

ESTIMATED USEFUL LIFE OF ASSETS:

- In 2003, Summit County was required to implement GASB Statement 34.
 - Sources of information for GASB 34 included: Sevier, Tooele and Carbon Counties; Utah State Auditor's Office; and training from independent auditors, Utah State Auditor's Office and Utah Association of Counties.
 - Prior to GASB 34 Summit County maintained an asset tracking and management program.
- The GFOA recommends the following for estimating useful lives of capital assets:
 - Asset lives be based on and adapted to the government's specific circumstances.
 - Private enterprise information may be helpful in establishing estimated useful lives; however, GFOA recommends that the information be adapted to the government's purpose.
 - The best source of relevant information on the estimated useful lives of a government's capital assets normally is its own past experience with similar assets.
 - Although comparison with other governments or other organizations may provide some guidance, property management practices, asset usage, and other variables (such as weather) may vary significantly between governments.

RECOMMENDED FUND BALANCES for INTERNAL SERVICE FUNDS:

- GFOA recommends that a government maintain an adequate level of working capital to mitigate current and future risks and to ensure stable services and fees.
 - Both volatile and long billing cycles require a larger amount of working capital within the fund.

SUMMIT COUNTY POLICY and PRACTICE:

Purpose:

- The internal service fund (fleet lease fund) is administered by the County Auditor.
- It is Summit County's practice to utilize an internal service fund for the acquisition of vehicles and equipment.
 - The purpose of the internal service fund is to stabilize budgets for major purchases and provide for replacement and procurement.
 - The fleet lease fund is also used to administer the disposition of replaced or retired assets acquired through the fleet lease program.
 - This fund is to provide an adequate cash flow for annual purchases and contingencies. It is not funded at a level equal to the amortized value of the fleet.

Acquisition:

- Criteria for assets that will be funded by the fleet lease fund:

- Initial purchase of assets valued at more than \$5,000 with an estimated useful life of two or more years, including accessories attached to the unit or required for the unit to perform its intended function.
- Assets that will not be funded by the fleet lease fund:
 - Purchase of maintenance items.
 - Accessories added to the unit or replaced after the initial purchase is made and the unit is placed into service.

Annual Fee:

- All user departments will be charged a yearly lease fee for assets acquired through the fleet lease program. This fee is intended to provide funds to purchase replacement vehicles and equipment.
 - Annual lease payments are calculated based on the following formula:

$$[A + B - D]/\text{life} * C = \text{annual payment}$$

where:

A = Vehicle and/or Equipment Cost

B = Fund Shortage {Cost Addition}, or Fund Overage {Cost Subtraction}

C = Inflation Factor

D = Salvage Value

life = Expected Life of Unit

- Maintenance costs are not included in the lease fee, but are charged as they are incurred to the department's budget.

Disposition:

- The following criteria are used when determining when an asset will be replaced or retired:
 - The asset is properly allocated and meeting the service requirements of the user.
 - There is a more economical alternative to the asset.
 - The asset is insufficiently used.
 - Repairs and/or maintenance costs do not justify the retention of the asset for an additional year or more.
 - Parts for the asset are no longer readily available.
- Assets scheduled for replacement will be surrendered to the proper department (vehicles to Vehicle Maintenance, technology equipment to Information Technology, etc.) within six months of issuance of the new asset to the department.
- Determination will be made prior to the acquisition of the replacement asset as to the disposition of the item being replaced.
- Money received from assets sold as surplus property will be credited to the fleet lease fund.

Dept	Avg Age	Avg Est Life	Count	Total Cost	Avg Cost	Avg Book Value
AMBULANCE PARK CITY	6	10	1	108,940	108,940	63,902
ANIMAL CONTROL	6	5	7	144,431	20,633	6,604
ASSESSOR	5	5	7	154,401	22,057	6,622
ATTORNEY	6	5	2	39,993	19,997	4,369
BIO TERRORISM/PANFLU	9	5	2	90,166	45,083	0
BUILDING INSPECTION	5	5	8	144,582	18,073	5,775
CORRECTIONS	6	5	5	67,621	13,524	3,407
COUNTY ROADS	11	8	88	3,523,795	40,043	12,970
COURTHOUSE	7	3	8	106,536	13,317	2,009
CRIMINAL INVESTIGATION	4	5	10	234,954	23,495	11,778
ELECTIONS	6	10	1	11,502	11,502	6,246
EMERGENCY SERVICES	8	6	10	163,339	16,334	2,038
ENGINEERING	8	5	7	143,518	20,503	1,722
ENVIRONMENTAL HEALTH	3	5	1	23,864	23,864	16,489
FAIR GROUNDS	5	4	5	38,263	7,653	1,156
FLEET SERVICES	5	5	7	111,055	15,865	7,211
GENERAL	9	5	9	187,321	20,813	2,159
LIBRARY	4	10	1	202,415	202,415	152,172
NORTH SUMMIT AMBULANCE	6	10	10	1,184,029	118,403	64,968
PLANNING ZONING	10	3	4	43,838	10,959	0
PUBLIC SAFETY COMPLEX	10	5	1	4,101	4,101	0
PUBLIC WORKS	9	2	9	46,846	5,205	1,117
S. S. SENIOR CITIZENS EXPENSES	6	5	1	46,352	46,352	5,283
SEARCH & RESCUE	8	4	26	163,928	6,305	1,478
SENIOR CITIZENS EXPENSES	9	5	1	13,430	13,430	0
SERVICE AREA #6	3	9	22	778,797	35,400	29,955
SHERIFF PATROL	4	5	42	1,123,652	26,754	14,201
SHERIFF'S ADMINISTRATION	6	5	2	44,285	22,143	3,584
SOUTH SUMMIT AMBULANCE	6	8	3	233,020	77,673	53,885
SPECIAL OPERATIONS	5	5	4	107,271	26,818	11,998
STORM WATER MANAGEMENT	8	7	3	103,676	34,559	8,978
WASTE DISPOSAL	5	9	11	1,449,355	131,760	92,125
WEED CONTROL	10	6	6	78,151	13,025	4,129

The table above shows data taken from the asset management program. This table is provided as an example of the amounts and quantities purchased. Assets included range from snowmobiles, trailers, and vehicles to semi trucks and road graders. Assets omitted from the table include IT equipment.

Year	Fund Balance	Expenses	Revenues	Rev - Exp	Notes
2011	1,660,787	1,276,658	2,259,247	982,589	1
2010	1,540,092	1,872,842	1,993,537	120,695	
2009	319,367	981,337	2,202,061	1,220,724	2
2008	577,141	2,282,233	2,024,459	(257,774)	
2007	177,900	1,406,133	1,805,374	399,241	
2006	728,687	2,372,465	1,821,677	(550,788)	
2005	1,143,443	1,989,668	1,574,911	(414,757)	
2004	1,072,201	1,341,446	1,412,687	71,241	
2003	1,269,683	1,542,783	1,345,300	(197,483)	

Notes:

- 1 Beginning in 2011 and continuing in 2012 the county reduced lease payments. Departments also reduced fleet requests.
- 2 County delayed the acquisition of assets due to economical environment

The table above shows the fleet lease fund revenues, expenditures and changes in fund balance.

SUMMIT COUNTY CULTURAL RAP TAX RECOMMENDATIONS 2011

ORGANIZATION	Rationale & Restrictions	2011 Recommendation	2010 Grant	2011 Request
Alf Engen Ski Museum Foundation	The Alf Engen Foundation operates the Alf Engen Ski Museum with its mission to preserve the history of skiing in the Intermountain Region. In 2011 all fourth graders in Summit County attended the Museum Educational Field Trip Program. Over 200,000 people visited the Museum in 2011. RAP Tax grant funds will be used to continue the Educational Field Trip Program, some outreach expenses and limited operating expenses through transportation of students, volunteer docent training and takeaway educational kits. The Alf Engen Foundation continues to set a standard of excellence as evidenced by last years State Auditor General Report. The recommended 2011 grant is similar to the 2010 grant.	22,392	21,929	25,000
Arts-Kids	Arts Kids is a free after-school program utilizing the expressive arts and group techniques to serve Summit County's at-risk and model students. In 2011 Arts Kids will have implemented fifteen groups in nine schools. 267 volunteers, artists, facilitators and parents were evolved directly in the programs. RAP TAX grant funds will be used in 2012 to pay artists, facilitators and to purchase needed supplies. The 2011 grant recommendation is slightly larger than the 2010 grant due to expansion into added venues.	30,285	28,000	45,000
Echo Community & Historical Organization	The Echo Community and Historical Organization's ("Echo") aim is to maintain the historical significance and increase interest in the Echo area through the preservation of three historic buildings: the Echo church (built in 1876), the Echo school (built in 1914) and the Echo post office (built in 1920). RAP funds will be used for Echo's operating budget. Funds will be used to keep the doors open so Echo can invite Summit County residents to explore inside the historic church every Saturday during the summer of 2012 and the historic post office during the week. Recommended granted funds to be used only to support W-2 or 1099 labor expense. The 1011 grant recommendation is only slightly larger than the 2010 grant.	2,200	2,059	2,500
Egyptian Theater Company	2011 is the Egyptian's 30th year as a live theater venue. Under its current direction, the Egyptian Theater has had performances on its stage nearly every weekend. During the last year, 150 performances took place on its stage, including Professional Theater, Youththeater, Musical Performances, Comedy and Film. The RAP Tax grant will be used to help fund performance production and school outreach. The 2011 grant recommendation is only slightly less than the 2010 grant.	69,864	71,857	95,000
Kimball Art Center	The Kimball Art Center is Summit County's community arts center. The Kimball provides multiple exhibits during each year, an excellent school outreach program, art classes, art talks and several major events including the annual Arts Festival each August. RAP Tax funds will be used to support general overhead, conduct educational outreach with 21 schools, continue the Youth Artist Academy and produce the summer Arts Festival. The 2011 grant recommendation is only slightly less than the 2010 grant.	70,944	72,226	90,000
KPCW	RAP Tax funds enable KPCW to provide Summit County residents with high quality news, information, recreational and cultural programming. Funds are also used to provide music, interviews and public service announcements. There are seven local programs and eight national programs that utilize RAP funds. RAP Tax grant funds will be used to continue to support the production of locally produced programming supported by W-2 or 1099 salary expense. This significant increase will bring grant funding back to prior years support levels.	54,182	35,911	141,953

ORGANIZATION	Rationale & Restrictions	2011 Recommendation	2010 Grant	2011 Request
Mountain Town Music	Mountain Town Music produces live music experiences throughout Summit County. More than 200 live musical performances were held within the last year. Local musicians as well as nationally known artists perform and have free admission or a very low fee required. The organization's Youth Program includes live performances by local youth bands at the Community Concert Series, "behind the scenes" mentoring on the technical side and partnering professional artists with young aspiring musicians in our community. RAP Tax grant funds will be used in 2012 to support general overhead and event expenses. The 2011 grant recommendation is less than the 2010 grant to give better balance between the MTM grant and the grants to other performing organizations.	87,428	91,829	160,000
Norwegian Outdoor Exploration Center	The Norwegian Outdoor Exploration Center ("NOEC") is an outdoor education organization that is devoted to interfacing youth of our County with the natural environment in a positive way. RAP funds will be used to support NOEC's core program and Green Time for Test Time program. The Green Time for Test Time program allows children to experience the NOEC's unique programs for short periods of time, multiple times at the site of the school during testing periods. The NOEC will also promote their Nature Under Your Nose program, an after school program being piloted at four different schools. RAP Tax grant funds will be used to support ongoing program expenses. The 2011 grant recommendation is similar to the 2010 grant.	41,558	41,571	49,000
Park City Chamber Music Society	The PC Chamber Music Society founded and maintains Utah's oldest classical music festivals. In the last year they have had the Winter Classics Festival, The Spring Chamber Music Festival in conjunction with UVU, The Summer Festival in collaboration with Mountain Town Music, The Autumn Classics Festival and the Film Music Festival. An estimated 3115 people attended their concerts in the last year. RAP Tax grant funds in 2012 will go directly into producing festivals. The PCC Music society will continue to offer free outdoor concerts and they will serve as faculty coaches and mentors during the Park City Schools Summer workshops and programs. The 2011 grant recommendation is slightly less than the 2010 grant due to the elimination of support of the Film Music Festival.	16,821	18,339	25,000
Park City Historical Society & Museum	The mission of the Park City Historical Society and Museum is to professionally interpret Park City and Regional history through engaging exhibit and lively educational events. More than 70,000 people have visited the Museum so far in 2011. 967 students participated in Museum field trips to date this year. RAP Tax grant funds in 2012 will be used for Education Curator salary, docent training, traveling trunks administration costs and supplies to support their free school education programs and field trips. The 2011 grant recommendation is only slightly less than the 2010 grant.	42,894	43,779	55,000
Park City Film Council	The Park City Film Council is a single screen, independent art house cinema (only 4%of all theaters nationwide). PCFC is dedicated to serving the local community by providing the best of independent feature, documentary, world and local cinema, making film a vibrant part of Park City and Summit County. The RAP Tax grant will help fund production expenses, including salaries, programing and producing the film series plus replacing old or broken equipment. The 2011 grant recommendation is only slightly more than the 2010 grant.	33,990	32,859	49,041
Park City Performing Arts Foundation	The Park City Performing Arts Foundation presents programing at the Eccles Center and Deer Valley. Their goal is to "entertain, educate and illuminate". Besides offering discounted tickets to students and other groups within Summit County, the PCPAF brings entertainers who are visiting for performances at the Eccles Center or Deer Valley into the classroom. This gives Park City students a very unique and rich experience. The RAP Tax Committee is recommending limiting funding for production costs of this outreach program as requested in their grant proposal. The 2011 grant is a significant reduction from the 2010 grant but brings the grant more in proportion to the other producing organization grants and the intent of the PCPAF grant.	41,578	64,286	154,400

ORGANIZATION	Rationale & Restrictions	2011 Recommendation	2010 Grant	2011 Request
Park City Singers	The Park City Singers is a volunteer, non-audition community choir. In the past year they have had two spring concerts and three winter concerts. Rap Tax grant funds will be used to support operating expenses including salaries for the director and accompanist, sheet music, space rental and piano rental and tuning. The grant will also help support a small expansion of their programming. The 2011 grant recommendation is similar to the 2010 grant.	4,326	4,243	8,090
Park City/Summit County Arts Council	Park City/Summit County Arts Council (PASCAC) serves as an umbrella organization to "Connect our Community with the Arts" by providing and coordinating services and resources to promote the arts and culture of Park City and Summit County. The RAP TAX grant will help fund networking and task force initiatives, service for artists, the PCSCAC web site, cultural tourism marketing, salaries and general operating expenses. The 2011 grant recommendation is slightly less than the 2010 grant due to the reduction of overall funds available.	45,169	47,829	49,368
Sundance Institute	The Sundance Institute is dedicated to the discovery and development of independent film artists and audiences. A U of U survey indicated that the Festival contributes an economic contribution of \$93 million to the State. A large portion of that infusion is enjoyed by Summit County. The Institute continues its commitment to Summit County residents through numerous free screenings and student outreach programs throughout the year. RAP Tax funds will be used for overhead to support those screenings and outreach programs. The 2011 grant recommendation represents a slight reduction from the 2010 grant level while keeping them as the second highest grant recipient.	74,101	77,143	100,000
SwanerEco Center	The Swaner Preserve and EcoCenter became part of Utah State University in 2010. As a result the focus of the EcoCenter is much more education driven. In the past year, 1500 students were taken on field trips and as many as 500 people per month visited the center. RAP Tax grant funds in 2012 will be used to expand their field trip program on the Preserve and at the Wallin Farm. Emphasis will be placed on 3rd, 4th, 5th and 6th grade science class field trips. In addition the Center is planning community education programs such as nature walks, birding tours, invasive weed control education programs and programs protecting and enhancing watersheds, wetlands and wildlife habitat. The increase in recommended 2011 funding will help support this increased programming.	21,338	16,401	43,000
Utah Symphony & Opera/Deer Valley Music Festival	The 2011 Deer Valley Music Festival was very successful with over 33,207 tickets sold. The attendance by Summit County residents grew 12% this year with over 8,250 attendees. This organization gives back to Summit County with free concerts, discounted tickets and outreach programs to Summit County students. Over 2,000 Summit County students experienced Utah Symphony and Opera performance at their school. The Utah Symphony will perform two winter concerts at the Eccles this winter. The RAP Tax grant will help fund their summer programming and the new winter performances in Park City. The 2011 grant recommendation is slightly less than the 2010 grant due to the reduction in overall funds available.	55,442	57,471	90,000
Total Recommend		714,512	727,732	1,182,352



Community Development Department
P.O. Box 128
Coalville, Utah 84017
Phone: 435-615-3124
Fax: 435-615-3046
www.summitcounty.org

STAFF REPORT

To: Summit County Council
Report Date: January 25, 2012
Meeting Date: February 1, 2012
From: Jennifer Strader, County Planner
Project Name & Type: Proposed Development Code Amendments Regarding Signs
Type of Item: Work Session

Executive Summary

Staff is requesting that the Summit County Council (SCC) discuss and provide comment to Staff on proposed amendments to the Snyderville Basin Development Code ("Code") regarding signs.

A. **Community Review**

This item has been noticed as a work session. A public hearing will be held and noticed appropriately at a later date.

Numerous work sessions and public hearings were held with the Snyderville Basin Planning Commission (SBPC) beginning in early 2010. On December 20, 2011, the SBPC voted to forward a positive recommendation to the SCC for the amendments attached as *Exhibit A*.

B. **Background**

Some sections of the current sign code are content based; the Code regulates some signs strictly by what they say. For example, a real estate sign and a campaign sign are separately identified and further limited based on their sign type. Because signs are a form of communication, they are protected under the First Amendment regarding freedom of speech.

In order to avoid legal action regarding the constitutionality of signs, the Code should be amended so that all signs are restricted by their size, number, location, and duration without distinguishing or favoring certain signs over others based on content.

The pros associated with a content-neutral sign code is that it sets clear expectations about what signs are allowed and what signs are prohibited for everyone. The cons are that all signs, no matter what they're advertising will be permitted if they comply with the size requirements.

When Staff first presented the amendments to the SBPC, the focus was on temporary signs only. However, amending the temporary sign requirements affects much of the remaining sign code; therefore, the proposed amendments include the entire sign code.

C. **Identification and Analysis of Issues**

Staff has researched numerous signs codes in various jurisdictions and found that most of them are content based, but those that are content neutral have been successful by separating signs into two categories, those allowed in residential zones vs. those allowed in commercial zones. This approach seems to make the most sense, but the hurdle we face is that we have numerous commercial businesses located in residential zone districts. For example, the Rasmussen Road corridor is zoned rural residential (RR), yet it contains mostly commercial uses.

Since separating signs into zone districts doesn't make sense in the Basin, Staff and the SBPC feel that we should separate signs into two categories, residential signs and non-residential signs. We would then remove all references to content based signs.

The content based signs that Staff deleted from the Code include: construction site signs, development leasing; sales; rental signs, real estate signs, open house off premise signs, rummage or garage sale signs, and campaign signs.

The following pictures are examples of content based signs:

Construction Site Sign & Development Leasing; Sales; Rental Sign



Development Leasing; Sales; Rental Sign

Open House Off-Premise Sign



Campaign Sign



The aforementioned signs are currently allowed in all zones and they each have their own size and setback limitations depending on the type of sign. Because these signs each contain their own size limitations based on content (i.e. real estate signs can't exceed 20 sq. ft., campaign signs can't exceed 3 sq. ft., and construction site signs can't exceed 20 sq. ft. and 6' in height), Staff and the SBPC had to come up with one (1) size that would accommodate each of these signs, while still maintaining the integrity and purpose of the sign code.

D. Proposed Code Amendments

RESIDENTIAL SIGNS

The simplest, content neutral approach to allowing real estate signs, campaign signs, and other types of signs typically located on residential properties, is to allow each lot a determined amount of square footage for whatever purpose the owner may choose. The abuse of such signs to advertise fast-food and gasoline operations can be avoided by simply prohibiting the use of such signs to advertise commercial operations.

Staff's proposal would allow each single family residential lot the ability to have six (6) square feet of sign area, with a maximum height of six feet (6'). The proposed language does not allow commercial advertising. Six (6) square feet of sign area would allow a property owner two (2) typical campaign signs and six feet (6') in height would allow construction site signs, real estate signs, etc. (page 15 of Exhibit A).

Examples of types of signs that might be used on residential lots



SUBDIVISIONS, MULTI-FAMILY, AND CONDOMINIUM COMPLEX SIGNS

Staff receives numerous requests for monument signs that identify a particular subdivision and/or multi-family dwelling or condominium complex. The current sign regulations expressly state that signs are intended to identify the business located on the premises upon which the sign is located and signs shall only state the legal name of the business. According to the strict interpretation of this language, signs are only permitted for commercial operations and therefore wouldn't be allowed to identify residential areas.

Staff felt it would be appropriate to specifically add a section to the Code that addresses the aforementioned types of signs (page 15 of Exhibit A). Additionally, any of the signs permitted for single family residential lots would also be permitted in these types of developments (i.e. if someone owns a condominium unit, they will be allowed to have campaign signs or real estate signs).

Example of a sign identifying a specific neighborhood.



NON-RESIDENTIAL SIGNS

Non-Residential signs could be used by any non-residential entity such as churches, businesses, governmental agencies, and non-profit organizations. The types of signs allowed in this section are essentially the same signs that are allowed under the current regulations, such as freestanding signs, wall signs, projecting signs, and awning signs.

Freestanding Sign



Projecting Sign



Wall Sign



Awning Sign



Hanging Sign



In order to maintain content neutrality when regulating non-residential signs, the same types of signs that are allowed on residential lots should also be allowed on non-residential lots (businesses put up campaign signs, real estate signs, etc.). Based on this, Staff and the SBPC recommend that the square footage allowed for “residential signs” be allowed for non-residential uses as well (this will be addressed under the temporary sign regulations later in this report).

Currently, Section 10-8-2 (J) of the Code allows the use of comprehensive sign plans (sign plans) for businesses located in a single building or building complexes which are located on one lot. . The purpose is to provide some flexibility from the sign standards, when it is in the best interest of the community.

Most of the sign plans approved by the County provide flexibility with regard to wall signs by allowing each user a wall sign with a little more square footage than the Code allows and the use of temporary signs such as banners or A-frames. This becomes frustrating to business owners who are subject to the general Code requirements, but an adjacent business may be part of a development that has a sign plan that provides more flexibility.

Staff and the SBPC feel that everyone should be afforded the same rights and therefore recommends that the sign plan provisions be removed from the Code, but more flexibility be provided in the size and number of permanent signs allowed. A summary of the amendments is as follows (pages 11-14 of Exhibit A):

Freestanding Signs

- * **Increased the size allowance from 27 square feet to 30 square feet for a single user, and up to 45 square feet for a multiple use development area.**

Single Use: Any lot, building, or other structure or tract of land that has been designated for one (1) non-residential use, through the approval of a development permit. (Example: McDonald’s)

Multiple Uses: Any lot, building, or other structure or tract of land that has been designated for multiple non-residential uses, through the approval of a development permit. (Example: Kimball Plaza, which includes Loco Lizard, Szechwan, and other commercial uses.)

Wall Signs

- * **Increased the number of allowed wall signs to one (1) primary wall sign and one (1) secondary wall sign per user and increased the allowable size. The existing Code allows one (1) wall sign per building, but the square footage can be split between multiple users.**

The purpose of the primary wall sign is to identify the use at its primary access point. The secondary wall sign would be limited to 1/2 the size of the primary sign, and could be used on a facade other than the primary entrance. For example, the building that houses Szechwan and Loco Lizard is allowed to have a wall sign at their front entrance and a smaller

sign above the door on the back of the building. This becomes useful for deliveries as well as uses that have more than one entrance.

- * **The current Code states that a wall sign may not exceed one (1) square foot of sign area for each four (4) lineal feet of building facade frontage, up to a maximum of thirty (30) square feet. In the case of multiple users in one building, the 30 square feet would be split between each user.**

Staff's proposal would allow each user the right to have a wall sign, based on one (1) square foot of sign area for each three (3) lineal feet of building facade frontage, up to a maximum of forty (40) square feet.

The decrease from measuring 4 lineal feet to 3 lineal feet allows smaller businesses a bit more signage, and increasing the maximum size to 40 square feet adds more flexibility and is in line with some comprehensive sign plans.

These changes also provide a user with a known outcome when determining what size sign they may have. If they're located in a building with multiple users, they don't have to worry about sharing the allowable square footage and determining who gets what.

Projecting Signs, Hanging Signs, and Awning Signs

- * **The current Code allows either one (1) wall sign, one (1) projecting sign, one (1) hanging sign, or one (1) awning sign. The proposed language allows each non-residential user the right to choose 3 out of the five (5) types of signs (including the secondary wall sign). In no case may two (2) or more of the same types of signs be used per each use. Freestanding signs are not included as one of the five (5) types of signs.**

Some comprehensive signs plans allow a user to have three (3) or four (4) different signs, such as the Tanger Outlets and the building located west of Smith's which houses Mountain America Credit Union and Lululemon. Staff and the SBPC think it's appropriate to allow the use of all of these signs, especially when promoting pedestrian friendly developments.

TEMPORARY SIGNS

Temporary signs are currently only allowed in conjunction with an approved Temporary Use Permit or Special Event Permit. The only types of temporary uses allowed in the Basin are seasonal plant and agricultural sales. The proposed amendments allow temporary signs without a Temporary Use Permit or Special Event Permit, and have been separated into three (3) categories (**pages 15-17 of Exhibit A**).

Class I Temporary Signs

- * **Class I signs would have the same restrictions as the residential signs described above (6 square feet, 6' in height). A permit would not be required for these signs.**

The purpose of allowing these signs is to ensure that all property owners maintain the right to have campaign signs, real estate signs, etc. Staff and the SBPC don't feel that it's efficient for Staff, including Code Enforcement, or the applicant to obtain a sign permit for these types of signs. It's probably not realistic to assume someone is going to obtain a permit for a campaign sign or real estate sign.

Examples of signs that could be used for non-residential uses



Class II Temporary Signs

- * **Class II signs would be any temporary sign that exceeds six (6) square feet in size, but may not be larger than twenty (20) square feet. One (1) sign would be allowed for each non-residential use and they would not be allowed for more than two (2), thirty (30) consecutive day periods. A permit would be required for these signs.**

This provision would allow the use of banners or other temporary signs that are typically used to advertise events throughout the year (i.e. grand opening, now hiring, seasonal sales, etc.).

Class III Temporary Signs

- * **Class III signs have the same size restrictions as Class II temporary signs; however, they would be allowed for a period not to exceed one (1) year and must be made of a rigid material so they appear to be more permanent.**

The SBPC requested a Class III temporary sign in order to accommodate for signs such as construction site signs or development leasing signs that typically require a longer time frame than thirty (30) days.

MISCELLANEOUS AMENDMENTS

- * **Changeable Copy Signs:** The SBPC is recommending that electronic changeable copy signs be prohibited, but signs that can be manually changed be allowed (**page 18 of Exhibit A**).
- * **Neon Signs:** Neon signs are currently prohibited; the SBPC is recommending that 1 neon sign be allowed for each non-residential use. It must be located on the inside of a window and may not exceed two (2) square feet. It may not be animated or flashing in any manner (**page 20 of Exhibit A**).
- * **Non-Conforming Signs:** The existing language doesn't allow a business with non-conforming signs to be expanded or enlarged unless they bring their signage into compliance.

The SBPC is recommending that the language be amended so that if a conforming business applies for a development permit, they may proceed as long as they're not increasing the size of or proposing to add further non-conforming signs (**page 20 of Exhibit A**).

- * **Flags:** The current language states, "Up to three (3) flags, including one Federal, State, or County Flag". This language is confusing. Does it mean you can only have these three (3) types of flags or that you can have three (3) flags, but only one of them has to be a State, Federal, or County flag?

The SBPC is recommending that the language be changed to the state, "No more than three (3) flag poles may be erected at any time. Flag poles are restricted to only flying one (1) flag per pole. The maximum size of any one (1) flag shall be twenty-four (24) square feet. Flag poles may not exceed twenty-eight feet (28') in height, measured from the top of the pole to the grade directly below. Uplighting of all flags, except the flag of the United States of America, is prohibited" (**page 19 of Exhibit A**).

D. Recommendation(s)/Alternatives

Staff recommends that the SCC conduct a work session and discuss the proposed sign code language. Staff further recommends that the SCC provide Staff with specific comments, suggestions, or proposed recommendations to further refine the proposed language, prior to conducting a public hearing.

ATTACHMENTS

Exhibit A: Proposed Sign Code Amendments

- * STAFF HAS PROVIDED THE PROPOSED LANGUAGE WITH ALL OF THE CHANGED ACCEPTED; THIS VERSION DOES NOT SHOW THE DELETED LANGUAGE (it became too messy and difficult to read).
- * PROPOSED LANGUAGE HAS BEEN HIGHLIGHTED IN YELLOW.

10-8-2: SIGN REGULATIONS:

- A. Purpose: The purpose of this Section is to promote and protect the public health, safety and welfare of the general public by implementing outdoor advertising regulations to protect property values, create an attractive economic and business climate and enhance the aesthetic appearance of the community, and ensure that the constitutionally guaranteed right of free expression is protected. It is further intended to reduce signs or advertising distractions and obstructions that may contribute to clutter or traffic accidents.
- B. Permit Requirements:
1. It is unlawful for any person to erect, construct, alter or relocate any sign, other than such signs specifically described in Subsection G of this Section (exempted signs), without first obtaining a permit. Routine maintenance or repairing existing like parts shall not be considered an alteration; provided, that such change does not alter the surface dimensions, height, message, or otherwise make the sign non-conforming.
 2. Application for the permit shall be made to the CDD or designated planning staff member and shall include the following:
 - a. The name, address and telephone number of the applicant, owner and occupant of the property.
 - b. Location of the structure or parcel of property on which the sign will be attached or erected.
 - c. Position of the sign in relation to nearby buildings, structures, property lines, rights of way and roads.
 - d. A copy of plans and specifications showing material and method of construction, illumination, electrical wiring, location and support.
 - e. Sketch showing sign faces, exposed surfaces and proposed message, accurately represented in scale as to size, area, proportions and color.
 - f. The name of the person erecting the sign.
 - g. Written consent of the owner of the building, structure or land on which the sign is to be erected.
 - h. On any application for a temporary sign, the applicant shall list the earliest date on which the sign may be established and the date on which the sign shall be removed.
 3. Before granting a permit under this Subsection, every applicant shall pay the required permit fee to the County for each sign.

C. Sign Design: It is recognized that it is desirable to have some diversity of sign design within the Snyderville Basin. However, it is also desirable to ensure that materials and color schemes used on signs shall be compatible with the image of the Snyderville Basin community and mountain environment.

D. Permitted Signs

1. Non-Residential Signs: The following types of signs are allowed for permanent, non-residential uses. Signs permitted under this regulation are intended to identify the use located on the premises upon which the sign is located.

2. For the purposes of this Section, the following definitions will be used:

A. **Single Use:** Any lot, building, or other structure or tract of land that has been designated for one (1) non-residential use, through the approval of a development permit.

B. **Multiple Uses:** Any lot, building, or other structure or tract of land that has been designated for multiple non-residential uses, through the approval of a development permit.

3. Types of Signs:

A. **Freestanding Sign:** Each development area that contains a single use may have one (1) freestanding sign. Each development area that contains multiple uses may have one (1) freestanding sign.

B. **Primary Wall Sign, Secondary Wall Sign, Projecting Sign, Suspended Sign, and Awning Sign:** Each non-residential use may choose to utilize three (3) out of these five (5) types of signs. In no case may two (2) or more of the same types of signs be used per each use.

C. **Freestanding Signs:** Freestanding signs are supported by poles, braces, or uprights extending from the ground or an object on the ground and are not attached to any part of a building. All freestanding signs shall comply with the following:

i. **Location:** Freestanding signs shall be located adjacent to the primary vehicular access to the parcel. The primary vehicular access is that access located adjacent to the primary parking area.

ii. **Monument Base:** All freestanding, on premises signs shall be constructed with a monument base. A base of stone or wood is preferable.

iii. **Display Area Size:** The display area of all freestanding, on premises signs for a single use shall not exceed thirty (30) square feet in size. The display area of all freestanding, on premises signs for a parcel containing multiple uses shall not

exceed forty five (45) square feet. The display area of a sign, which may be double sided, shall include any architectural embellishments or background materials that are an integral part of the display and intended to help attract attention to the sign.

- iv. Height: In no case shall the highest point of a freestanding, on premises sign be more than six feet (6') above the grade elevation at the base of the sign.
 - v. Materials: Freestanding signs shall be constructed of wood, stone or other natural materials. Plastic, lexan or similar materials will not be permitted, except where used for lettering in conjunction with a wood or metal background to shield an internal light source.
 - vi. Landscaped Area: All freestanding, on premises signs shall be located within a landscaped area. Landscaping, including shrubs, perennials, trees, other appropriate vegetative material, and landscape boulders where appropriate, shall be designed in a manner that minimizes the visual impact of the sign, without blocking the view of the sign from the specific area from which it is intended to be seen, or adversely affecting pedestrian and vehicular sight distance. Designs that integrate the sign into the land form should be considered.
 - vii. Setbacks: In no case shall a freestanding, on premises sign encroach into a road right-of-way, nor shall any sign be situated near an intersection in such a manner so as to interfere with vehicular sight distance. These signs shall be set back at least fifteen feet (15') from the edge of the right-of-way.
- b. Wall Mounted Signs: Wall mounted signs are those signs that are attached to or painted on the wall of a building, the display surface of the sign being parallel to the wall of the building on which the sign is placed.
- i. Primary Wall Sign: A wall sign that is located on the facade of the building that contains the primary access to the particular use. A primary wall mounted sign shall not exceed one square foot of sign area for each three (3) lineal feet of building facade frontage, up to a maximum of forty (40) square feet. In the case of multiple users in one (1) building, the frontage shall include the length of the individual suite that is exposed to the exterior of the building where the primary access to the use is located. In no case shall the primary wall sign be less than ten (10) square feet in size.

- ii. **Secondary Wall Sign:** A sign that is located on a building facade that is separate from the facade on which the primary wall sign is located. A secondary wall sign shall not exceed a maximum of one half the size of the permitted primary wall sign.
 - iii. **Display Area:** The area of all wall mounted business signs shall be the extreme limits of the display surface. The display surface includes any architectural embellishments or background materials that are an integral part of the display and used to differentiate the sign from its surroundings.
 - iv. **Wall mounted signs** shall not project out more than six inches (6") from the wall on which it is mounted.
 - v. **Materials:** Wall mounted signs shall be wood, metal, or painted on the side of the building. Plastic and/or lexan materials are not permitted except where used for lettering in conjunction with wood or metal background to shield an internal light source.
- c. **Projecting Signs:** Projecting signs are supported by a building or other structure and project out from the building or structure over the sidewalks, lawns, or similar areas in a manner that the display area is generally perpendicular to the face of the building or structure.
- i. **Size:** Projecting signs shall not exceed six (6) square feet.
 - ii. **Display Area:** The area of a projecting sign shall be the extreme limits of the display surface. The display surface also includes any architectural embellishments or background materials that are an integral part of the display and used to differentiate the sign from its surroundings.
 - iii. **Height:** Signs which project over a pedestrian walkway shall allow at least seven and one-half feet (7.5') of clearance between the bottom of the sign and the ground. Hanging signs may be illuminated; provided, that only indirect lighting is utilized, and that the light source does not interfere with pedestrian or vehicular traffic.
 - iv. **Materials:** Projecting signs shall be constructed of wood, metal or similar material. Plastic, lexan or other similar surface materials are not permitted.
- d. **Suspended Sign:** A sign that is suspended parallel or perpendicular from a building roof, façade, porch, or other structural element by brackets, hooks, or chains.

- i. Size: Suspended signs shall not exceed six (6) square feet.
 - ii. Display Area: The area of a suspended sign shall be the extreme limits of the display surface. The display surface also includes any architectural embellishments or background materials that are an integral part of the display and used to differentiate the sign from its surroundings.
 - iii. Height: Suspended signs shall allow at least seven and one-half feet (7.5') of clearance between the bottom of the sign and the ground. Suspended signs may be illuminated; provided, that only indirect lighting is utilized, and that the light source does not interfere with pedestrian or vehicular traffic.
 - iv. Materials: Suspended signs shall be constructed of wood, metal or similar material. Plastic, lexan or other similar surface materials are not permitted.
 - e. Awnings Signs: Awning signs are comprised of letters and logos that are placed on the valance of the awning.
 - i. The lettering and logos on any awning sign shall not exceed seven feet (7') in length.
 - ii. The words and logos on any awning sign shall not exceed seven inches (7") in height.
 - iii. Back lighted awnings are prohibited.
4. Residential Signs: Residential properties are permitted six (6) square feet of sign area, not to exceed six feet (6') in height. The sign square footage may be split between two (2) or more signs, but the total sign area may not exceed six (6) square feet. These signs may not be used to advertise a commercial use, unless such use has been appropriately permitted by Summit County on the particular lot. Residential signs may be erected without a Low Impact Permit, but they must be located on the property requesting the sign and out of the right-of-way.
5. Subdivisions, Multi-Family Dwellings, and Residential Condominium Complex Signs. These signs are intended to state the name of a subdivision, multi-family development, or residential condominium complex.
 - a. Any signs permitted for parcels containing single family residences are also allowed in multi-family dwelling developments and residential condominium complexes.
 - b. Freestanding Signs: One (1) freestanding sign shall be permitted for each separate access to a subdivision, multi-family dwelling development, or residential condominium complex. All freestanding signs shall comply with the following:

- i. Monument Base: All freestanding, on premises signs shall be constructed with a monument base. A base of stone or wood is preferable.
 - ii. Display Area Size: The display area of all freestanding, on premises signs shall not exceed thirty (30) square feet in size. The display area of a sign, which may be double sided, shall include any architectural embellishments or background materials that are an integral part of the display and intended to help attract attention to the sign (see Illustration I).
 - iii. Height: In no case shall the highest point of a freestanding, on premises sign be more than six feet (6') above the grade elevation at the base of the sign.
 - iv. Materials: Freestanding signs shall be constructed of wood, stone or other natural materials. Plastic, lexan or similar materials will not be permitted, except where used for lettering in conjunction with a wood or metal background to shield an internal light source.
 - v. Landscaped Area: All freestanding, on premises signs shall be located within a landscaped area. Landscaping, including shrubs, perennials, trees, other appropriate vegetative material, and landscape boulders where appropriate, shall be designed in a manner that minimizes the visual impact of the sign, without blocking the view of the sign from the specific area from which it is intended to be seen, or adversely affecting pedestrian and vehicular sight distance. Designs that integrate the sign into the land form should be considered.
 - vi. Setbacks: In no case shall a freestanding, on premises sign encroach into a road right-of-way, nor shall any sign be situated near an intersection in such a manner so as to interfere with vehicular sight distance. These signs shall be set back at least fifteen feet (15') from the edge of the right-of-way.
6. Temporary Signs: Signs intended to be displayed for a limited time period and not permanently affixed to a building or the ground.
- a. Class I Temporary Sign:
 1. Size: These sign may not exceed six (6) square feet of sign area.
 2. Height: Freestanding signs may not exceed six feet (6') in height, measured from the top of the sign to the grade directly below. Signs attached to a building may not exceed

fifteen feet (15') in height, measured from the top of the sign to the grade directly below.

3. Number of Signs: The sign square footage may be split between two (2) or more signs, but the total sign area may not exceed six (6) square feet.
4. Location: These signs may not encroach into the right-of-way, nor impede pedestrian traffic.
5. Sign Permit: A Low Impact Permit is not required for Class I Temporary Signs.
6. Illumination of these signs is prohibited.
7. Maintenance: Class I temporary signs must be properly maintained at all times. Any faded, torn, ripped, detached, defaced or otherwise damaged sign must be promptly repaired, replaced, or removed.

b. Class II Temporary Sign:

1. Size: Class II Temporary Signs are those signs that exceed six (6) square feet in size, but may not exceed a maximum of twenty (20) square feet.
2. Height: Freestanding signs may not exceed six feet (6') in height, measured from the top of the sign to the grade directly below. Signs attached to a building may not exceed fifteen feet (15') in height, measured from the top of the sign to the grade directly below.
3. Number of Signs: One (1) Class II Temporary Sign is allowed for each non-residential use.
4. Location: These signs must be located on the parcel on which the entity requesting the sign is located and may not encroach into the right-of-way, nor impede pedestrian traffic.
5. Time Limit: Class II Temporary Signs may be displayed for two (2), thirty (30) consecutive day periods per calendar year.
6. Sign Permit: A Low Impact Permit is required prior to erection of a Class II Temporary Sign.
7. Illumination of these signs is prohibited.
8. Maintenance: Class II temporary signs must be properly maintained at all times. Any faded, torn, ripped, detached, defaced or otherwise damaged sign must be promptly repaired, replaced, or removed.

b. Class III Temporary Sign:

1. Size: Class III Temporary Signs are those signs that exceed six (6) square feet in size, but may not exceed a maximum of twenty (20) square feet.
2. Type: Class III temporary signs may only be freestanding and must be made of a rigid material. Banners or other similar signs applied to cloth, paper, flexible plastic, or fabric of any kind are not considered Class III temporary signs.
3. Height: These signs may not exceed six feet (6') in height, measured from the top of the sign to the grade directly below.
4. Number of Signs: One (1) Class III Temporary Sign is allowed for each non-residential use.
5. Location: These signs must be located on the parcel on which the entity requesting the sign is located and may not encroach into the right-of-way, nor impede pedestrian traffic.
6. Time Limit: Class III Temporary Signs may be displayed for a period not to exceed one (1) year.
7. Sign Permit: A Low Impact Permit is required prior to erection of a Class III Temporary Sign.
8. Illumination of these signs is prohibited.
9. Maintenance: Class III temporary signs must be properly maintained at all times. Any faded, torn, ripped, detached, defaced or otherwise damaged sign must be promptly repaired, replaced, or removed.

E. Illumination:

1. Sign illumination may be cast directly onto the face of the sign; provided that such illumination does not adversely affect pedestrian and/or vehicular traffic. Whenever a sign face is illuminated by an external source, light shall be concentrated on the sign face. The amount of light cast to the areas other than the sign shall be reduced to the extent possible. All external illumination sources shall be shielded from public view. On all internally illuminated freestanding, wall mounted and projecting signs, light shall be transmitted only through the material that comprise the letters located within the display area. No interior light source shall be visible to the exterior. No sign shall contain copy which consists of illuminated bulbs or individual lights or light sources.

2. Lighting for all exterior signs, whether lettering is internally back lighted or light is cast onto the face of the sign, shall comply with the lighting standards established herein.

F. Prohibited Signs and Devices: The following signs shall be prohibited in the Snyderville Basin:

1. Changeable copy signs: A sign whose informational content can be changed or altered on a fixed surface composed of electrically illuminated or mechanically driven changeable segments, unless required by Federal law.
2. Flashing signs.
3. Roof mounted signs.
4. Moving signs.
5. Strings of pennants, banners, ribbons, streamers, balloons, spinners, or other similar moving or fluttering or inflated devices and search lights.
6. Signs imitating official traffic signs in any manner which are visible from public areas.
7. Portable signs not permanently affixed to the ground, except as otherwise provided in this Section.
8. Mobile signs. Signs attached to stationary vehicles, equipment, trailers and related devices, when used in a manner to augment approved signage for a business as opposed to normal operation or parking of the vehicle or device.
9. Signs which, by reason of size, location, content, coloring or manner of illumination, obstruct the vision of motorists or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on any road or street, as determined by the CDD or designated planning staff member or the County Sheriff.
10. Any sign or sign structure which constitutes a hazard to public health or safety, as determined by the CDD or designated planning staff member or the County Sheriff.
11. Signs on trees, utility poles, and on public property, other than public information signs.
12. Off premises directional signs may be approved as a temporary sign when an event or activity is situated in such a manner that its location is obstructed from public view, so long as that sign is compatible with all other regulations herein.

13. Any sign for which the sign message face has been removed or destroyed, leaving only the supporting frame or other components, and said condition exists for more than thirty (30) days is prohibited and shall be removed.

G. Exempted Signs: These signs are exempt from obtaining a Low Impact Permit; however, they must still comply with the following guidelines:

1. Informational Signs: Signs which are not more than six (6) square feet and no more than four feet (4') height and which are used to direct vehicular and pedestrian traffic or to direct parking and traffic circulation on private property. Advertising is not permitted on these signs. Informational signs shall contain no advertising material or message. These signs shall not be permitted in a right-of-way or required setback area.
2. Public Signs: Legal notices, identification, informational or directional signs erected or required by governmental bodies, or authorized by the County for public purposes which meet the requirements of these guidelines, except provisions prohibiting said signs in the rights of way.
3. Public Regulatory Signs: All public regulatory signs located in the County which meet all the State requirements. (Ord. 323, 3-9-1998)
4. Interior Signs: Signs located on the interior of any building, or within an enclosed lobby of any building or group of buildings and which cannot readily be seen from the exterior of the building, which signs are designed and located to be viewed exclusively by the patron of such use or uses.
5. Utility Signs: Signs of public utility or cable television companies which show the locations of underground facilities.
6. Street Address and Identifications Signs: Signs whose content includes only the name or professional title of the occupant and address of the premises. Such signs shall not exceed two (2) square feet. The sign shall be limited to flush mounted or window type signs and one per premises. These signs shall not be permitted in a right-of-way.
7. Customer Information Signs: Customer information signs located on or in close proximity to the building and outside of required setback areas may display such items as "credit cards accepted", prices and menus, and each sign shall not exceed two (2) square feet in area.
8. **Flags: No more than three (3) freestanding flag poles may be erected at any time. Flag poles are restricted to only flying one (1) flag per pole. The maximum size of any one (1) flag shall be twenty-four (24) square feet. Flag poles may not exceed twenty-eight feet (28') in height, measured from the top of the pole to the grade directly below. Uplighting of all flags, except the flag of the United States of America, is prohibited.**
9. Window Signs: Window signs shall not exceed ten percent (10%) of the areas of the window in which it is placed. The area of a window sign shall be the extreme limits of the display, which is comprised of all letters, logos

or other graphic information. Window signs may not be combined in order to gain a larger sign for one (1) particular window.

10. Neon Signs, where the light source is on the external face of the sign: One (1) neon sign is allowed for each non-residential use to be located on the inside of any window. These signs may not exceed two (2) square feet and may not flash or be animated in any manner.

H. Non-conforming Signs: Within the zone districts established in this Title, there may be existing signs which were lawfully established before the adoption of this Title, but which are now prohibited, regulated, or restricted. It is the intent of this section to allow these signs to remain until such time as they are removed or otherwise brought into conformance with this Title.

1. The property owner bears the burden of establishing that any non-conforming sign lawfully exists.
2. Enlargement of Non-Conforming Signs: A non-conforming sign may not be enlarged in any way unless it conforms to the provisions contained in this Title.
3. A non-conforming sign may be altered to decrease its non-conformity.
4. Maintenance and Repair of Non-conforming Signs: Nothing in this Section shall be construed to relieve the owner of use of a non-conforming sign, or owner of the property on which such non-conforming sign is located, from maintaining the sign in a state of good repair; provided, however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it more non-conforming. Routine maintenance or changing like parts shall not be considered an alteration; provided, that such change does not alter the surface dimension, height, message, or otherwise make the sign non-conforming.
5. Removal of Non-Conforming Signs: If a non-conforming sign is demolished or removed at the will of the property owner, any subsequent sign shall thereafter be required to conform to the regulations specified in this Title for the zone district in which it is located.
6. If a non-conforming sign is destroyed by fire or other natural cause, it may be replaced. If the sign is not repaired or replaced within one year from the date of loss, it shall not be reconstructed or replaced except in conformance with the provisions of this Title.
7. If the cost of the non-conforming sign is valued at less than one hundred dollars (\$100.00), the sign shall be removed. Sign value shall be determined based on an actual sales receipt for the sign or a cost estimate for the replacement cost provided by a qualified professional.
8. Nothing in this Section shall be deemed to prohibit the County from removing a billboard without providing just compensation in accordance with the procedures set forth in this Subsection, if the County Manager

provides reasonable notice of the proceedings and, following a public hearing, finds:

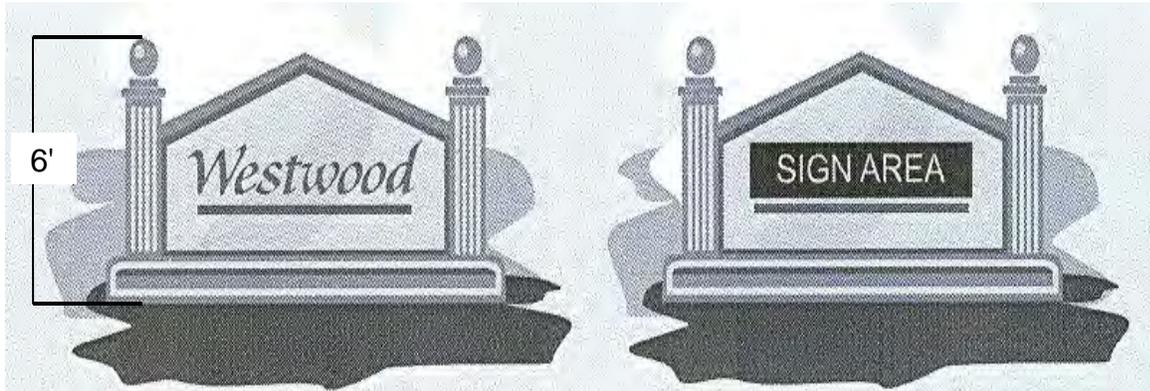
- a. The applicant made as a false or misleading statement in any application to the County necessary to establish or change the billboard;
- b. The billboard is unsafe or presents a hazard to persons or property;
- c. The billboard is in a state of disrepair; or
- d. The billboard has been abandoned for at least twelve (12) months.

I. Enforcement:

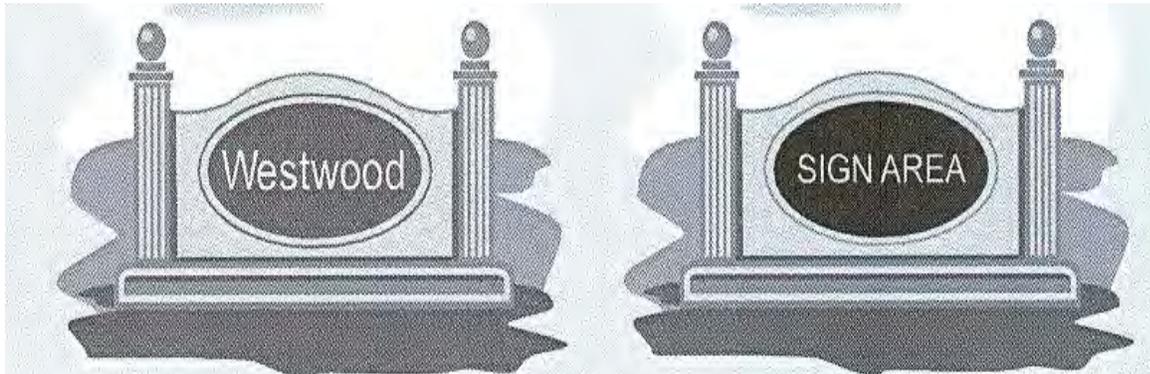
1. The CDD or designated planning staff member shall be responsible for enforcing the provisions of the sign regulations established herein.
2. Violation of the sign provisions established herein shall result in punishment in accordance with the provisions of this Title and State law. (Ord. 323, 3-9-1998)
3. If signs not conforming to the requirements of this Title are located within a public right-of-way, County personnel may remove and impound those signs if notice to remove the signs has been sent to the property owner and they have failed to comply with that notice.

J. Measuring Sign Area:

Freestanding Sign

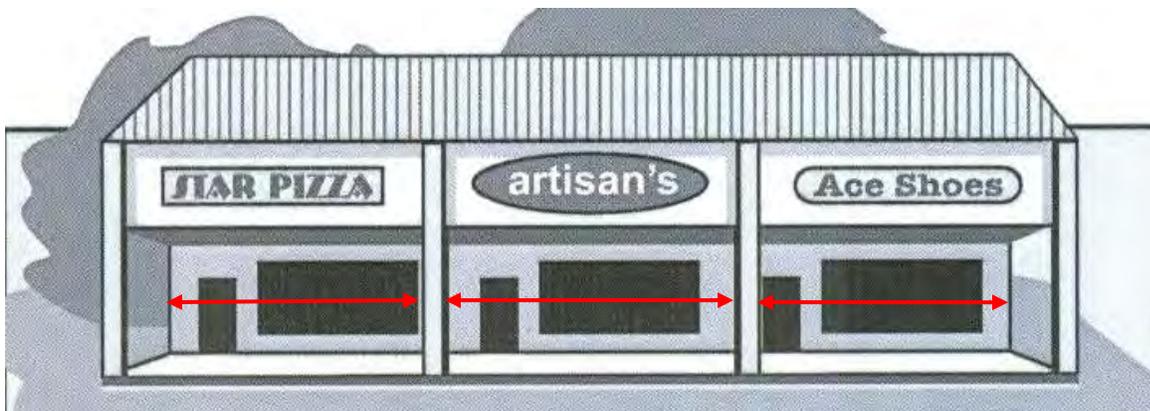


Calculate sign area by size of imaginary panel drawn around copy. Do not calculate embellishment or monument background



Calculate sign area by size of actual oval panel surrounding copy. Do not calculate embellishment or monument background.

Building Facade Frontage



Building Facade Frontage: The length of the individual suite that is exposed to the exterior of the building where the primary access to the use is located.

Wall Mounted Sign



Calculate sign area by size of actual background panel surrounding the sign copy.



Calculate sign area by size of imaginary panel drawn around copy.

Mixed Case Lettering



Draw imaginary panel around either upper case or lower case letters, but not both.

Freestanding Sign



Awning Sign



Wall Mounted Sign



Projecting Sign





Hanging Sign



The following are corrections made under the Errors and Omissions procedure

SU-A-49, Michael McCarthy, a backyard to the McCarthy's home that is on a separate legal description than the home parcel given a lot value under the mass appraisal process when should have been valued as overage. The tax amount due for the 2011 tax year should be \$172.51

SU K-121-125, Stephan MacDonald, an easement parcel of approximately 3' wide in front of the parcels 121,122,123,124 that was given a lot value instead of overage value in the mass appraisal process. The taxes for the 2011 tax year should be \$13.54

SU-H-11-AM, Greg Hendersen, 185 Crestview Drive. A combined lot 10 & 11 in 5/2006, the base value was changed but a factor was not removed on this one parcel causing an erroneous shift up beyond a reasonable value. Only lot affected, correct taxes should be \$451.35 for the 2011 tax year.

SU-H-10-11, Greg Hendersen, this was the 2 lot combination that yielded a new serial number of SU-H—AM in 2006 and was deactivated in 2007, appeared on tax role again for 2010 and 2011 for reasons known only to the computer. Deactivated for 2012, again, taxes due for each of the 3 years (2007, 2010, and 2011) should be \$00.00. any erroneously paid taxes would be a refund.

BHVS-27 Carol Schoenfeld, a townhouse in Bear Hollow Village in the Basin that was purchased in July 2010, completed a successful appeal for 2010 reducing the value to \$401,250 and in 2011 a computer hiccup picked up the full value of pre BOE \$500,000, never received disclosure or tax bill due to an address change from a po box to the situs address. Recommend a value change of to the \$401,250 taxes should be \$1,884.23 for the 2011 tax year

MSTE-2, John Cummings, a vacant lot in Morningstar subdivision adjacent to the Park City Owned water tank that serves the subdivision. The Title Company recorded an erroneous deed that did not indicate that approximately .63 acre of the lot was actually owned by Park City as a drain field for the water tank. It was discovered in 2011 after the BOE deadline and the new description is being recorded for 2012. The adjustment for the .63 acre would bring the value down by approximately \$63,000 the taxes should be at \$ 7,868.83 for the 2011 tax year



STAFF REPORT

To: County Council
Report Date: February 1, 2012
Meeting Date: February 1, 2012
Author: Brian Bellamy
Description: Change in Summit County policy
Type of Item: Decision

A. Background

There are three proposed policy changes in this section of Summit County Personnel Policies and Procedures. They are:

1. Currently, Summit County employees who leave our employ can have their vacation and sick leave paid out in two different ways. The employee may:
 - A. take the cash value of earned vacation and sick leave paid out on their last pay check, or
 - B. take the time off with pay equal to the number of leave hours earned.

As the current policy reads an employee, who utilizes the second option will continue to accrue more vacation and sick leave as they are taking time off prior to officially leaving Summit County employ. With this proposed change, it would end this practice. The employee may still take the time off, but will not accrue any additional time.

2. Changing the Funeral Leave and the employee's Personal Holiday from days to hours. This matches all of our other policies of using hours instead of days.
 - A. Funeral Leave will change from 3 days to 24 hours
 - B. Personal Holiday will change from 1 day to 8 hours

3. When the State of Utah created a second retirement system, they created different accrual rates and length of service. This made a paragraph in our Retirement Section obsolete, the proposed change deletes the obsolete language.

B. Recommendation

Staff recommends the Council approve the changes regarding vacation leave, sick leave, personal holiday and retirement.

E. Vacation

Effective 12/1/2010

1. Summit County believes that a reasonable period of time away from the job encourages good health and the well-being of employees. This is a benefit to Summit County, as well as the employee. Therefore, it is the policy of Summit County to grant paid vacations to certain categories of employees.
2. All qualified employees are eligible for vacation as accrued upon completion of six (6) months of full-time service. Years of county service, for establishing vacation accrual rates, shall be the employee's full time hire date.
3. Accumulation of vacation shall be based upon the following schedule:

COUNTY SERVICE	MONTHLY/ANNUAL ACCRUAL
0 - 5 years	8 hours/96 hours
6 - 10 years	10 hours/120 hours
11 - 15 years	12 hours/144 hours
16 -20 years	14 hours/168 hours
21 years or more	16 hours/192 hours

4. Former employees who are re-hired with reinstatement rights following military service shall be entitled to assume the same eligibility for vacation as enjoyed prior to leave or layoff.
5. Employees may carry unused vacation leave over to the next year to a maximum of 200 hours of vacation leave.
6. Vacation leave may not be accrued during a period of time when leave of absence without pay is being granted for reasons other than personal or family related illness or condition as defined by the federal Family & Medical Leave Act (FMLA) **and when an employee has announced their resignation or retirement from Summit County .**
7. Utilization: The employee's Division Director, Department Head, or Elected Official must approve in advance all vacation leave. The Division Director, Department Head, or Elected Official may schedule vacation leave so that division, department, or County operations are not disrupted.
8. An authorized holiday which falls within the time period of an employee's scheduled vacation shall not be charged as used vacation.
9. The County will not advance vacation days. No elected official or department head shall authorize the use of un-accrued vacation time.
10. Vacations are to be taken as time off and there will be no pay in lieu of time off.

11. Termination: Upon termination or retirement, an employee may take the cash value of earned vacation leave (carried over and earned), or time off with pay equal to the number of leave hours earned. *If the employee utilizes the time off with pay option, no vacation leave will be earned while the employee is utilizing their previously accrued hours.* Payments made pursuant to this section shall be at the rate of pay current upon termination. Deductions from termination pay may be made where the terminating employee has outstanding obligations to the County. The County may withhold the payment of termination pay if the employee fails to return County property in their possession.
12. Record Keeping: The official record of accrued and used vacation is to be kept by the County Auditor through a formal leave accounting system. Division Directors, Department Heads, and Elected Officials shall be provided with leave accounting reports periodically for departmental and employee review. Any discrepancies shall be reconciled directly through the office of the County Auditor. If discrepancies are not reported within 60 days, all reports shall be deemed correct.

F. Sick Leave

Revised 8/13/2003

Sick leave is allowed for qualifying employees as a benefit and may be used for personal illness or illness in the immediate family. Sick leave taken in excess of three (3) working days may require a statement from an attending physician. The Division Director/ Department Head must use discretion in approving sick leave, while insisting that seriously ill employees stay off the job. Accrued sick leave is a County owned benefit afforded to those County employees who become ill or injured and cannot perform their normal duties.

1. Sick leave shall be earned at the rate of two (2) hours per pay period of full-time employment and may be used as earned. Sick leave shall not be granted beyond that earned by any employee.
2. There shall be no limits on the amount of sick leave that may be accrued. Upon termination (except when terminated for cause), an employee may take the cash value of the accrued sick leave under any one of the options outlined in Section 8, paragraph G of this policy. Payments made pursuant to this section shall be at the rate of pay at the time of termination.
3. Sick leave may not be accrued during a period where a leave of absence without pay is being granted for reasons other than personal or family related illness or condition as defined by the Family & Medical Leave Act (FMLA).

Sick leave shall be accrued while an employee is on short-term disability.

Sick leave shall not accrue when an employee has announced their resignation or retirement from the County and are using the time off with pay option.

4. Notification to the Division Director/Department Head for the use of sick leave shall be made no later than one (1) hour after the employee's regular reporting time.
5. Saturdays, Sundays and legal holidays occurring while an employee is ill are not deducted from their compensated illness leave credit.

6. Elected Officials, Division Directors, and Department Heads are charged with the responsibility to approve or disapprove leave requests, and may require the employee to provide evidence of illness or injury.
7. The official record of accrued and used sick leave is to be kept by the County Auditor through a formal leave accounting system. Division Directors, Department Heads, or Elected Officials shall be provided with leave accounting reports periodically for divisional, departmental and employee review. Any discrepancies shall be reconciled directly through the office of the County Auditor. If discrepancies are not reported within sixty (60) days, all reports shall be deemed correct.
8. Industrial Compensation: In the event an employee is injured on the job, they must apply for industrial compensation. The employee may additionally utilize compensated sick leave in accordance with the following formula: "Gross monthly compensation minus industrial compensation equals total compensation subject to sick leave utilization. The number of hours to be charged shall be determined by dividing the total amount subject to use by the appropriate hourly compensation rate." This shall not be construed as allowing a gross income, inclusive of industrial compensation, in excess of the employee's regular monthly salary or earnings.
9. Insurance benefits are provided for more serious or longer-term illness or accidents. While insurance policies pay 67% of the normal wage, sick leave time and vacation time may be used on a pro-rata basis to maintain normal income. The employee may supplement the disability benefit with accrued vacation and sick leave to receive 33% of their normal wage. If no sick leave or vacation time is available, normal insurance proceeds only are payable.

G. Funeral Leave

1. Funeral leave with pay, not to exceed ~~three (3) days~~ **24 working hours**, may be allowed in the loss of the following:
2. Husband, Wife, Son, Daughter, Brother, Sister, Mother, Father, Grandparents, Grandchildren, Stepmother, Stepfather, Stepson, Stepdaughter, Father-in-law, Mother-in-law, Son-in-law, Daughter-in-law, Sister-in-law, Brother-in-law and other as approved by the division director or department head.
3. Employees desiring extended funeral leave may request to use comp time, vacation or leave without pay. Funerals which occur during use of vacation shall be treated as described in this paragraph and not be charged to vacation.

If a funeral is attended or death occurs while an employee is on leave of absence, there will be no time off with pay forthcoming.

H. Holiday Leave

1. The following days have been designated by the County to be paid holidays:

New Year's Day	January 1 st
Martin Luther King Jr. Day	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday of May

Independence Day	July 4 th
Pioneer Day	July 24 th
Labor Day	1 st Monday in September
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday of November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Day	December 25 th

- When any of the above holidays fall on a Sunday, the following Monday shall be observed as the holiday. When any of the above holidays fall on a Saturday, the preceding Friday shall be observed as the holiday.
- Should a holiday occur while an employee is on vacation, the employee will not be charged with vacation the day of the holiday.
- Holiday Pay: Those employees who are required to work on a designated holiday will receive double time for all hours worked on the holiday.
- Additionally, one **eight (8) hour** personal holiday is allowed annually, based on the **employee's anniversary date** calendar year and prorated as such. A personal holiday shall not be carried over from year to year.

N. Retirement

Revised 5/21/2008

The County is a participant in the public safety and public employee retirement programs of the Utah Retirement Systems. The County endorses the concept that performance, not age should be the standard for retaining qualified employees. There shall be no set retirement age from County employment. ~~Under the provisions of the Utah State Retirement Act, some employees may qualify to retire as early as age sixty (60) or upon completion of thirty (30) years of accredited service for employees participating in the Public Retirement System or twenty (20) years of accredited service for employees participating in the Public Safety Retirement system.~~ Contributions into the retirement system shall be made for all employees working twenty (20) hours or more per week over a period in excess of 9 months.

- Employees, at their discretion, may choose to retire anytime after they are eligible under provisions of the Retirement Act.
- Employees over retirement age, as defined by the Social Security Administration, can be retained or hired as long as they are physically and mentally able to satisfactorily discharge the duties of the position.
- The retirement system provides a number of benefits to the employee, including retirement benefits, death benefits, and survivor's allowances. Contributions are made by the employer and the employee. ~~Summit County currently pays both contributions.~~ All new hires are enrolled into the new non-contributory plan.



STAFF REPORT

To: County Council
Report Date: February 1, 2012
Meeting Date: February 1, 2012
Author: Brian Bellamy
Description: Change in Summit County policy
Type of Item: Decision

A. Background

There is one proposed policy changes in this section of Summit County Personnel Policies and Procedures. During the 2011 budget workshops, the County Council removed monies for random drug testing from the Personnel budget. Thus necessitating the change in this policy.

This change reflects the Council's decision and makes minor corrections to the verbiage of this policy

B. Recommendation

Staff recommends the Council approve the changes regarding the drug testing policy.

G. Drug Free Work Place

A healthy and productive work force, safe working conditions free from the effects of drugs and alcohol, is essential to the maintenance of quality operations and all services provided to the public. It is the policy of the County that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance and/or alcoholic beverage in the workplace is expressly prohibited. All processes, procedures, actions and requirements undertaken or imposed by the County shall be in conformance with Utah Code, 34-41-(101-107), Drug and Alcohol Testing and the Omnibus Transportation Employee Testing Act of 1991, revised as of February 15, 1994. In order to achieve a drug-free work place all individuals who are extended a conditional offer of employment with Summit County and employees in safety sensitive positions shall be required to participate in controlled substances testing.

1. Testing
 - a. When an applicant has been extended a conditional offer of employment but before beginning work;
 - b. When there is a reasonable suspicion to believe that an employee is in an impaired state;
 - c. When an employee has been involved in an on duty accident and directed by their supervisor and/or the County Risk Manager;
 - d. On a random basis for employees in safety sensitive positions;
 - e. Return to duty testing;
 - f. Follow up testing.
2. Definitions:
 - a. Alcohol - Alcohol is defined as an intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols in methyl and isopropyl alcohol no matter how packaged or in what form the alcohol is stored, utilized or found.
 - b. Controlled Substance - Controlled substances are defined as marijuana (THC), cocaine, phencyclidine (PCP), opiates, and amphetamines (including methamphetamine) or any other substances which are included in Title 58, Chapter 37, Utah Controlled Substances Act.
 - c. Drug - Any substance recognized as a drug in the United States Pharmacopeia or other drug compendia, including Title 58, Chapter 37 Utah Controlled Substances Act, or supplement to any of those compendia.
 - d. Drug Testing - The scientific analysis for the presence of drugs or their metabolites in the human body in accordance with the definitions and terms of this policy.

- e. Random Testing - The unannounced drug testing of an employee in a position which requires a Commercial Drivers License or volunteer who was selected for testing by using a method uninfluenced by any personal characteristics other than job category.
- f. Reasonable Suspicion - Knowledge sufficient to induce an ordinarily prudent and cautious individual under the circumstances to believe that a prohibited activity is occurring.
- g. Reasonable Suspicion Testing - An articulated belief based on recorded specific facts and reasonable inferences drawn from those facts that an employee or volunteer is in violation of this drug-free workplace policy.
- h. Positive test - Any test result showing a blood alcohol content of 0.02 or greater or the presence of any controlled substance, ~~its~~ metabolites in the test subject or a sample that has been tampered with.
- i. Refusal to Submit to Testing - Failure to provide adequate breath or urine sample without a valid or verified medical explanation, after the employee has received notice ~~that~~ they are being tested and a breath or urine sample is required, or engages in conduct that clearly obstructs the testing process.
- j. ~~Safety Sensitive Position - Any position involving duties which directly affect the safety of governmental employees, the general public, or positions where there is access to controlled substances during the course of performing job duties. Also, these p~~ Any positions which requires a Commercial Drivers License, use of a county vehicle, use of a personal vehicle in the line of county business, duties in the Sheriff's Office, and employees/volunteers who participate with Summit County Emergency Services (Ambulance Services, Search and Rescue, and Reserve Deputies).
- k. Return to duty testing - The drug/alcohol testing, with a verified negative test result for controlled substances or their metabolites, of an employee who has been released back to work after seeking help from a rehabilitation program.
- l. Follow-up testing - The drug/alcohol testing of an employee who has sought professional help from a rehabilitation program. The employee shall be tested monthly while under the care of the Substance Abuse Professional and upon release from a rehabilitation program. The employee shall be tested a minimum of six (6) times in the following twelve (12) months following their return to duty. Employees may be subjected to ~~the~~ follow up drug/alcohol testing for a period not exceed sixty (60) months.
 - 1. Follow up testing beyond one year shall be based on a need assessment provided by a substance abuse professional.

3. If the employee seeks help prior to discovery, then confidentiality, job security, and promotional opportunities will be protected. But if the employee does not attempt to seek help and the problem comes to the attention of the County, the employee will be terminated. Discovery ~~may~~ begins with the notification when an employee has been notified of a random drug test.
4. The extent of County assistance, if an employee comes forward prior to discovery, shall be limited to referral to a community resource program with financial limitations as provided in the County health and medical insurance plan.
5. If an employee is under treatment with a drug that alters their ability to perform the essential functions of a specific position, the employee shall be reassigned if a current job opening exists which the employee is qualified.
6. Summit County shall require a final applicant selected for a position with the County to undergo a drug screen test to detect the presence of illegal drugs, controlled substances or their metabolites in the body. Refusal to take such a test shall be grounds for denial of employment. An applicant who tests positive for a controlled substance or its metabolites, as defined in the definitions of this policy, shall be denied employment with the County.
7. Employees shall not use, be under the influence of or be in possession of alcohol while on duty, on Summit County premises or while in Summit County vehicles. Summit County premises include buildings, parking lots, grounds and vehicles owned by Summit County or personal vehicles while being used for Summit County business. Under the influence is defined as having a blood alcohol content in excess of .02%.
8. If an employee in a safety sensitive position is called to work outside the regularly scheduled work period, the employee has the right to refuse to go to work if the employee has used alcohol and feels that they may be impaired. The employee must notify their supervisor if they have consumed any alcohol in the last four hours prior to being called in. Employees exercising this option shall have job security and promotional opportunities protected.
9. Employees trafficking, selling, using, possessing or being at the work place under the influence of alcohol, illegal or illegally obtained controlled substances shall be subject to immediate suspension and such conduct may be grounds for termination of employment.

Peace Officers, who in the line of duty, are engaged to carry, work with or possess illegal or controlled substances shall be exempt ~~from sub-paragraph 9~~ having such substances in their possession.

10. When a supervisor makes a determination that there is a reasonable suspicion to believe that an employee is under the influence of, or is in possession of alcohol or controlled substances, the employee shall be subject to drug/alcohol testing.
11. Employees performing in safety sensitive positions are subject to random drug/alcohol tests.

12. The County maintains the right to conduct unannounced inspections of County owned property, work stations, equipment, desks, cabinets, etc.
13. The County maintains the right to utilize detection methods necessary for the enforcement of this policy including blood, urine, or other tests, and the use of electronic detection equipment and trained animals.
14. Failure to cooperate with these detection methods or inspections is grounds for termination of employment.
15. Upon required testing due to an accident or reasonable suspicion, the employee tested shall not engage in the operation of any County equipment or engage in any employment related duties, which their supervisor deems dangerous to ~~themselves~~ or others until the results of the tests are received and the employee is released back to work by Summit County.
16. If any alcohol test result shows a blood alcohol content of 0.04% or greater, the employee shall be terminated.
17. If an employee test result shows an alcohol concentration of greater than 0.02% but less than 0.04%, the employee shall not be permitted to perform in a safety sensitive position for at least twenty-four (24) hours.
18. If a drug test result shows that the employee has tested positive for a controlled substance, the employee shall be terminated.
19. If an employee tests positive for a controlled substance or the test results show a blood alcohol content of 0.04% or greater, the employee shall be referred to a Substance Abuse Professional who shall perform an evaluation at the County's expense, to determine whether the employee has a drug/alcohol problem. This employee shall also be provided with information about drug or alcohol treatment programs in the area. The County shall have no obligation or duty to pay for or provide financial assistance for a drug/alcohol treatment program.
20. Employees may direct any questions regarding this policy to the Personnel Director.

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, JANUARY 4, 2012
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 property acquisition. The motion was seconded by Council Member Hanrahan and passed unanimously, 5 to 0.

The Summit County Council met in closed session from 12:55 p.m. to 1:30 p.m. to discuss property acquisition. 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
Dave Thomas, Deputy Attorney
Derrick Radke, Engineer
Kent Wilkerson, Traffic Engineer

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

The Summit County Council met in closed session from 1:30 p.m. to 2:15 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
Dave Thomas, Deputy Attorney

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

The Summit County Council met in closed session from 2:15 p.m. to 2:45 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

Brian Bellamy, Personnel Director

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

WORK SESSION

Chair Robinson called the work session to order at 2:50 p.m.

- **Council Mail Review**
- **Discussion and presentation regarding water source protection; Kate Johnson**

Kate Johnson with the Division of Drinking Water explained that the Division of Drinking Water regulates only public drinking water systems. She noted that they do not regulate a number of small, rural water systems that serve less than 25 people for more than 60 days during the year or that have 15 connections or less. The Division of Drinking Water requires all public water systems to have source protection plans for all their sources, which includes delineation of the protection zones, identification of potential contamination sources, and a plan to minimize risk. When a water system develops a new source, it is required to protect the immediate area around that source with a land use agreement. Many counties in the State adopted source protection ordinances voluntarily, and the legislature passed a bill a few years ago requiring counties of the first and second class to have source protection ordinances. In many cases, these ordinances take the place of land use agreements, which makes it a little easier for water systems to develop a new source. Ms. Johnson presented a graphic of the source protection zones in the Huntsville/Pine View Reservoir area to show how a planner might use this type of information when siting new development or determining the location of a new septic tank.

Council Member Hanrahan asked who creates the source protection plans. Ms. Johnson explained that the water systems create the plans, and they are approved by the State. She explained that the rule requiring this was established in 1993, and each state addresses source protection differently.

Ms. Johnson reported that the State has digitized all the source protection zones and is anxious to give that information to county planning groups to use to whatever extent it is beneficial to them in managing source protection issues. The State also has a secure website where that information can be obtained. Other resources are also available to planners and officials, such as the source water collaborative, which the American Planners Association helped put together. She reviewed other tools that are available on the web.

Council Member Hanrahan asked how source protection is enforced. Ms. Johnson replied that the Division of Drinking Water has regulatory authority over public water systems, and she manages the program. They are not punitive about this program; it is for the benefit of the water systems and their customers. They work hard with the water systems to get their plans in place and to update them. She explained that they have good compliance, with almost 80% of the water systems in Utah having done substantive implementation of source protection.

Ms. Johnson provided her contact information and encouraged County staff, Council Members, or administrators to contact her if the State can help with source protection information.

Chair Robinson asked what would happen if someone wanted to build something like a feedlot in a source protection zone. Ms. Johnson explained that their goal is not to say that someone can or cannot build something in a source protection zone, except for probably septic tanks within 50 feet of a well or spring. One thing they look at is whether potential contamination sources are effectively managed to prevent contamination and whether something can be done to mitigate concerns. It would include a contingency plan in the event something were to happen that might contaminate the water source. She explained that the Attorney General's office has reminded the Division of Drinking Water that they are not a land-use-planning agency and cannot interfere with development in a source protection area. She noted that incorporated municipalities do have the authority to protect their drinking water sources and could establish ordinances to address that if they choose to. Council Member Ure explained that there is a lot of cross enforcement through the EPA, Department of Agriculture, and other agencies that have enforcement policies.

- **Discussion regarding building permit process**

Community Development Director Don Sargent explained that this discussion was scheduled due to a complaint Council Member Ure received in September from an applicant who went through the building permit process and expressed frustration about it. His department responded to that complaint, but the County Manager wanted the Council to understand the current building permit process and discuss how to continue to improve it. He stated that when he became Community Development Director, his objective was to streamline the application process, and there has been significant progress in doing that. In the coming year, his department will look at new approaches and changing trends to be more effective and efficient in review procedures. They are currently working on on-line payment options so people do not have to come to the office to pay their fees. The GovPartner permit tracking and software system has been installed, and they are making every effort to become completely digital in issuing planning, building, and engineering permits. He noted that it will take some time to make the transition, but they have started the process. He explained that he has set up training sessions with the Utah Home Builders Association on Monday, January 9, and Thursday, January 12, to help them understand the system. Mr. Sargent stated that one of the most

frustrating things for him is what gets missed in the permit process, and the new system should prevent that. It will also help set target dates for planning and building review so they can see if something is being held up in the review process. He stated that they still plan to uphold the 10-day review turnaround for initial single-family dwelling permits. They met that goal during most of 2011, except when it became extremely busy at the end of the year and there was an overwhelming demand for inspections. Another goal they want to uphold is next-day inspection performance standards, but in October, November, and December 2011, they got three days out, which was a source of frustration for the building community, but they did the best they could with the staff they have. He noted that they currently have about half the number of inspectors in the field that they had in 2009, but the numbers show they are about the same inspection level as they were in 2009. He affirmed that, generally, his department should be able to meet the next-day inspection goal. He noted that his report includes the procedures an applicant goes through when applying for a building permit. He commented that another source of frustration is that the County is subject to certain requirements, as well as the builders, applicants, and property owners, who often get frustrated because they do not understand why they have to fulfill certain requirements. The answer is that is what the County has approved and given the directive to enforce, and there are reasons for all the requirements that have been adopted. When a person gets into a situation where they have a complaint, if they would come in and talk to him or a member of the staff, they could explain why the requirement is in place and how they could maybe administer it better in their case, which would resolve more than 90% of the frustrations. It is primarily a matter of educating an applicant as to why certain standards are in place and what their options are to meet the standard.

Council Member Ure stated that he is not sure he knows what the County requires and what was in place before he was elected. He stated that he does not have an idea of what it costs to build a home. He referred to a letter he had received from a person who complained and indicated that he had to have a plan for duct work for his forced air furnace, which cost \$950 and included a computerized heat efficiency and heat loss study and test data on all parts of the heating appliances. He stated that he constantly gets questions about things like that and does not know how to answer the concerns. Mr. Sargent explained that the requirement comes from the International Residential Building Code (IRC), and the County has no ability to change that. Building Official Bill Vander Linden explained that building systems are becoming more and more sophisticated, and codes continue to change and are updated every three years. From 2006 to 2009 the energy efficiency of a home increased between 10% and 12% every three years, and what worked in 2000 no longer works. County Manager Bob Jasper stated that he understood the State adopts the national code, and all cities and counties are mandated by State law to follow that code. Council Member Ure asked if they have reached a point where a person can no longer build his own house. Mr. Vander Linden explained that an owner-builder can build a house on his property, but he probably will not be able to do it without getting some professional help. Council Member Ure asked if all other counties require this. Mr. Jasper stated that, if Summit County is mandated to follow the code adopted by the State, so is every other county in the State. Mr. Vander Linden explained that the manuals that the State has adopted by reference in the Code have different requirements for different climate zones.

Mr. Sargent explained that the County can change its internal procedures and how it administers the codes, and they are constantly looking at how to make the process better. Council Member Ure asked why there is not someone at the counter who can help people understand where they need to go to get answers to their concerns and complete the forms correctly. Mr. Sargent

explained that the new system will help, and the applicant has some responsibility to provide accurate and complete information. Sometimes an applicant does not have complete information and gets frustrated, not because the County did anything wrong, but because the applicant forgot something and doesn't want to have to drive back home to get it. The new GovPartner system will allow someone to apply and complete the process on line instead of having to make trips back and forth. Mr. Vander Linden explained that, when they do a review, they give the contractor or applicant a written list of what is wrong with the plan and quote directly from the Code. He does not tell a contractor how to fix the problem, because it could probably be fixed in a number of ways, and it is his responsibility to decide how he wants to fix it. All he is concerned about is that they meet the code requirements. The problem comes when someone wants to build their own home and does not know how, and he has to treat that person exactly the same as he would treat a contractor in order to avoid being arbitrary and capricious.

Richard Jaffa, a contractor, stated that the biggest problem he has is that there is not enough staff in the Building Department. The inspectors have to take continuing education and vacations, and with only three inspectors, it is not possible for them to make the number of inspections they have to make. If one of them has to go out to make inspections, they cannot meet their goal of a 10-day plan review. He noted that Park City has three plan reviewers, and Summit County has two, but Park City does not process as many applications as the County does. He believed it would be cost effective for the County to subcontract some of the work out, because the biggest complaint is that the County does not have enough people to do the inspections. He believed the head of the Building Department should be running the Department, and he cannot do that if he is doing plan checking and inspections, too. Chair Robinson asked if Mr. Jaffa has seen a significant change since the recession started or whether it has always been this way. Mr. Jaffa replied that there were problems four or five years ago, but it was mainly only in the summertime, not all year round. He stated that the County is down to almost a skeleton crew, and they are being asked to do things they are not capable of doing, are getting frustrated and not doing the job, and are hurting the people of the County by not giving them the good service they are entitled to in order to be sure what the contractors do is proper. He stated that the rules in the Code are not the problem, although he was not sure about the ductwork requirements.

Preston Campbell, a builder, explained two things Park City does that the County might consider doing. They give out the cell phone numbers of the inspectors, and they let him pick whether he wants a morning or afternoon inspection. He feels like he needs to be there for major inspections, but he cannot sit at a job site and wait all day for the inspector to show up. Summit County just says sometime during the day. With the cell phone number of the inspector, he can call and find out what time the inspector will be at the site so he can meet them there.

Scott Stubbs stated that he primarily builds in Summit County and commented that he has experienced some frustration in the permitting process. He has done it enough that he should know what he needs to bring, but little things pop up and he forgets something, which is a source of frustration. His concern with applying online is that so many entities are involved, such as HOAs, and if they have a deferred submittal, he would like to know how they would attach the HOA information to a file. He believed there would be a big learning curve and did not believe the process would run smoothly for the first year. He stated that he can see the advantage of it, but he would like to know how to attach other submittals.

Mr. Campbell explained that there is no mass frustration with the Building Department, and he believed the letter Council Member Ure received may have come from an owner-builder or someone who does not build often. When they are here often enough, they know what is required.

Council Member Ure stated that he is not concerned about the contractors; he is concerned about the person who wants to try to cut costs and do as many things as he can himself, who will make mistakes, because he has not done it before. Mr. Campbell replied that it is important for the owner-builder to be held to the same standards as the contractors. Mr. Jaffa commented that the person who takes up the most time at the Building Department and with the subcontractors is the owner-builder. They do not have the knowledge, and they make more mistakes, which takes up the Building Department's time. The law in Utah says a person can build a house a year or every three years, but that person is more likely to say that the Building Department is unfair, which is not true. There is nothing unfair about the Building Department, but the owner-builder has to play by the same rules as the contractors. They also take up the time of the inspector who should be coming to inspect his job, and that upsets him. He stated that they are not complaining about how they are treated; they just need more inspectors.

Mr. Sargent confirmed that there are two inspectors assigned to the Snyderville Basin and one in eastern Summit County, and they are rotated out as necessary.

Council Member Elliott explained that they just passed the budget, and at one point the plan was to eliminate a building inspector/planner, but they were able to retain that person because another person resigned. The budget has been passed, and they need to figure out how to work within the confines of the budget or amend it. She asked Mr. Sargent and Mr. Jasper to recommend how to ease the situation. Chair Robinson noted that this is the Manager's function, and that is for him to determine. Mr. Sargent explained that they will continue to refine their processes internally to make things work better and to accommodate high demands for inspections.

Mr. Campbell commented that things would go much more smoothly if they were to have the same inspector from start to finish. He explained that he always has to spend time explaining to the second inspector what the first inspector looked at the week before, and it would be better to have one inspector review the plans and then be the inspector on the house from start to finish. He acknowledged that there would be some exceptions if an inspector is gone for a period of time, but he would like to see one inspector be responsible for the construction of the house.

Mr. Jaffa stated that he would like to have a meeting with Mr. Jasper and Mr. Sargent so they can come back to the County Council with ideas of how the builders feel this can be accomplished and live within the budget.

Mr. Sargent offered to send the Council Members a copy of the letter Council Member Ure referred to and the response to that letter.

Council Member Hanrahan commented that he had no problems with the process when he was an owner-builder for his remodel.

- **Discussion regarding Summit County Winter Operations Plan; Kevin Callahan**

Public Works Director Kevin Callahan presented the County's winter operations plan, which formalizes adopted ordinance and practice that has been in place for a number of years. Because of budget challenges, he felt it was important to clarify their services. They also have issues with the public regarding their understanding of the individual's responsibilities and the County's responsibilities. He explained that they have tried to become more efficient and reduce costs the last few years, and one place they have saved money is on the use of salt. He explained that the County uses a unique salt that comes from Redmond, Utah, which requires about half the amount they would need if they used white salt to get the same effect. In the last couple of years, the County has outfitted its plow trucks with brine tanks and has made its own brine using the Redmond salt. When the salt is wet as it comes out of the tanks, the effect accelerates, and they need even less salt.

Chair Robinson asked if the snowless winter would result in savings for Public Works this year. Mr. Callahan replied that there is the potential for savings. They are not currently using material, but the material they have was purchased last year. In terms of the 2012 budget, there is no impact yet.

Mr. Callahan explained that they are trying to refine the process for notifying the public about winter conditions. In the ordinance there is a no parking provision between November and May, and the Sheriff does enforce it, even when conditions are not snowy. In a snow emergency, they are allowed to tow any vehicle on the road to be able to do their job. They put pre-recorded messages on the radio, a notice on the County website, and in advance of a major storm, try to let people know so they can adapt. They are working on refining their weather predicting abilities and putting thermometers on some trucks that read the road temperature. The brine and chemicals are more effective at certain temperatures than others, and they are trying to be more scientific in their approach. They also get information from UDOT camera locations to determine the conditions.

Chair Robinson asked if lower temperatures decrease the effectiveness of the salt. Mr. Callahan stated that, if the temperature gets below about 10 degrees, it is not effective, and under certain conditions when they apply salt, it turns into a slurry that is even less safe. He explained that the County is experimenting with several different methods to see how effective they are.

Mr. Callahan explained that the County probably needs to make provisions for a major storm event where people might be stranded, and they would work with the County emergency manager, Sheriff, and other emergency organizations. He noted that some people put large boulders in front of their property to try to prevent the plows from plowing snow onto their property. This is an education process, and they have to inform people that the County has an easement, and they cannot obstruct the easement. He explained that they do their best to not damage property, but they have an obligation to remove snow from the road, and at times there may be damage to something the owner has put in the right-of-way.

Council Member McMullin verified with Mr. Callahan that the easement is only for snow the County plows. Mr. Callahan explained that people are supposed to keep snow from their property stored on their own property. Council Member McMullin noted that many private plowers do not do that and just plow the snow to the most convenient location. Mr. Callahan

explained that the County has an enforcement process they can use if people interfere with the County's ability to do its job.

- **Discussion regarding possible attendance of Council liaison at Planning Commission meetings**

The Council Members discussed the advisability of a Council Member attending Planning Commission meetings. Council Member Hanrahan stated that he would like to attend Planning Commission meetings from time to time. Council Member Elliott agreed that it would be good to have a Council Member at Planning Commission meetings, because they would understand what Council Members need to hear from those meetings. No matter how Planning Staff tries to tell them what went on, she believed they might not understand the context in which the Council needs to have the information.

Council Member McMullin stated that the only circumstance in which she would agree that a Council Member should attend a Planning Commission meeting is when they are considering a legislative issue. She believed it would be inappropriate for an appellate body to witness what happens at the trial level. If a Council Member attends a Planning Commission meeting, they run the risk of personal liability if they do not recuse themselves and if they decide to sway people because of something they heard at the Planning Commission level when the item is heard by the County Council. She did not understand why a Council Member would attend a Planning Commission meeting if they would have to recuse themselves at the Council level.

Council Member Ure stated that he would like to hear Code amendments when they are proposed and suggested that the Planning Commission chair appear before the County Council when a legislative item is presented to them. Deputy County Attorney Dave Thomas stated that he would prefer they do that. He explained that, even on legislative items, it might be all right if the Council Member were to sit in the back of the room and never say anything, but it is likely that the Planning Commissioners will ask the Council Member questions, and the Council would not want the Planning Commission's decision influenced in any way by the fact that there is a Council Member present. He believed having the Planning Commission chair present the item along with Planning Staff would be a better idea.

Council Member McMullin gave an example where a Council Member might be interested in a certain Code amendment, such as changes in the sign code, which the Council sent to the Planning Commission. If a Council Member shows up when the Planning Commission considers those amendments, and the Planning Commissioners know what the Council wants, that might stifle their comments. If Council has directed Staff to take something to the Planning Commission because the Council is interested in it, she did not believe Council Members should sit in the room with the Planning Commission while they do their job.

Chair Robinson stated that he supports the idea of having the Planning Commission chair come when the item is presented to the County Council, but he did not believe that should prohibit a Council Member from attending a legislative matter at the Planning Commission level and sitting in the back of the room. He agreed that they should not attend the Planning Commission meeting if the Council directed the Planning Commission to take action on something.

Mr. Thomas explained that one reason the Planning Commissioners have asked that a Council Member serve as liaison to the Planning Commission is that they want to be sure the Council understands why they did certain things. There appears to be a feeling that sometimes Staff may not present it the way they would like to have seen it presented. Having the Planning Commission chair come when the item is presented to the County Council should satisfy that concern. Council Member Elliott stated that she would not want to limit it to the chair. She would like to issue an invitation to the Planning Commissioners to attend the Council meeting with their chair or some other delegate being their spokesperson.

Mr. Jasper noted that the Planning Commission is not supposed to listen to public clamor, and they are asking a Council Member to participate in that public clamor when the same people will show up to address the County Council. Mr. Thomas confirmed that the Planning Commission's recommendation is supposed to be based on the Code, and any discretionary decision is to be made by the legislative body for legislative acts. However, clamor can be allowed for legislative acts. Council Member McMullin stated that the only time clamor is not to sway is in approving Conditional Use Permits (CUP). In legislative acts, they want to hear what the public has to say, but they cannot let emotion stop them from approving a CUP if otherwise the requirements have been met or mitigated.

Chair Robinson stated that he has been contacted by a couple of people wanting to meet on the ski link issue. Council Member Ure stated that he is interested in learning about it, and he believed it would be fitting to invite both groups in and let them each present their information but not make a response. Chair Robinson stated that, if it moves forward, the people and entities involved at that time could be entirely different than they are now. He believed the County's role would be to permit a small reach of ski lift, which would be a minimal role. He did not believe there was huge risk of having to recuse themselves as an appellate body, because it may take a long time before anything is done. Council Member Ure stated that he attended a meeting today where the topic was brought up, and he knows nothing about it. He is being biased a little at a time by one side or the other, and sitting down with the parties involved would give him the opportunity to be informed and hear both sides. The Council Members agreed to set up a work session to have the parties involved in ski link inform them.

REGULAR MEETING

Chair Robinson called the regular meeting to order at 5:00 p.m.

- **Pledge of Allegiance**

CONSIDERATION AND APPOINTMENT OF 2012 COUNCIL CHAIR AND VICE CHAIR AND COMMITTEE ASSIGNMENTS, AS MAY BE REQUIRED

Council Member Hanrahan made a motion to appoint Council Member David Ure as County Council chair for 2012 and Council Member Claudia McMullin as vice chair. The motion was seconded by Council Member Elliott and passed unanimously, 5 to 0.

REQUEST DISPUTING PROPOSED GREENBELT ROLLBACK TAXES ON TWO PARCELS IN FRANCIS; RANDY BUTTERS

Randy Butters, the applicant, explained that by the time he realized the valuations had changed, it was past the time to make a change. He explained that, at the time Kirkham Estates was subdivided in 2002, several lots were buildable, so they were sold and the rollback taxes were paid on them. However, some of the lots were not buildable and do not have access. He acknowledged that he probably should have looked at the values placed on those lots at the time, but because they were in agricultural use, and the taxes were about the same, it was a non-issue at the time. Since then, a value was placed on the lots, and the rollback taxes will be paid on a value that is not realistic. There is no access to the property, and it is still used for grazing until there is access to it. The property either needs to remain agricultural for a short period of time until access is available and it becomes buildable, or it should reflect the actual value so the rollback tax would be based on the actual value of the property, not as if it were buildable. He thought it strange that this did not come up at the time of the subdivision, because the rollback taxes should have been paid at that time. He acknowledged that there will be access to the property at some point, but he did not believe the present tax value was fair.

Council Member Hanrahan asked if the County Council is being asked to revalue the property or to waive taxes at the current value. Mr. Thomas explained that Mr. Butters is asking for an equity decision to waive taxes based on unique circumstances. Chair Robinson clarified that the property was rolled out of greenbelt because the aggregate parcel size declined below 5 acres. Mr. Butters is asking that the County either leave the parcel in greenbelt or reduce the amount of rollback, because he did not adequately challenge the full valuation of the property, thinking it was still in greenbelt. Mr. Butters explained that it is not that the parcel was just brought out of the 5 acres; that was done in 2002. Had he known at that time, he would have taken care of it, but as agricultural property, the taxes were basically the same. Chair Robinson noted that Mr. Butters filed a quit-claim deed in 2011, which instigated a new review of the property.

County Assessor Steve Martin confirmed that the property was subdivided in 2002, and at that time the value of the entire subdivision should have been rolled out of greenbelt. He believed the former County administration might have made arrangements for the lots to be taken out of greenbelt as they were sold so the costs would be borne by the purchasers. The values were set based on lot lines and the fact that lots are not divided into useless parcels but are divided into buildable lots. A farm road accesses the lots in question, and it was probably presumed that these were buildable lots. He noted that Mr. Butters has received the benefit of greenbelt taxes since he applied for the subdivision, although some lots were rolled back once they were sold. Since the subdivision was created, Mr. Butters has had an annual opportunity to challenge market value and has only paid \$5 in taxes when he should have been paying closer to \$5,000. It was the opinion of the Assessor that, because Mr. Butters has enjoyed the greenbelt rate, the County is due the rollback taxes on the parcels in question. As far as the value of the individual parcels, Mr. Butters has had the opportunity to appeal those market values, especially on the lots he has not yet developed.

Council Member Ure stated that he was under the impression that a person could not have greenbelt on anything less than 5 acres. If part of the lots were divided off, he asked if it should have automatically have come out of greenbelt. Mr. Martin explained that it is the property owner's responsibility to notify the County when the property is no longer in greenbelt. In this

case, the quit-claim deed and name change caused the County to send out a rollback notice. Council Member Ure stated that it appears by State law that the County could not declare this property to be in greenbelt, because it is less than 5 acres. Mr. Martin stated that the only way they could do that is if the applicant had several lots combined in a single agricultural operation.

Chair Robinson asked if the 4.25 acres has been actively used for agriculture and met the test for greenbelt, which is the 50% production of similarly situated lands. Mr. Butters replied that he is not certain how it qualifies in Summit County, but the land is used for grazing. Chair Robinson asked if Mr. Butters has demonstrated that to the County by providing a lease or other receipts showing that it has been used as greenbelt. Mr. Butters replied that he has not. Chair Robinson explained that it is incumbent on the property owner to look at the full valuation and challenge it if the Assessor has erred and over-assessed the property.

Mr. Thomas explained that two waivers apply to greenbelt. One is eminent domain, and the other is that 80% or more of the owner's income is derived from agricultural products produced on the property in question.

Chair Robinson asked if Mr. Butters has other land he uses in conjunction with the 4.25 acres as agricultural land. He verified with Mr. Martin that he would grant greenbelt status if Mr. Kirkham, to whom the property was quit claimed, had filed for greenbelt and met the test and had additional lands that would total more than 5 acres. Mr. Thomas noted that the statute states that the property must be contiguous. Council Member Hanrahan commented that, if the sale to Mr. Kirkham were to be combined with extra acreage and create a greenbelt situation, it would be entirely new, because this property should have been removed from greenbelt years ago. Chair Robinson noted that the 4.25 acres was kept in greenbelt longer than it should have been. The County had a right to take it out of greenbelt, but it did not, and the landowner did not saying anything different. Council Member Hanrahan explained that there is an important distinction. The County had a right, but it is incumbent on the property owner to tell the County that the status changed. It is not incumbent on the County to make the determination that it is no longer in greenbelt. Mr. Butters stated that, if it had not been for the economy the last few years, the owners would have built on the lot and the rollback would have been just. There would have been access, and it would have been valued greater than it is and will be at some point. However, it is not developable, and there are still 4.25 acres that cannot be developed because there is currently no access. Chair Robinson summarized that the property owner should have challenged the fair market value assessment by arguing that the land was undevelopable due to lack of access, but those arguments were not made, and he let the Assessor's assigned value stand during those previous tax years. It does not appear that an exception can be found for 4.25 acres qualifying as greenbelt.

Council Member Hanrahan commented that this is analogous to people who seek a primary residency exemption, have not checked the valuation notice for several years, and then want an exemption for previous years. He explained that there is nothing the Council can do if the property owner does not check the assessed value. Mr. Butters stated that he believed they should have the opportunity to pay the tax on what the real value should be, and the County is asking for the tax to be paid at a value higher than the actual value of the property. He noted that Mr. Martin stated that he found files showing that this property should have been taken care of, and it was not. Chair Robinson explained that, in reality, by not taking care of it, the applicant has enjoyed the benefit of the Farmland Assessment Act for more years. If someone notices a

few years down the road that their property is assessed inappropriately, they cannot ask the County for a refund because they just realized how the property was assessed. He explained that is a responsibility of land ownership, and if Mr. Kirkham can meet the test for greenbelt status, he can apply for it in 2012, but the rollback for previous years is still due.

Council Member Elliott made a motion to deny the request to repeal the greenbelt rollback taxes assessed to two parcels in Francis as recommended by the Assessor. The motion was seconded by Council Member Ure and passed unanimously, 5 to 0.

ASSESSOR'S OFFICE 2011 ERRORS AND OMISSIONS; STEVE MARTIN

Mr. Martin briefly reviewed the errors and omissions contained in the staff report.

Council Member Ure made a motion to approve the errors and omissions as presented. The motion was seconded by Council Member Elliott and passed unanimously, 5 to 0.

MANAGER COMMENTS

Mr. Jasper asked Mr. Martin about the transition to the new software. Mr. Martin replied that there are a number of challenges with it, but the State has mandated it, and they will work their way through it.

Mr. Jasper reported that he received a draft RFP from the consultant on the solid waste program. Staff has reviewed it line by line and made some corrections. He also met with Park City staff, which had a number of concerns and questions about what the County is doing, and he will send them a copy of the draft RFP. The next step will be to send the RFP to prospective bidders and get their feedback before finalizing it. He will also send a copy to the Council Members before sending it to potential bidders. He explained that the City's main concern is the uniqueness of the situation in Old Town, and they will address those concerns and make things work. Chair Robinson noted that Allied Waste has indicated that they believe a significant amount of unknown information is needed for a comprehensive RFP and suggested that Mr. Jasper ask Allied to explain what they believe is lacking. Mr. Jasper stated that he would obtain input from a number of entities before finalizing the RFP, including Allied Waste, and if there are flaws in the bid process, they will address them. Chair Robinson expressed concern that they need to have an RFP that everyone in the County who is involved agrees is the right RFP. He did not want to be hasty in sending it out, because getting the RFP right is the most important leverage the County has in the process. Council Member Ure verified with Mr. Jasper that the RFP is for the collection of solid waste, including recycling, and not the landfill. He felt it was important to have information about how recycling relates to use of the landfill in the next 30 to 40 years to justify the need for recycling. He would need all that information before he would know what they could afford to do with recycling to make it as efficient and economically viable as possible. Mr. Jasper stated that they will look at contracting out the landfill operations as a separate option in the future. Chair Robinson suggested that the draft RFP be sent to the municipalities in eastern Summit County, as it will affect them as well. Mr. Jasper noted that the community is complex, and sometimes it is difficult to differentiate between residential and commercial trash collection, but they may have to try to resolve that issue over time, and he did not want that to hold up the RFP.

COUNCIL COMMENTS

Council Member Ure noted that he received an e-mail from Council Member Hanrahan regarding the February 22 and April 11 meeting dates. The Council Members agreed to cancel the February 22 and April 11 meetings.

Council Member Ure noted that there are a little over 28,000 voters in Summit County, and a little over 8,000 reside in municipalities. That is a ratio of approximately 2 to 1 of those who live in the unincorporated area of the County and those who reside in municipalities. He reported that he met with the Chamber Bureau, and they would like an update from the County traffic engineer regarding what is planned for Highway 224 in the next 5 to 10 years. The Chamber Bureau is concerned about the negative impact on tourism if traffic backs up on Highway 224.

Council Member Hanrahan asked Council Member Ure to put the Snyderville Basin cemetery district high on the agenda list. He asked how far in advance of election day they need to finalize that issue so it can get on the ballot. County Clerk Kent Jones replied that the resolution needs to be approved 75 days prior to the election. Council Member Ure agreed to put that on the agenda as soon as possible and move forward as fast as they can. Council Member Hanrahan felt that they should visit the site and determine where the cemetery should be located. He also suggested that someone on the staff write up a resolution addressing how expenses will be paid, the financial impact, etc.

Council Member Elliott recalled that they have talked about changing the charter to remove some of the things they do not like about it, and she would like that to be a high priority so the language can be prepared and the public hearings can be held to place that on the ballot this year as well. Council Member Ure stated that the Council can change some things without placing them on the ballot. Mr. Thomas clarified that they cannot change the powers between the Manager and Council without a ballot initiative, but many other things can be done by ordinance. Council Member Elliott stated that she would like to hear from the public, regardless of how it is handled.

Chair Robinson asked if they want to make changes to the committee assignments. Council Member Ure agreed to take on the Mountainlands Association of Governments, and the remainder of the committee assignments remained the same.

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

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

The meeting of the Governing Board of the Snyderville Basin Special Recreation District was called to order at 6:00 p.m.

DISCUSSION AND POSSIBLE APPROVAL OF THE ALLOCATION OF OPEN SPACE BOND FUNDS FOR THE OSGUTHORPE 120 CONSERVATION EASEMENT; CHERYL FOX, SUMMIT LAND CONSERVANCY, AND MAX GREENHALGH, BOSAC CHAIR

Sustainability Coordinator Ashley Koehler explained that Summit Land Conservancy is requesting funding for the Osguthorpe 120 parcel. The Council had recommended \$300,000 in funding as recommended by the Basin Open Space Advisory Committee (BOSAC), but the Recreation District had requested \$450,000. The Summit Land Conservancy has now made an additional request to BOSAC, which BOSAC has evaluated, and they now recommend that an additional \$150,000 be allocated, for a total of \$450,000, which is consistent with the Recreation District's recommendation. BOSAC has recommended a condition that a management plan would be created for the entire Round Valley area so management efforts are not reactive but are incorporated into a plan.

BOSAC Chair Max Greenhalgh explained that Round Valley is an extremely important recreational property, and it is important to the community for preservation purposes. It appears that only the conservation value of recreation has been looked at for preservation purposes. Perhaps other conservation values should be subservient to recreation, but there should be some sort of management plan to be sure the property is not overloaded. Mr. Jasper commented that a recreation plan could be designed to recognize other attributes of the land.

Chair Robinson asked on what basis the Recreation District has a legal right to use the land in Round Valley that is owned by Park City Municipal Corporation for trails. Mr. Greenhalgh replied that he did not think there was a legal right. The City has indicated that they intend to annex the Osguthorpe 120 and Roundy Valley parcels and that there will be no restriction on County access. He explained that acquisition of all the PRI property was done as a joint venture between the City and the County. All the funds allocated to the Round Valley parcel came from Park City, and they own fee title to that parcel. Chair Robinson stated that this might be a good opportunity to formalize whatever rights the Recreation District has to the open space.

Board Member Elliott made a motion to approve the expenditure of an additional \$150,000 in open space bond funds for the Osguthorpe 120 conservation easement with the following conditions of approval:

Conditions:

- 1. The Snyderville Basin Special Recreation District shall have perpetual access to the property for trails.**
- 2. A management plan shall be prepared by Park City for the Round Valley parcel for the perpetuation of wildlife access with input and implementation from the Snyderville Basin Special Recreation District.**

Board Member Hanrahan suggested that the motion be worded as shown in the staff report with the addition of the two conditions.

Board Member Elliott withdrew her motion.

Chair Robinson stated that it would not be difficult for Cheryl Fox, Mr. Greenhalgh, and Ms. Koehler to come back in a week of two and present the agreement that defines the legal relationship between the Snyderville Basin Special Recreation District and the open space, including language that a management plan will be in place by a certain date.

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

Board Member Elliott 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 Hanrahan and passed unanimously, 5 to 0.

The meeting of the Governing Board of the Snyderville Basin Special Recreation District adjourned at 6:20 p.m.

APPROVAL OF COUNCIL MINUTES

NOVEMBER 16, 2011

NOVEMBER 21, 2011

NOVEMBER 30, 2011

DECEMBER 7, 2011

Council Member Elliott made a motion to approve the minutes of the November 16, 2011; November 21, 2011; November 30, 2011; and December 7, 2011, meetings of the Summit County Council with changes to the November 16 minutes. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.

PUBLIC INPUT

Chair Robinson opened the public input.

Craig Eroh, representing Citizens for the Alignment of Growth and the Environment (CAGE), stated that they support the County Council's decision to recognize the need to allow a meeting between the County Council and the Planning Commission. While there have been concerns that this interaction could open the County to potential liability, CAGE believes the opposite is true. They believe there is a disconnect between the workings of the Planning Commission, Planning Staff, County Legal Staff, County Council, County Manager, and citizens of Summit County. He claimed that there is a distinct impression that the zoning and building allowed in Summit County is not being done on a level playing field, and there is too much gray and not enough black and white. Developers sue the County when they feel they have been treated unfairly, and neighborhood groups are also seeking redress through the court when they believe they have been treated unfairly. Leveling the playing field and having black and white building laws so people know what to expect should reduce lawsuits, and that will require more communication between the groups. Mr. Eroh stated that Summit County stands at a crossroads in determining what its future will be, and what they do today will determine the quality of life for their children and grandchildren. The citizens of Summit County are extremely talented, and the willingness to make the community a special place can be seen in the number and variety of non-profit organizations. If they tap into the problem-solving skills of the citizens, there are no problems that cannot be overcome. It is CAGE's goal to be a catalyst and recruit community members to

offer solutions and take action rather than just complain, and through cooperation and communication they can move forward to insure that Summit County continues to be one of the greatest special places in the country and the world.

Chair Robinson closed the public input.

The County Council meeting adjourned at 6:25 p.m.

Council Chair, Chris Robinson

County Clerk, Kent Jones

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, JANUARY 11, 2012
COUNCIL CHAMBERS
COALVILLE, UTAH

PRESENT:

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

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

In the absence of Chair David Ure, Vice Chair Claudia McMullin assumed the chair.

CLOSED SESSION

Council Member Hanrahan made a motion to convene in closed session for the purpose of discussing litigation. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

The Summit County Council met in closed session from 2:20 p.m. to 3:20 p.m. to discuss litigation. Those in attendance were:

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

Robert Jasper, *Manager*
Anita Lewis, *Assistant Manager*
Dave Thomas, *Deputy Attorney*
Des Barker, *Lobbyist*

Council Member Robinson made a motion to dismiss from closed session and to convene in work session. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

WORK SESSION

Vice Chair McMullin called the work session to order at 3:20 p.m.

- **Discussion with County's lobbyist, Des Barker**

The Council discussed the possibility of scheduling a luncheon with the legislators. Des Barker, the County's lobbyist, commented that it would be difficult to get something scheduled before the session starts and suggested that they meet with them at the Capitol after the session starts. Mr. Barker noted that the State has reported that they have a surplus, but most of it is already assigned to various programs and the financial imbalance. That, along with the Tea Party pressure on the legislature and immigration reform, leaves the moderates vulnerable to being removed from office in the next election cycle, and there will be more pressure for them to look more conservative during this legislative session. Caucuses will be March 15, and if people are interested in challenging those seats, they will likely be filing soon.

Mr. Barker stated that the list of bills includes on-line travel agency taxation, and he anticipated that the Restaurant Association would bring something forward regarding the restaurant tax. He understood that there may be some eminent domain trails bills, there are at least four film studio bills, and he believed school equalization would come up again. Mr. Barker asked if there are any issues the Council Members would like him to stay on top of. Council Member Robinson asked if Mr. Barker had heard about any legislation regarding TDRs. Mr. Barker replied that he believed Senator Niederhauser would introduce a bill to tighten up TDR programs going forward, but he did not believe Summit County had done anything illegal based on the law at the time. Deputy County Attorney Dave Thomas explained that the bill basically adopts the recommendations of the audit, and many of the audit recommendations came from Summit County. One thing not included in the bill is a requirement for a conservation easement to be sure that the open space remains as open space.

Council Member Hanrahan asked when the cut in the program for children's vaccines would take effect. County Manager Bob Jasper explained that Public Health Director Rich Bullough has indicated that the Federal government cut the money, and the State passed that cut on. Mr. Bullough has stated that he will cut funds elsewhere to protect that program. He noted that the State had negotiated a wholesale rate, but the County is too small to do that, and if the State would be the wholesaler it would help.

- **Interviews (2) for vacancies on the Hoytsville Cemetery Special Service District**

The Council Members interviewed Glenn Shaw and Doug Geary for the two vacancies on the Hoytsville Cemetery Special Service District Board.

- **Interviews (4) for vacancies on the North Summit Recreation Special Service District**

The Council Members interviewed Jacki Vernon and Brandon Rees for the three vacancies on the North Summit Recreation Special Service District Board.

- **Interviews (2) for vacancies on the Eastern Summit County Sewer Advisory Committee (ESAC)**

The Council Members interviewed Bill Wilde and Jill Houston for the two vacancies on the Eastern Summit County Sewer Advisory Committee.

CONVENE AS THE BOARD OF EQUALIZATION

Council Member Hanrahan made a motion to convene as the Summit County Board of Equalization. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

The meeting of the Summit County Board of Equalization was called to order at 5:30 p.m.

CONSIDERATION OF APPROVAL OF 2011 STIPULATIONS

Board Member Hanrahan made a motion to approve the 2011 stipulations as presented in the packet. The motion was seconded by Board Member Elliott and passed unanimously, 4 to 0.

DISMISS AS THE BOARD OF EQUALIZATION

Board Member Hanrahan made a motion to dismiss as the Summit County Board of Equalization and to reconvene as the Summit County Council. The motion was seconded by Board Member Elliott and passed unanimously, 4 to 0.

The meeting of the Summit County Board of Equalization adjourned at 5:31 p.m.

REGULAR MEETING

Vice Chair McMullin called the regular meeting to order at 5:31 p.m.

MANAGER COMMENTS

Mr. Jasper stated that the next step in setting up a cemetery district in the Snyderville Basin would be to decide whether the cemetery board should be elected or appointed. The Council Members concurred that the board members should be appointed. Mr. Jasper asked about the boundaries of the district. The Council Members agreed that they should use the same district boundaries as the Snyderville Basin Special Recreation District and that the district should exclude the corporate boundaries of Park City. Mr. Jasper noted that, if property within unincorporated Summit County is annexed by Park City, they would have to de-annex that property from the cemetery district. He summarized that the next steps would be to prepare a resolution of intent, open the protest period, and then set up the district. He suggested holding a work session to discuss potential cemetery locations. Council Member Hanrahan stated that he did not believe they would want to approve a resolution until they knew where the cemetery will be located, because they would only have 45 days to hold a public hearing once the resolution is approved. He stated that reasons to push forward with the process include being able to place the issue on the November ballot to save the cost of a special election and to have more people invested in the process. He asked to have a work session with someone who could suggest other locations for the cemetery.

COUNCIL COMMENTS

There were no Council comments.

APPROVAL OF COUNCIL MINUTES

DECEMBER 14, 2011

DECEMBER 19, 2011

Council Member Hanrahan made a motion to approve the minutes of December 14 and December 19, 2011, as edited. The motion was seconded by Council Member Robinson and passed unanimously, 4 to 0.

- **Pledge of Allegiance**

DECISION REGARDING ELECTED OFFICIALS' SALARY INCREASE

Vice Chair McMullin explained that the Council is thinking of raising the elected officials' salaries, as they have not had a raise since 2008. The County Council and elected officials would receive a lower percentage increase than average Summit County employees, who will receive raises averaging 3% and ranging from 0 to 5% based on merit. The Manager has recommended that the County Council and the majority of elected officials receive a 2.426% increase. Judge Kerr will receive an increase of 4.497% to bring her salary in line with the majority of elected officials. The Sheriff will receive a 4% increase, because he is the lowest paid public safety official in Summit County, and the Attorney will also receive 4% to bring his salary closer to what he would receive in the private sector and to recognize the expertise required for his position as County Attorney.

Council Member Robinson made a motion to accept the recommended salary increases for Summit County elected officials. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

The County Council meeting adjourned at 6:15 p.m.

Council Chair, David Ure

County Clerk, Kent Jones

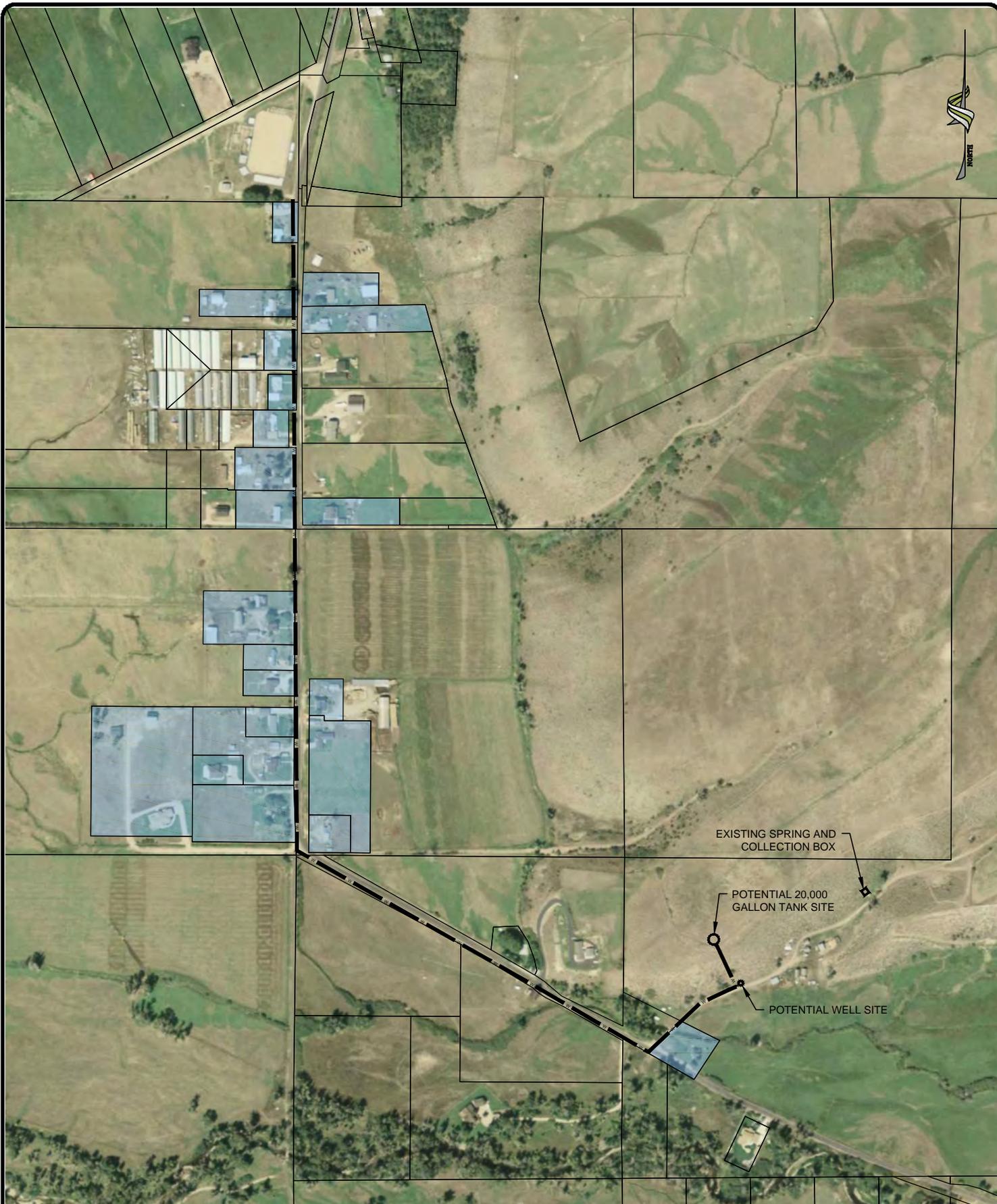
ENGINEER'S ESTIMATE OF ANTICIPATED CONSTRUCTION COST

Wooden Shoe Water System

Water System Improvements - Culinary Water Only

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	Mobilization	1	LS	\$ 12,752.50	\$ 12,752.50
2	20,000 Gallon Water Tank	1	LS	\$ 49,040.00	\$ 49,040.00
3	Pump House Building	1	LS	\$ 19,860.00	\$ 19,860.00
4	Pump House Mechanical	1	LS	\$ 10,000.00	\$ 10,000.00
5	Drill Production Well	300	LF	\$ 225.00	\$ 67,500.00
6	6 Foot Chain Link Fence	400	LF	\$ 25.00	\$ 10,000.00
7	4" Waterline	4,300	LF	\$ 17.50	\$ 75,250.00
8	Install New Water Laterals	19	EA	\$ 1,100.00	\$ 20,900.00
9	Traffic Control	1	EA	\$ 2,500.00	\$ 2,500.00
10	<i>Anticipated Construction Cost</i>				\$ 267,802.50
11	Contingency	LS	10%	\$ 26,780.25	\$ 26,780.25
12	Engineering	LS	8%	\$ 21,424.20	\$ 21,424.20
13	Survey	LS	2%	\$ 5,356.05	\$ 5,356.05
14	Construction Management and Inspection	LS	7%	\$ 18,746.18	\$ 18,746.18
15	<i>Total Cost</i>				\$ 340,109.18





LEGEND:
[Light Blue Box] SERVICE CONNECTIONS TO SYSTEM
[Thick Black Line] 4" WATERLINE

WOODENSHOE WATER SYSTEM PROPOSED CULINARY WATER IMPROVEMENTS