that the new contract will allow the County to do solid waste collection and expanded recycling without exceeding the sum of the two and without a contingency. He clarified that, if they are unsuccessful in achieving a savings to taxpayers on the solid waste portion of the contract and hopefully enhance recycling, they would either have to use some other contingency for the second half of the year or cut back service, and that is the judgment call they are making. Council Member Hanrahan commented that the people bidding on the waste contract may look at the budget to see what was budgeted, and he questioned whether anyone would go significantly below that amount. Chair Robinson believed that might be a problem if there were a single bidder, but if there are three bidders, and someone really wants the contract, they would have to decide how low to go and still get the business. They could cut more out of that budget to send the expectation that the County expects real savings, or they could fund through June 30, leave the rest of it open, and reopen the budget if they need to.

REGULAR SESSION

Chair Robinson called the regular meeting to order at 6:10 p.m.

- **Pledge of Allegiance**

PUBLIC INPUT

Chair Robinson opened the public input.

There was no public input.

Chair Robinson closed the public input.

PUBLIC HEARING AND CONSIDERATION OF ADJUSTMENTS TO THE 2011 SUMMIT COUNTY BUDGET

County Auditor Blake Frazier reported that the only adjustment in the 2011 budget was to the Capital Fund for a $1.5 million grant for flood mitigation on the revenue side of the budget.

Chair Robinson opened the public hearing.

There was no public comment.

Chair Robinson closed the public hearing.

Council Member Hanrahan made a motion to approve the adjustments to the 2011 Summit County Budget as presented. The motion was seconded by Council Member Elliott and passed unanimously, 5 to 0.

PUBLIC HEARING AND POSSIBLE ADOPTION OF THE PROPOSED 2012 SUMMIT COUNTY BUDGET

Chair Robinson proposed that they discuss the budget now but not approve it until they have had the public hearings for the two tax increases.

Council Member Hanrahan stated that he would like to reduce payments to the fleet lease. He noted that it appears the County is anticipating revenues through the fleet lease fund of $1.8 million, which are assessed to each department for equipment they will need during the year. Expenses anticipated this year are $1.4 million, leaving a $400,000 gap that he assumed would go into the fleet lease fund at the end of the year if unused. That fund currently has a balance of $1.6 million. He did not believe they need to beef up that fund by about $400,000, and he would rather see it taken out of the budget and lower total expenses in that budget. County Auditor Blake Frazier explained that the payments and revenues are from prior years' purchases, and the payments on the purchase of $1.4 million this year will start in 2013. Realistically, they should budget $1.8 million to pay for previous purchases. If they continue to lower this fund, it will eventually deplete. Mr. Jasper recalled that he proposed and thought the Council agreed that they would hold a work session to discuss the fleet lease fund. In general, he is comfortable with what is recommended, and he noted that they reduced charges this year by a sizable amount. He clarified that the operating departments pay based on how many vehicles they operate, vehicle age, etc, and he did not want to underfund the ability to replace vehicles when they need to be replaced. Council Member Hanrahan disagreed and stated that he believed too much money goes into this fund, and they need to save some of it in the General Fund. Chair Robinson asked if they try to keep the assessments to the departments level rather than increasing or decreasing them from year to year. Mr. Frazier replied that they do, and they fund between $1.5 and $2 million fund balance in the fund, roughly one year's worth of purchases. Chair Robinson suggested that they split the difference by reducing the fund to $1.6 million and reducing fleet lease revenues by $200,000 on a pro rata basis among all the departments. Council Member Hanrahan commented that he did not believe this would happen year after year. They are in the third year of an economic downturn, and ideally it will be less difficult to budget for this as time goes on. He would err on the side of anticipating a need to decrease the actual usage of vehicles, increase the duration of time they maintain and keep those vehicles, and decrease money from this fund. The Council Members concurred that they should reduce this item to $1.6 million.

Council Member Hanrahan stated that he believed the Council and Manager's contingency funds should be reduced. They could always have a budget hearing and expend additional funds any time next year if they need to. They know from a three-year history of preparing a budget that expenses are built into the budget that will not be incurred, and there will be savings throughout the budget as the departments do a good job with their expenses. He recommended that the contingency funds be cut to $50,000 each. Mr. Jasper disagreed and stated that setting aside $175,000 is not much in a $45 million budget. Council Member Elliott commented that fiscal

restraint is fiscal restraint, whether it is in the budget or self-discipline. The fact that they have contingencies in the budget does not mean they have to spend them, and they have been very cautious about spending their budget contingencies. She believed it would be easier to put it in the budget and not spend it unless they really need to than to not have it in the budget and have to wait until the end of the year to add funds back in. Council Member Hanrahan replied that it has been his experience that they are more like to spend the contingency if they budget for it. Chair Robinson stated that he believed it would tie the Council's hands to do mid-year changes. They have a lot of goals and have not had an opportunity in the budget process to think through what action items they might take. He did not believe it was a significant amount considering the size of the total budget.

Council Member Hanrahan asked if there are any expenses in the County Fair budget that could reasonably and defensibly be funded by the Transient Room Tax (TRT). Mr. Frazier replied that they have already funded the majority of the fair out of the TRT. Matt Leavitt with the County Auditor's Office explained that a portion of the fair is funded by fair park receipts and ticket sales.

The Council Members noted that they had directed that the entire Historical Society budget be funded by TRT funds, and that change had not been made.

Council Member Hanrahan asked where the revenues for the open space capital fund come from. Mr. Frazier replied that the only money going into that fund currently is for maintenance of open space, which comes out of the General Fund. The other open space fund is one that developers pay into for the purchase of open space or conservation easements.

Council Member Hanrahan asked for clarification of the indigent defense fund. Mr. Frazier explained that it is for a capital murder trial for an indigent. Council Member Hanrahan stated that he understands they are required to have $5,000 in that fund, but he would rather put the remaining $30,000 somewhere else, commenting that funds for a capital case would all come out of the General Fund anyway. Mr. Frazier stated that he understood the County Attorney is trying to work with several other counties to put together a fund where there would be enough money over time to defend a capital case. Council Member Hanrahan commented that if they put the $30,000 in the General Fund, it would be available if needed, but if they put it in the indigent defense fund, it would be restricted for a single purpose. Mr. Frazier explained that this is not a restricted fund, and if the money is not spent at the end of the year, it goes into surplus.

Chair Robinson noted that there is a $509,000 miscellaneous revenue item that is about nine times what it was the previous year. Mr. Leavitt explained that is for an additional capital project brought to their attention last week. $300,000 will come from the corridor preservation fund, $170,000 will come from the developer, and another $360,000 will come from impact fees, for a total of $830,000.

Chair Robinson asked the Auditor to review the ratios for the assessing and collecting, municipal, and general funds by department. He also reviewed and asked for clarification of other budget items. He verified with Mr. Frazier that $750,000 will go into the General Fund unrestricted fund balance. Council Member Ure stated that, with this kind of surplus in the General Fund, he did not want to raise taxes in the Municipal Fund. Chair Robinson asked if funds from the proposed tax increase would be restricted by law to capital projects. Mr. Frazier replied that the County Council would assign it to capital projects. Chair Robinson asked if Mr.

Frazier believes that, if the money proposed to be raised by the tax increase were taken from the Municipal Fund balance, the unrestricted amount in the Municipal Fund would deplete rapidly. Mr. Frazier replied that it would decrease by $1.5 million in one year. Chair Robinson commented that the issue is trying to maintain a balance in the Municipal Fund and maintaining and improving the roads. He asked if there is an upper limit for the unrestricted General Fund balance. Mr. Leavitt replied that it is 20%.

Chair Robinson tabled further discussion of the 2012 budget until after the public hearings on the tax increases.

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

Council Member Elliott made a motion to convene as the Governing Board of the Mountain Regional Water Special Service District. The motion was seconded by Council Member Hanrahan and passed unanimously, 5 to 0.

The meeting of the Governing Board of the Mountain Regional Water Special Service District was called to order at 7:00 p.m.

PULIC HEARING TO CONSIDER AND ADOPT THE MOUNTAIN REGIONAL WATER 2012 OPERATING, CAPITAL, AND DEBT SERVICE BUDGETS

Chair Robinson recalled that a 2% merit increase was included in the Mountain Regional Water budget contingent upon the County giving its employees an increase, and a 3% merit increase is proposed in the County budget. He also addressed the issue of Promontory wanting to renegotiate the lease on 400 feet of water and the potential fiscal impact that could create. He explained that in order for them to get out of that lease, it should create a positive fiscal impact.

Scott Green with Mountain Regional Water explained that Mountain Regional has had the same problem as the County with their reserves going down, and with the recent rate increase, those reserves should start to go back up.

Board Member Ure expressed frustration that a couple years back people used a lot of water, and they increased rates to encourage them to conserve water. Because of the moisture in the last year or so, people have not used as much water, so they increased the rate again. He felt they were building an organization that is not able to sustain itself whether conditions are dry or wet, and the ratepayer is having to pay either way. Chair Robinson explained that Mountain Regional was forced to deplete its reserves due to a combination of factors, not just wet and dry weather. Those factors included a decline in new connections, increases in Weber Basin fees, increases in power costs, etc. The reserves have been depleted to the point that not raising fees would make Mountain Regional unsustainable, but what has been done will make it sustainable and allow it to rebuild necessary reserves. Board Member Ure disagreed and stated that ratepayers are having to pay for it, and Mountain Regional needs to be self reliant no matter what the conditions are and not charge ratepayers regardless of the conditions. Andy Armstrong, General Manager of Mountain Regional Water, pointed out that they did not raise rates for six years. Then they went through three very difficult years, and at the end of that, they had to raise their rates. He did not know how to respond to the idea that they are not self-sustaining when they have not had a rate increase in six years. Chair Robinson clarified that the rate increase has been approved,

and tonight's hearing has nothing to do with that. He believed the proposed budget is a tight budget. He stated that he wanted to address a rate increase when he first started to serve on Mountain Regional's board, because he did not like the idea of depleting the reserves.

Chair Robinson opened the public hearing.

There was no public comment.

Chair Robinson closed the public hearing.

Board Member Hanrahan made a motion to adopt the Mountain Regional Water 2012 Operating and Capital Debt Service budgets as proposed. The motion was seconded by Board Member Ure and passed unanimously, 5 to 0.

DISMISS AS THE GOVERNING BOARD OF THE MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT AND RECONVENE AS THE SUMMIT COUNTY COUNCIL

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

The meeting of the Governing Board of the Mountain Regional Water Special Service District adjourned at 7:10 p.m.

PUBLIC HEARING AND POSSIBLE APPROVAL OF RESOLUTION #2011-23 CHANGING THE PLANNING, BUILDING, AND ENGINEERING FEE SCHEDULES TO REFLECT ELECTRONIC PAYMENT COSTS

County Planner Sean Lewis recalled that the County Council held a work session in September regarding collection of electronic processing fees in conjunction with the change to the electronic permit tracking system for the Planning, Building, and Engineering Departments. The County will be responsible for paying merchant fees for credit card transactions, which average 3% per transaction. Staff is requesting that they amend the Planning, Building, and Engineering fee schedules as shown in the staff report to reflect the 3% change in fees.

Chair Robinson verified with Planner Lewis that they would now accept credit cards from all major issuers and noted that the Building Department fees did not change. Planner Lewis explained that Building Department fees are based on square footage and type of construction. Once that is determined, the fee is assessed based on an appendix in the Building Code which is adopted by the State of Utah, and the County cannot change the building fee in Appendix L of the Building Code, so they would add 3% to the fee as shown in Appendix L. Chair Robinson asked what would happen if the person requesting a permit wanted to pay in cash. Planner Lewis recalled that in the September work session they agreed to use the grocery store model, where everyone would pay the same fee, regardless of how they pay. Chair Robinson stated that he could see doing that where there is a set fee schedule, but where they have to calculate a fee and add 3%, he did not believe the applicant should have to pay the 3% if they pay with cash. He suggested that they change the language to state that the applicant will be charged a 3% processing fee if they pay with a credit card. He asked whether the fee hike was incorporated in

the 2012 budget. Planner Lewis explained that the fees are designed to be budget neutral once they start processing credit cards. County Treasurer Corrie Kirklen explained that the County was unable to accept VISA cards previously because VISA does not allow them to charge a processing fee on VISA transactions and not change the same fee on check or cash transactions. That is why they were trying to build the transaction fee into the fee structure. They ran into the problem with Appendix L and tried to fix it with a 3% processing fee across the board. That is a requirement of the County's contract with VISA. Chair Robinson suggested that they take the risk of enforcement by VISA. He believed the risk would be low, and he preferred charging the building fees as he suggested. He commented that a building permit fee for a commercial structure could be hundreds of thousands of dollars, and he would not want to pay 3% of that if he were going to write a check rather than pay by credit card.

Council Member Ure verified with Planner Lewis that all the fees on pages 4 through 9 include a 3% transaction fee, whether the applicant pays with a credit card or with check or cash, and recommended that they get rid of that fee. If people pay by cash or check, he did not see why they should pay 3%, and they have already raised the fees in the last six months. Council Member Elliott noted that the County Treasurer just explained that they cannot do that because of how the contract is written. If they want to accept credit cards, they are required to sign a contract with the credit card company, and if they sign the contract, they cannot charge variable fees to cover the cost of the credit card charge.

Chair Robinson asked what would happen if they said they would not accept VISA and only accepted American Express or Master Card. Planner Lewis replied that 75% to 80% of the people who come to the counter pay with a VISA card, and it is the most widely used card. Ms. Kirklen recalled that the long-term goal is to offer not only credit card payments but also e-check payments. E-checks would be free, which might smooth the payment process. Planner Lewis explained that the Planning Department system is not set up for e-checks, and they would have to work with the software vendor to add a way to process them.

Mr. Jasper recalled that they held a work session with the County Council regarding these fees, and he thought they had agreed this was what they wanted. Now they are ready to implement it, and they are raising these other issues. He asked if the Council is opposed to people using credit cards or if the issue is the 3%. Chair Robinson stated that his issue is that, if he were a developer doing multiple lots on multiple acres, he would resent being charged a 3% processing fee on what could be tens or hundreds of thousands of dollars if he wanted to pay by check. Mr. Jasper stated that he thought they had agreed to insert the language Chair Robinson recommended in the two areas where a calculation of fees is involved. His aim in working with the departments on this was to save the County and the applicants money in the end, but the County could choose to absorb the 3%. They are cutting back staff and doing as much as possible on line to save applicants the cost of driving to the courthouse and staff time in processing the applications so both can save money.

Chair Robinson opened the public hearing.

Sue Pollard stated that she has gone through the building process with Summit County and has been here a hundred times. Paying 3% to build her cabin is detrimental and hurts. She suggested that they drop VISA rather than charge another 3%. The County would be charging a 3% increase on top of all the permit increases they just adopted in the last yea, and she did not believe that was being taken into consideration. She could not imagine what impact 3% would

have on a big developer. She stated that the 3% is ridiculous and asked that they go back to third-party processing, drop VISA, and not charge for cash or check.

Art Lang, a web and IT manager for Salt Lake, stated that the issue of PCI compliance needs to be addressed. He explained that the credit card industry enforces a certain level of PCI compliance on everyone they contract with. If they do the processing in house, there is a tremendous amount of responsibility and work that needs to be done so they can do a transactions analysis. He asked if someone in IT or staff had addressed PCI compliance. From a customer service standpoint, he believed the fee should be absorbed and spread over all users, because the majority of users now and in the future will use electronic transactions. He explained that his primary concern is PCI compliance and whether this places the County at another level of risk.

Max Greenhalgh stated that he has construction businesses out of state, and credit cards are often his method of payment. Oftentimes when he makes a payment they state that, if he wants to pay with a credit card, a fee will be charged. Oftentimes if it is an 3echeck it is free, and oftentimes they will not accept American Express, and he believed most builders have American Express cards. He stated that the last time he applied for a building permit in Summit County, the increase in costs was staggering. If he had the option to drive to Coalville to save $240 by paying with a check, he would do it, and he would be upset if they added the fee on top of all the transactions. He did not believe that would be fair, especially since they already pay so much. Generally speaking, prices go down when the economy goes down, but because the County has less to work with and has to sustain their staffing, they have to raise their prices higher.

Chair Robinson closed the public hearing.

Commissioner Elliott made a motion to approve Resolution #2011-23 changing the Planning, Building, and Engineering fees by 3% as recommended with the exception of the circumstance where the building fees are calculated based on the valuation of the building permit, in which case the language would be added that, if paid by credit card, a 3% processing fee would be charged. The motion was seconded by Council Member McMullin.

Council Member Ure commented that they are adding fees on top of fees, and he did not believe it is appropriate at this time. Council Member Hanrahan suggested that another option might be not to adopt the fees now, see how it goes for the next year, and create some data and institute fees then. Chair Robinson recalled that they have just increased fees dramatically this year. Planner Lewis recalled that the resolution passed in September 2010 included an automatic two-year review period, which will come up in September 2012. Council Member Hanrahan suggested that they wait until September to review the fees.

Council Member Elliott withdrew her motion.

Council Member Elliott stated that she felt badly that they had given Staff direction to implement these fees, the had worked on it with the budget reflecting the change, and now at the last minute they are changing their mind.

Council Member Elliott made a motion to table this item. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

CONVENE AS THE GOVERNING BOARD OF THE SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT

Council Member Ure made a motion to convene as the Governing Board of the Snyderville Basin Special Recreation District. The motion was seconded by Council Member Elliott and passed unanimously, 5 to 0.

The meeting of the Governing Board of the Snyderville Basin Special Recreation District was called to order at 7:45 p.m.

DISCUSSION AND POSSIBLE APPROVAL OF THE ALLOCATION OF OPEN SPACE BOND FUNDS FOR THE HI-UTE/3 MILE CANYON CONSERVATION EASEMENT; WENDY FISHER, UTAH OPEN LANDS, AND MAX GREENHALGH, BOSAC CHAIR

Wendy Fisher with Utah Open Lands reported that they had just come from the Snyderville Basin Special Recreation District board meeting where they approved by a motion the option agreement for the conservation easement with an immediate expenditure of $2 million, plus an additional $800,000.

Max Greenhalgh, Basin Open Space Advisory Committee Chair, explained that this allocation is for the acquisition of a conservation easement comprised of 1,268 acres at the Hi-Ute/3 Mile Canyon Ranch. He clarified that they are asking the Governing Board to approve the entire $2.8 million and authorize immediate funding of $2 million, to culminate on Thursday, December 22. The additional $800,000 would be paid within two years. The full purchase price of the conservation easement is $4 million, with the County's share being a maximum of $2.8 million, and Utah Open Lands contributing a minimum of $1.2 million. Ms. Fisher explained that the option agreement, which has been reviewed by BOSAC and the Recreation District, will formally protect the 1,268 acres. It allows for payout of the total purchase price for the conservation easement over three years, for a total of $4 million without interest. She verified that trail easements on the perimeter of the property will be granted. She also verified that the first future disposition of the fee at this point cannot compel the contribution, but the landowner may elect to contribute the fee title, and Utah Open Lands and Summit County also have the ability to exercise that option to receive the fee title should they elect to. A separate non-profit entity would be created with the County, Utah Open Lands, and the Recreation District to provide funding for the ongoing stewardship of the property and to hold the fee title.

Board Member Hanrahan explained that this is a little more than $3,000 per acre for almost 1,300 acres, which is probably the best land deal the County has ever been offered. Mr. Greenhalgh recalled that the first open space bond was for $10 million, and they were able to leverage that into $35 million to acquire six parcels and a conservation easement comprising approximately 1,400 acres total. Now they are acquiring 1,430 acres at a purchase price of $4 million. He stated that the credit goes to the owner, who wanted to keep the property in its pristine condition forever.

Board Member Elliott made a motion to approve the allocation of open space bond funds for the Hi-Ute/3 Mile Canyon conservation easement in the amount of $2.8 million, with $2 million to be expended immediately. The motion was seconded by Board Member Hanrahan and passed unanimously, 5 to 0.

Board Member Hanrahan officially thanked the Buehner family for this opportunity.

DISMISS AS THE GOVERNING BOARD OF THE SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT AND RECONVENE AS THE SUMMIT COUNTY COUNCIL

Board Member Hanrahan made a motion to dismiss as the Governing Board of the Snyderville Basin Special Recreation District and to reconvene as the Summit County Council. The motion was seconded by Board Member Elliott and passed unanimously, 5 to 0.

The meeting of the Governing Board of the Snyderville Basin Special Recreation District adjourned at 7:55 p.m.

PUBLIC HEARING AND POSSIBLE APPROVAL, AMENDMENTS TO THE SNYDERVILLE BASIN DEVELOPMENT CODE CHAPTER 5, WORKFORCE HOUSING, THROUGH ADOPTION OF AN ORDINANCE

Community Development Director Don Sargent reported that the proposed Code amendment would repeal the CORE program. Due to complexities in the CORE, confusion in calculating density, and concern by neighborhoods regarding increased density within their neighborhoods, the County Council placed a moratorium on the CORE program in July. Staff was directed to change the CORE program to eliminate those issues or provide additional clarity and replace the program. Staff is currently working on modifications to the Development Code to replace the CORE program and make it more predictable. The Snyderville Basin Planning Commission voted unanimously in November to forward a positive recommendation to the Council to repeal CORE, and Staff recommended that the Council hold a public hearing, discuss the amendments, and vote to amend this provision in the Development Code by adoption of an ordinance to repeal the CORE program. He explained that the County Attorney's Office has some reluctance regarding this occurring tonight based on potential legal exposure of repealing an incentive density program for workforce before having another program is in place.

Deputy County Attorney Dave Thomas recalled that the County was involved in a lawsuit a few years ago regarding affordable housing, and an issue in that lawsuit was about having affordable housing provisions in the Code related to current projects as well as going back to make up for past deficiencies in the need for affordable housing. According to the 2006 affordable housing study, the County had a deficit in affordable housing units, and although the 2010 study was not adopted, it also showed a deficit. By getting rid of the CORE provision, the County would have no way to make up for that deficiency until another program is in place. Until then, the County would be vulnerable to a legal challenge claiming that they are not addressing the deficiency. The Council should decide whether it is appropriate to take that risk.

Council Member Elliott recalled that they have discussed doing a new needs assessment with new parameters that are more reasonable and logical and asked how soon the County would have a new needs assessment. She believed they were close to fulfilling the need from the 2006 report. She asked what the likelihood would be that the County might be sued, because they have made significant strides in providing affordable housing. If they are in the process of getting a new needs assessment, and the Planning Commission is in the process of developing a new way to address deficiencies, she wondered how likely it is that the County would be at risk.

Mr. Thomas suggested that if they could have a public hearing before the Planning Commission on whatever is proposed to replace CORE, that would protect the County under the pending ordinance doctrine. Mr. Sargent explained that the strategic planning subcommittee is working on a new needs assessment mode. They are currently refining that model, and it should go to the Planning Commission in January for initial review. The next step would be to come up with a program that applies the needs assessment, and Staff is working on that through a Master Planned Development process and associated Code amendments. He did not anticipate that would be ready for Planning Commission review until February or March. He estimated that it would be about six months before they could hold a public hearing.

Council Member Hanrahan commented that he believed it was the general consensus of the Council that they want to repeal this section of the Code, and the issue is the risk of a potential legal problem. He believed they could remove that risk if they extend the moratorium. Mr. Thomas explained that State statute does not allow a moratorium to extend beyond six months. Council Member Hanrahan asked if Staff could put together something by January that would satisfy the legal requirement. Mr. Sargent explained that many factors go into the process, including the model for the needs assessment and developing provisions in the Development Code, and trying to get something ready for a public hearing without understanding the dynamics and impacts it would have all the way through the development process would be difficult. They are trying to do this right, and they could potentially be ready to take something to the Planning Commission in February or March, but he did not believe they could do it in January. Council Member Hanrahan stated that he did not want to see any more CORE Rezone applications submitted, and he would be willing to take the risk. He instructed Mr. Sargent to minimize that risk by getting it in front of the Planning Commission as soon as possible. Chair Robinson commented that everything the Council does entails risk.

Chair Robinson opened the public hearing.

Scott Loomis with Mountainlands Community Housing Trust stated that he disagrees with the County Attorney's position. He recalled that the immediate goal of CORE when it was established was to approve 250 units in a five-year period. It was to be revisited in 12 months, and at that time it was extended. He believed they had already met the CORE goal through the Discovery CORE and additional affordable units in Silver Creek Village. The law says the County has to come up with a reasonable plan to meet the need. In addition to CORE, all development going forward is required to provide 20% affordable housing, which is still on the books. He believed the threat of a lawsuit was minimal based on what has been done, the issues caused by CORE, which is not a reasonable plan at this point, the 20% requirement going forward, and the plan for a new needs assessment to determine whether pent-up demand exists.

Chris Hague commented that over 650 affordable housing units have been approved in the last two years in the County, and there is no threat of lawsuit. He stated that the County won the Federal lawsuit, and the judge in that lawsuit said there was no reason to impose anything on the County with regard to a statutory deficiency. He claimed that they are in good shape and stated that he disagrees with Mr. Thomas and that there is no reason to continue this horrendous CORE. He reported that he met with Mr. Loomis this week, and Mr. Loomis has reached out to the community to address future potential needs and a new needs assessment. He stated that everything is being done that should be done. He believed the resolution was deficient and recommended that it be changed based on written edits he provided to the Council Members. In

the future, when someone wants to find the repeal of CORE, the resolution should mention something about CORE.

Brude McKee stated that he was speaking for Citizens for the Alignment of Growth and the Environment (CAGE) and urged the County Council to repeal the CORE program in the Development Code. He acknowledged that the program had laudable goals and was written to address needs for workforce housing. The CORE has brought densities never intended by its creators to areas never intended by its authors and brought much distress to the elected officials and due process of Summit County for the citizens. It has helped many citizens become involved in the political process and take an interest in the development plans in the wonderful area where they live. He urged the County Council and Staff to reach out to the community as they move to other development and planning tasks. He claimed that many problems with the Discovery CORE could have been resolved if the neighborhood had been involved sooner in the process. He sated that Park City requires a pre-application meeting between the community and the developer of any project, which allows the developer, planners, and neighbors to address concerns before the freight train is barreling down the tracks. He stated that CAGE would continue to encourage responsible growth in Summit County and would welcome dialog with the County Council and Staff. They believe that a meaningful exchange of ideas would benefit all parties. Mr. McKee stated that they need to address what workforce housing really is before they put something on paper.

Becky Rambo thanked the Council Members for their intent to repeal CORE. She appreciated the efforts that are going into making sure that citizens get input into the process from the beginning. She believed the plan they are currently working on would be more of a big-picture plan that deals with realities and not statistics.

Art Lang stated that he has spent the last three years learning about the CORE and fighting against the Discovery subdivision. He claimed that they were successful in rousing hundreds, if not thousands, of people to oppose the subdivision. He learned how the process works and found out that the CORE was not defensible and needed more subjective language. He recalled that a number of meetings were held to determine what the maximum density could be, and when it came to the County Council, they came up with a different number, so no one could really logically defend or come up with a correct number. He claimed that the fact that it is not defensible is the reason it needs to be cancelled. After the Council approved the Discovery process, they are now involved with the Stone Ridge process. For the exact same reason that the CORE process is flawed and is not defensible, they had hundreds, if not thousands, of people at the meeting this week and will in January before the Planning Commission making a valid case that this process does not work. He recommended that they get rid of this process and come up with something that is subjective and measurable and something the community is actively involved in helping to design so they can tolerate it when it is imposed on them. He stated that none of them are against workforce housing and are all very much for it, but they debate whether there is any need for it now during the recession, but eventually they will need it and are all for it. He recommended that they repeal it today.

Don Jacobs stated that he is speaking as a Realtor and that he believes CORE should be repealed. One reason is that it appears it has done its job, since 650 affordable houses have been approved already. He stated that he does not know what affordable is. Some people can afford a $10 million house, and that is affordable for them. Other people cannot afford a $100,000 house, so he does not like the idea of calling things affordable. He also does not like the term workforce

housing, because mining companies create workforce housing for miners. He was opposed to anything where there is a government incentive to develop an area. If affordable housing is considered to be about $250,000 and they look at affordable housing within a 30-mile radius, which is an average commute, that would include Coalville, Heber, and Salt Lake City. Just in this area, not including Salt Lake City, there are currently almost 100 single-family residences listed under $250,000. There are almost 100 condominiums listed for under $250,000. When CORE came into effect in 2006, it was the height of the market. Market values have gone down for almost five years, and condominiums and vacant land are still going down. He believed western Summit County should look at what makes their economy function, which is tourism and visitors, and consider that when looking at density. He has looked at other ski areas that are turning into a concrete jungle, and they are losing skiers, while Park City is still increasing in skiers. He believed they should look ahead and not jeopardize their golden goose by increasing density. He did not believe the County should encourage any new development with incentives, whether it is affordable or not. He believed they should talk about rental units, not just property ownership, and he has not heard of anyone coming in to work at the ski resorts who cannot find a place to live. He believed they have plenty of affordable housing. He believed CORE should be repealed and that there should not be a plan on the part of the government to encourage it.

Janet Myshrall, a resident of Silver Summit, stated that one thing CORE did was to bring a lot of people out starting with the Discovery development. She was surprised when it was approved and decided that she needed to get more involved. She was struck with how many people, who are the Council's constituents, gathered to talk about how much they really care and what is truly important in terms of values in this area. She shocked at how poorly written CORE is and looks forward to being an active part in developing a better plan.

Art Lang stated that the community has been greatly stressed by the two CORE applications, which have caused pain for a lot of people. He acknowledged that the County might be at risk for a lawsuit for a short time, but he believed it would be an act of goodwill for a community that is hyper-stressed about this whole thing to see it buried. He stated that he would prefer to see it repealed and not extended because of a slight risk.

Max Greenhalgh pointed out that CORE was designed to fill a pent-up demand and to meet the 250-unit goal. The market has dried up pent-up demand, and there is a surplus of pent-up demand right now as defined by the 2006 needs assessment that they are still clinging to. He stated that Jeff Smith, who helped create the CORE, showed up at the Planning Commission and indicated that it is time for this to be put to bed. He indicated that it was designed to die when pent-up demand was met. It has been met, so it is time for it to die. Mr. Greenhalgh expressed concern that the safeguards of the General Plan and Development Code were ignored, and this should not have been created, because it is not consistent with the General Plan and is in violation of the Development Code. He hoped there would be a review as to how this happened at a later date and recalled that key Commissioners and Planning Staff were leaving, new people were coming in, and there were threatened lawsuits and a new State law that created a euphoria for affordable housing. Once the train got going, everyone missed the signals in the General Plan and Development Code that should have stopped it. He hoped they would review that and make sure it does not happen again. One issue was that CARG did not exist at the time, and now they have a new group, CAGE, that was born through this process. The great thing that has happened through CORE is the activation of so many people. CORE is painful, has caused a lot of stress, has been a sliver in their collective backside, and it is time tonight to remove that sliver.

Chair Robinson closed the public hearing.

Mr. Sargent commented that Staff has heard a lot of criticism about CORE over the last several months, and he acknowledged the criticism and frustration that has come from this program. He recalled that it was established in 2006-07 when it was needed. The State required a housing program to be implemented in every County and every municipal jurisdiction. Summit County took that seriously and established a housing program to address housing needs. He recalled that there was overwhelming public input and participation in the process at that time. It served a purpose, it was intended to meet the requirements of the State statute, but it was in a different economic time.

Council Member Elliott made a motion to approve the amendments to the Snyderville Basin Development Code Chapter 5, Workforce Housing, through adoption of Ordinance #707-A repealing CORE.

Chair Robinson vacated the chair and Vice Chair Ure assumed the chair.

Council Member Robinson seconded the motion and amended the motion to adopt the edits to the ordinance as proposed by Chris Hague and amending Section 1 to read, "Section 10-5 of the Code is hereby amended to repeal in its entirety Section 10-5-16 as shown on Exhibit A." Council Member Elliott accepted the amendment to the motion.

Council Member Hanrahan commented that he always feels there should be more dialog when there is public input so the public understands where the Council is coming from. He responded to the comment about the 30-mile radius and stated that he is adamantly opposed philosophically to that kind of range. They live in a community in the Snyderville Basin, and they need to have workforce housing in the Snyderville Basin, not 30 miles away in Salt Lake. That does not do anything for the diversity of this community and the economic balance and other attributes that come with workforce housing. Council Members Elliott and McMullin agreed.

The motion passed by a vote of 4 to 1, with Council Members Elliott, Hanrahan, McMullin, and Robinson voting in favor of the motion and Council Member Ure voting against the motion.

Vice Chair Ure explained that he is not opposed to repealing CORE, and he believed it should be repealed, but he believed the timing is wrong. He did not believe in leaving the County exposed for someone to come in and try to sue them, and he believed it would take at least a year to get another program in place.

Chair Robinson resumed the chair.

PUBLIC HEARING REGARDING PROPOSED TAX INCREASE – SUMMIT COUNTY MUNICIPAL FUND

County Auditor Blake Frazier reported that the fiscal impact of the Municipal Fund tax increase would be about $24 per year on a $500,000 home. It would raise $660,000 in revenues for the County to maintain roads in the unincorporated areas of Summit County.

County Engineer Derrick Radke summarized that the County annually submits a budget for capital road maintenance projects in excess of $2.5 million. Typically they are balanced on the mineral lease funds. Just to maintain what they are currently doing, it will cost about $2.9 million a year to maintain roads that currently exist on a five-year cycle. These are high-volume frontage roads. The proposed tax increase would get the budget to $2.6 million, which is still below where they should be but is better than where they have been.

Council Member Hanrahan pointed out that, without the five-year road maintenance cycle, the County would have to do more frequent complete reconstruction of roads at a higher cost. Mr. Radke explained that there are different ranges of maintenance. It is critical that some roads be maintained at least every five years, and other roads are on a five to eleven year cycle, and eleven to fifteen year cycle. Right now 1.6% of the road mileage in the municipal area needs to be reconstructed at a cost of about $8.50 per square foot, or about a half million dollars for a half mile of road. Road maintenance costs about 20% to 25% of that amount. As the maintenance cycle increases, that 1.6% would increase to 5% or 8% of road mileage that would have to be reconstructed during the year at 8 times what an overlay would cost. He explained that it is important to maintain the surface life so they do not end up having to reconstruct the roads.

Council Member Elliott commented that she lives within the incorporated limits of Park City, and the taxes she pays to the City take care of roads in her subdivision and the major City roads. Those who live in subdivisions in the unincorporated areas of the County or municipalities where the County maintains the roads should appropriately pay their fair share of road maintenance. Those maintenance costs should not be done with the General Fund that everyone pays into. She believed those who receive the service should pay for it, and she was pleased that the County Manager brought this to the Council's attention.

Chair Robinson opened the public hearing.

Sue Pollard stated that she has a problem with the timing of this and commented that they are getting nickeled and dimed. Her water rates have increased 7%, they are raising this tax by a percentage, the Fire District assessment was raised, and the timing of this is awful. She felt she was at a disadvantage in talking about this, because she did not have a copy of the budget, but she is hearing about surpluses in different areas of the budget and is having a hard time believing the County has tightened its belt. She agreed that the roads need to be taken care of, and she is paying her fair share. She stated that they pay far more than anyone in Salt Lake City, and if someone lives in a deed-restricted house, they are not paying their fair share. They get a low price for the house and are using the roads and schools and water, and she had a hard time with that aspect of it. With the surpluses and some of the places where the County has not tightened its belt, she believed they should look at this long and hard. She stated that adding 3% to the cost of getting a permit is nickel and diming people, but it is not nickel and diming a developer, because that is a huge amount of money. It all adds up, and it is bad to be raising taxes until the economy starts to come back. As a citizen looking at this, it appears that money is being wasted in places that could be saved, and she did not believe they have tightened their belt enough at the County level to ask for another tax increase. It might seem like it is trivial only a little, but it is not. It all adds up.

Chair Robinson closed the public hearing.

Council Member McMullin asked why they could not take the $660,000 out of the $3 million in the unrestricted Municipal Fund balance and asked what is a healthy balance in that account. Chair Robinson explained that the issues is that the money is not just needed this year, it will be needed next year and in ensuing years. In theory they could postpone this decision for two or three years, run this fund into the ground, and then raise taxes. Council Member McMullin commented that they could just delay it a year and hope the economy gets better and do it when people are feeling more able to pay.

Council Member Hanrahan explained that in 2009 the County's budget was over $51 million. In 2010 it was just over $47 million, and in 2011 it is just under $45 million, and the proposed budget is about $45 million. The budget has been significantly reduced over the years, and staffing has been reduced from 290 employees to 275, which is also a significant reduction. He explained that they are looking very hard at areas to cut, and they have cut a lot of areas.

Mr. Jasper commented that when he first came to the County, the audit showed that the General Fund had a $900,000 deficit. As they started looking at previous years, all the funds were going down. Then they started to look at what funds expenses should be paid from. He clarified that tax rates in Summit County are much lower than in Salt Lake, and the tax rates have not been raised for years. This year the County worked hard to put the right expenditures in the right funds. People can choose to live in a city, and if they do, they would pay twice or three times the taxes they pay living in the unincorporated County. However, people in the unincorporated area of the County are demanding municipal services. The State Legislature allowed counties to set up a municipal fund where, if they provide city-related services, the people getting those city-related services would pay for them. He believed the County was doing a cost-effective job of providing urban services. He noted that Park City has a resort tax, franchise fees, and a variety of ways to fund municipal services that the County is not allowed by statute to have. He explained that they have moved money around to bring the budget into balance, and they cannot now say that they want to draw this out another year by using the fund balance in this account, because all the funds are interconnected. He believed it is important to consider who pays for the services, and this fund should be used to pay for the services the residents receive.

Council Member Elliott stated that it is incumbent upon people who use services to pay for them, and that is why she supports this tax, which is a very small amount. Mr. Frazier verified that the Municipal Fund was established in 1990 and has never had a tax increase. Council Member Elliott commented that it is irresponsible not to create healthy fund balances so they have the money they need to repair the roads in a timely manner and do not have to rebuild them. She felt it was prudent and responsible.

Council Member Ure stated that people's incomes have been cut by 20% to 40% throughout the entire County, and he has a neighbor who will lose his house in a few weeks and another who has been out of work for six months. He believed they had done a good job on the budget, but he also believed the $3.4 million in the unrestricted Municipal Fund balance is not the County's money; it belongs to the taxpayers. He stated that they cannot tax their way into prosperity, and he believed that is what they attempt to do in many cases. He wished he could have voted differently on some of the things he voted on this last year and stated that he cannot support this increase. He believed the philosophy of the budget is correct, but they also need to realize that they are dealing with human beings' lives.

Council Member Hanrahan stated that the question for him is whether they will spend a lot more down the road if they do not spend the money to maintain the roads now. If that is true, he asked if they are suggesting that they wait a while until things get better and look at increasing the tax then or whether they should just make do with what they have. Council Member Ure agreed that they will have to raise some taxes, and he believed Public Works had done a good job of trying to stretch their budget as far as they could the last few years. He was asking them to stretch it further, and he believed they could rise to the occasion when the pressure is on. He wanted to wait and see what happens to the economy in the coming year before increasing taxes. Council Member Hanrahan asked if the budget proposes expenditures from the General Fund for municipal capital road projects. Mr. Leavitt replied that no General Fund money will be used for municipal capital road projects. Mr. Jasper explained that money in the General Fund goes into road projects, but not into the projects covered by the Municipal Fund.

Chair Robinson explained that they will be adopting a budget that includes $660,000 in the Municipal Fund based on the proposed tax increase. That budget includes a list of capital projects in the amount of $2.6 million. They have asked the Auditor to decrease fleet lease collections by $226,000, much of which would affect the Municipal Fund. If they do not approve the tax increase, they could get rid of $600,000 of capital road projects, which would get the County off-track for road maintenance. They could decrease the fleet lease, which could generate about $95,000, or dip into the $3.7 million fund balance and take $660,000 out of that. Or they could split it and raise taxes by a smaller amount. He stated that he has bought into the notion that they need to spend the money on roads, but maybe they don't need to. He was more in favor of adjusting the tax rate to some degree, because he believes in sustainably maintaining things and not deferring a problem to future generations. The rate has not been changed in 21 years, and tax rates in Summit County are either the lowest or second lowest in the State and are half that of Salt Lake County. He asked what the Council Members would like to do.

Council Member Elliott stated that she supports the tax increase recommended by the County Manager. Council Member Ure stated that he would like to cut road projects back by $200,000, put the fleet lease money in, and pull $200,000 out of the unrestricted fund balance. Council Member McMullin stated that she would prefer to fund all of the road maintenance, including the $660,000 one way or another. She stated that she could support either a combination of using the unrestricted fund balance and fleet lease and half of the tax increase or adopting the proposed tax increase. Council Member Hanrahan stated that he felt the tax increase needs to be all or nothing, because if they do half, they will be raising taxes this year and again next year. He believed they need to collect this revenue at some point in order to save the County taxpayers a lot of money down the road. He believed it might be reasonable to put it off for a year, and there might be a different scenario next year, but he would hate to punt and not be able to make the tough decision next year. He believed Council Member Ure's suggestion would be reasonable for this year. Mr. Frazier clarified that the Municipal Fund would only receive about $95,000 of the decrease in fleet lease payments, not $200,000. Chair Robinson reviewed the figures related to Council Member Ure's suggestion and noted that, if they adopt his alternative and the proposed budget, the unrestricted fund balance would be depleted by $860,000. He noted that two people have spoken against this, and he would be more inclined to make the tough decision to fund this adequately. He did not see $24 on a $500,000 house as being onerous. The principle is that they want to pay their way now and not create a problem for future generations. Council Member Elliott stated that they know they have to do this, and she believed not doing it would be irresponsible. She did not want to have to talk about it again next year or ever again. The

Municipal Fund needs to pay its own way, and it does not need to be paid for out of the General Fund, regardless of how big the General Fund is.

Council Member Elliott made a motion to approve the proposed tax increase in the Municipal Fund as proposed. The motion was seconded by Council Member Hanrahan and passed by a vote of 4 to 1, with Council Members Elliott, Hanrahan, McMullin, and Robinson voting in favor of the motion and Council Member Ure voting against the motion.

PUBLIC HEARING REGARDING PROPOSED TAX INCREASE – SERVICE AREA #6

Chair Robinson explained that this tax increase would raise about $135,000. The current assessment rate was fixed in 1977 and does not fluctuate with changes in assessed value like other tax rates.

Chair Robinson opened the public hearing.

Sue Pollard stated that she would get hit again with this increase. This is nickel and diming again. She stated that she did not have anything else to say, because it would not matter, but the timing stinks, and she has been hit with increases four times in one year. If she were applying for a building permit, she would get hit with another 3% on top of that, too.

Chair Robinson closed the public hearing.

Chair Robinson clarified that there are certain funds in the budget, and if a person happens to fall within one of those areas, the funds have to be balanced independent of the rest of the budget. Service Area 6 is responsible for certain areas, and they cannot take money from other citizens to support what is done in Service Area 6. Prior to 2012, they had deficits, not surpluses. By definition, a surplus results when revenues exceed expenses, and they did not have a surplus in 2009 or 2010. Certain fund balances have declined, and one in the General Fund declined so far that the County was in violation of State law. This budget includes a contribution to surplus to replenish the General Fund, which was below the brink. Council Member McMullin explained that the County does not have a surplus, and they are building in more revenue than expenses by cutting back expenses so that next year they will not be in a deficit spending situation. Chair Robinson explained that there are no surpluses; there are declining fund balances, and they are trying to make sure that they do not rob the future by running them into a hole.

Council Member Elliott made a motion to adopt the proposed tax increase for Service Area 6. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

PUBLIC HEARING AND POSSIBLE ADOPTION OF THE PROPOSED 2012 SUMMIT COUNTY BUDGET – (Continued)

Chair Robinson summarized the changes previously discussed, including using TRT to fund the Historical Society and reducing the fleet lease and noted that they have approved the proposed tax increases. Mr. Frazier stated that the surplus in the General Fund has increased by $127,473, in the Health Fund $2,070, Recreation $4,000, Municipal Fund $98,348, and Assessing and Collecting $8,000. The contribution to surplus is now $1,120,000.

Chair Robinson opened the public hearing.

There was no public comment.

Chair Robinson closed the public hearing.

Council Member Hanrahan stated that he was not prepared to approve the budget without seeing and reviewing the line items. He stated that he would like to defer approval until Monday, December 19. Council Member Ure stated that he was prepared to vote now, but he would support Council Member Hanrahan in waiting until Monday.

Council Member Elliott made a motion to approve the budget as amended.

The Council Members agreed that they would meet on Monday at 10:00 a.m. at the Richins Building to approve the budget.

Council Member Elliott withdrew her motion.

Chair Robinson asked Mr. Jasper to make a decision with Mr. Armstrong at Mountain Regional regarding the trust money by Monday's meeting so they can see an estimated beginning balance. Mr. Jasper explained that Chair Robinson suggested, and he concurs, that some of the $600,000 returned should go to the benefit of Mountain Regional. They were paying premiums and expending resources through the years and have given things up to make things happen. He suggested that they give Mountain Regional $200,000 of the $600,000. He also reported that the County is way over budget in outside attorney expenditures. Chair Robinson noted that Mr. Frazier has already included that in the General Fund budget.

The County Council meeting adjourned at 9:35 p.m.

_____ _____

Council Chair, Chris Robinson ***County Clerk,*** Kent Jones

MINUTES

SUMMIT COUNTY

BOARD OF COUNTY COUNCIL
MONDAY, DECEMBER 19, 2011
SHELDON RICHINS BUILDING
PARK CITY, UTAH

PRESENT:

Chris Robinson, *Council Chair*
David Ure, *Council Vice-Chair*
Sally Elliott, *Council Member*
John Hanrahan, *Council Member*
Claudia McMullin, *Council Member*

Robert Jasper, *Manager*
Anita Lewis, *Assistant Manager*
Kent Jones, *Clerk*

Chair Robinson called the Council to order at 10:00 a.m.

ADOPTION OF THE 2012 SUMMIT COUNTY BUDGET

The Council met with Blake Frazier and Matt Leavitt, from the Auditor's Office, to review the final draft and summary of the proposed 2012 County Budget. All appropriate changes have been updated and presented for review. County Manager Robert Jasper requested that the budget be adopted by department rather than line item. There was some discussion and Mr. Frazier stated that past budgets have been adopted by department with the policy that expenditures must remain within three categories, first, salaries and benefits, second, services and operations, and third, capital expenditures. No Department Head can underspend in one category to allow overspending in another. The Department Heads and Elected Officials must manage and follow substantially the way the budget was presented at public hearing.

Council Member McMullin made a motion to adopt the 2012 Summit County Budget as discussed and updated by the summary report presented today by the County Auditor. The motion was seconded by Council Member Hanrahan and passed with a vote of 4-1. Council Member Ure voted nay because of his opposition to the increase built in to the municipal tax rate.

APPROVAL OF INSURANCE FUND EXPENDITURES

The County Manager requested a motion to approve disbursement of the insurance funds.

Council Member Elliott made a motion to approve the request by the County Manager for distribution of the trust insurance funds as follows: $200,000 to Mountain Regional Water Special Service District for legal fees, $200,000 to the County Municipal Fund, and $200,000 to the County Insurance Pool as seed monies for the self insured program. Council Member Hanrahan seconded the motion which passed unanimously, 5-0.

APPROVAL OF CHART OF POSITIONS

Brian Bellamy, Human Resources Director, requested that the Council have a discussion the first meeting in January regarding implementation of the employee merit increases built into the 2012 Budget. This would include Elected Officials also. In addition, he asked that the Chart of Positions be formally adopted.

Council Member Ure made a motion to adopt the following Chart of Positions for Summit County. Council Member Elliott seconded the motion which passed with a vote of 5-0.

DISMISS AS THE SUMMIT COUNTY COUNCIL AND CONVENE AS THE GOVERNING BOARD OF SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT

Council Member Hanrahan made a motion to dismiss as the County Council and convene as the Governing Board of the Snyderville Basin Special Recreation District. The motion was seconded by Council Member Elliott and all voted in favor.

Council Member Hanrahan made a motion to appoint Brian Guyer to the Snyderville Basin Special Recreation District Board to fill the unexpired term of Ron Perry. Mr Guyer's term to expire December 31, 2012, and to also appoint Scott McClelland to the Snyderville Basin Special Recreation District Board with a term to expire December 31, 2015. Council Member Elliott seconded the motion. The motion passed with a vote of 5-0.

All other business being completed, Council Member Elliott moved to dismiss as the Governing Board of the Snyderville Basin Recreation District and to adjourn the meeting. Council Member Hanrahan seconded the motion and all voted in favor.

Christopher F. Robinson, Council Chair	**Kent Jones, Clerk**