

Memo

Date: April 18, 2012
To: County Council
From: Kevin Callahan, Public Works Director
RE: Transit Program Updates

Background

This report has been prepared to inform the Council of the status of our current and planned transit activities. The report covers the operations of county bus routes, the UTA Salt Lake connection and the planning activities surrounding the planned Kimball Transit Hub.

County Bus Routes

Initially during the recession, we saw bus ridership on County routes drop due to a contraction in visitors and seasonal employment. In 2009, the county's bus routes carried nearly 600,000 riders but ridership declined by 7% to about 559,000 in 2010. In 2011, we saw resurgence in riders back to the 600,000 level. Data for 2012 indicates we are on track to match numbers despite the fairly weak snow year.

Transit Infrastructure

Late in 2011, Park City completed the construction of the Ironhorse Transit maintenance and storage facility. This facility was primarily federally funded but Summit County along with Park City shared in the local cost of the development of the facility. In 2012, we began paying a monthly fee for our share of the cost of construction and maintenance. As our transit system expands, we will now have the ability to maintain and store up to 60 buses for the entire system.

We have hired the design firm of CRSA to prepare a set of conceptual plans for the Kimball Transit Hub. We are also coordinating with the developer of the next phase of the Boyer Research Park for a compatible approach to parking access and use for the building site adjacent to the Richins Building. The current schedule would be to go to Snyderville Basin Planning Commission in May for a workshop presentation of two conceptual alternative designs for the project site. The environmental review of this project is already complete and the FTA has issued a Categorical Exemption for this project.

Summit County is also working with Park City Transit, who is an authorized Federal Transit Administration (FTA) grant recipient, to submit a funding request of \$2.1 million to the for the full cost of the development of this project. The County's ownership of the land more than meets our 20% local match requirement. The likely timing of a notice of award from the FTA would be in August of this year.

UTA Transit Service

We began this service in October of last year prior to the opening of the area's ski resorts. We did this at the initiation of UTA who wanted a few weeks to work out the bugs in the system before we began the ski season in earnest. The initial service for October and November was a total of eight bus trips a

day with a capacity of handling 456 riders/day if they were fully loaded. This service level started with two buses coming up the hill from Salt Lake each morning and which then returned to Salt Lake immediately. Then each afternoon, two buses came back and then returned to Salt Lake.

In December, we switched to a more intensive winter schedule of 14 trips a day with a capacity of 798 passengers. This was done in anticipation of an active winter season with a strong uphill demand for resort employees. While the resorts have been a major user of this system, overall it has been a relatively slow winter season with fewer employees coming on board with full time shifts. As a result the level of ridership has been less than expected. The table on the following page depicts how the service has performed thus far:

Month	Ave. Daily Riders	Occupancy Rate	County Cost (monthly)
October daily average	32 riders/day	7 % occupancy	\$36,752
November daily average	50 riders/day	11% occupancy	\$36,624
December daily average	138 riders/day	17% occupancy	\$41,329
January daily average	183 riders/day	23% occupancy	\$33,230
February daily average	189 riders/day	24% occupancy	\$35,097
March daily average	173 riders/day	22% occupancy	

As a part of our agreement with UTA, Summit County and Park City each agreed to underwrite the cost of this service up to \$235,000 for the first year of service (from October-September). Once those funds were expended UTA has agreed to provide an additional subsidy of \$180,000 to cover any shortfall costs for the service. By the end of March, we had already expended about 90% of that initial commitment. As a result, we are proposing a significant reduction in service levels for the spring-fall season back to the 8 bus service we began with in October. In addition, we have worked with UTA to achieve savings in basic service costs should help maintain a basic service until the beginning of the next ski season. The revised schedule and estimated costs are included as an attachment to this report.

A clearer picture of the overall ridership in the UTA service can be obtained by looking at the location of transit demand. Since service began, Park City employers have provided much more demand for seats than have Salt Lake Valley employers. This demand is shown by the proportion of early morning demand for service which is reversed each afternoon. That demand by month shows the following pattern.

Month	Total Riders	Park City Demand	%	Salt Lake Demand	%
October	678	281	41%	397	59%
November	1,112	620	56%	492	44%
December	4,176	3,551	85%	625	15%
January	5,820	4,625	79%	1,195	21%
February	5,075	4,109	81%	969	19%
March	6,915	5,919	86%	996	14%

This data from the chart on the previous page reveals several interesting facts. Overall ridership for the Summit County-Salt Lake County bus increased dramatically during the winter. Ridership grew by some 65% from December 2011 to March 2012. Over those 6 months, Summit County employers or attractions were responsible for generating 80% of the riders using the system. This is despite the fact that we have about an equal number of daily commuters going up and down the hill in both directions.

Some of the reasons for the imbalance in ridership with demand with daily trips to Park City far exceeding those to the Salt Lake Valley are:

- Summit County/Park City resorts were strong proponents of the service and have underwritten the cost of trips for their employees;
- The University of Utah had already begun classes when the service went into place and students, staff and faculty had already made their transportation plans for the year;
- Many Salt Lake area employers participate in UTA's eco-pass program and this service doesn't work with that pass requiring them to underwrite a new program;
- UTA had a very limited marketing budget for the service and most employers in the Salt Lake area remain unaware of the service;
- Currently there is no discount for riders who use the service on a regular basis and this disincentive needs to be addressed.

Planned Service Changes

Given that the major driver of UTA ridership during the winter was Summit County/Park City resort employee or visitor demand, we plan to scale our service level back until the beginning of next winter. As a result, on April 15 we will reduce the service frequency from 14 buses a day back to 8 buses. This will dramatically lower service costs while preserving a basic lifeline service. The timing will be a streamlined commuter service with two morning trips each way (6:30-9 AM) and two evening trips each way (4:20-7:06 PM). Since County and City subsidies will be mostly expended by the beginning of this spring-fall service, UTA will underwrite the majority of the excess service costs. Staff is reasonably confident with: this reduction in service, a re-alignment of service times to more closely match demand, and a more focused marketing efforts we can complete the first year of service without requiring additional funding from County\City.

Planned Marketing Changes

UTA has begun a more aggressive outreach program to the University of Utah and to the University Research Park for participation by those employers in this service. They also have prepared promotional materials to educate other Salt Lake Valley employers about the benefits of this program. A Direct E-mail promotion offering a free introductory ride to employees of businesses located along service route is scheduled to launch with service change on April 15th County and City staff are playing an active role in bolstering marketing program.

Park City- Salt Lake City Connect

Contracts in place: Contract Type

Canyons Resort	Pay per Trip
Park City Resort	Pay per Trip
Deer Valley Resort	Pay per Trip
Skull Candy	Pay per Trip
Park City Municipal	Consignment
Silverstone	Consignment
Williams NW Pipeline	Consignment

Contacts and Outreach:

VA Hospital

Judge Memorial Catholic School	11-21-11 Meeting scheduled 4-18-12
University of Utah	2-16-12 (U of U Interested) currently doing analysis and then we need to set up meeting for Kent and Kevin....
LDS Church Office	2-14-12
SLC Chamber/Downtown Alliance	1-30-12
SLC Marketing Group Downtown Alliance	3-6-11
Park City Chamber (small business)	9-14-11
Park City Chamber (Outlet Employees)	

Job Fairs:

Park City Job Fair (Yarrow)	10-5-11
Park City Job Fair (SLC Job Service)	11-8-11

Special Events:

Kick Off Event	9-29-11
Canyons Breakfast Ride Event	9-29-11

Park City Resort-Employee Benefits Events:

Deer Valley Resort	12-1-11
Park City Mountain Resort	12-8-11
Canyons Resort	12-14-11

Zip Code Analysis:

U of U/Medical Center	981 Potential riders
LDS Church	25 Potential riders
Intermountain Health Care	9 from current Eco pass holders not from entire employee base....

Email Blast Promotion:

Scheduled for April 15

MAR 02 2012

Application for Property Tax Exemption <u>Summit</u> County Board of Equalization	UCA 659-2-1101 and 1102 Form PT-020 PT-020.ai Rev. 10/99
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This application should be used to apply for exemption from ad valorem (value-based) property tax.

Nonprofit Entity Information

Name of organization applying <u>Mountain Lands Community Housing Assn</u>	EIN, SSN, or other tax ID number <u>87-0514438</u>
Address <u>1960 Sidewinder Dr., Ste. 1070</u>	Tax year <u>2012</u>
City <u>Park City</u>	State <u>UT</u> Zip <u>84060</u>
Contact person <u>Scott Loomis, Executive Director</u>	Telephone <u>435-647-9719 x11</u>

Exemption Information

This property is exclusively used for (check one):

- Religious purposes
- Charitable purposes
- Educational purposes
- Other (specify) _____

Describe the purpose of this nonprofit organization:

Create and preserve affordable housing for workforce and low-income families of Summit County and Wasatch County, Utah.

Describe why this property should be exempt from ad valorem property taxes:

Property was conveyed to a non-profit (501(c)3) for purposes/uses of affordable housing.
(see enclosed Quit-Claim Deed)

Attachments Attach the following documentation

- A certified copy of the Articles of Incorporation of the nonprofit entity. *on file*
- A copy of current by-laws and/or other organizational information. *on file*
- A copy of the 501(c)3 certification issued by the IRS. *on file*
- Completed schedules as follows:
 - Schedule A -- Real Property; one schedule for each parcel of real property under consideration.
 - Schedule B -- Personal Property used exclusively for religious, charitable, or educational purposes.
 - Schedule C -- Financial information related to the property under consideration; complete only applicable portions.

Return to Search Results

You searched for: SerialNumDocID = WM-2
6 items found, displaying all items.1

Description Summary **Add All to My Images**

Description	Summary	To: WHOM IT MAY CONCERN	Subd: WASHINGTON MILL SUBD S 21 T 2S R 4E	No images
Plat 00410682	B: 94 P: 39 07/26/1994 04:13:00 PM Related: WASHINGTON MILL SUBDIVISIONCONT 38,200 SQ FT OF .88 AC - ...	WM-3, WM-4, WM-5, From: ROYAL STREET LAND COMPANY		
Warranty Deed 00410685	B: 823 P: 605 07/26/1994 04:18:00 PM Related:	WM-3, WM-4, WM-5, From: ROYAL STREET LAND COMPANY	Subd: WASHINGTON MILL SUBD Lot: 2, Subd: WASHINGTON MILL SUBD Lot: 3, Subd: WASHINGTON MILL SUBD Lot: 4, Subd: WASHINGTON MILL SUBD Lot: 5	Add to My Images
Warranty Deed 00410686	B: 823 P: 606 07/26/1994 04:19:00 PM Related:	WM-3, WM-4, WM-5, From: DEER VALLEY RESORT COMPANY	Subd: WASHINGTON MILL SUBD Lot: 2, Subd: WASHINGTON MILL SUBD Lot: 3, Subd: WASHINGTON MILL SUBD Lot: 4, Subd: WASHINGTON MILL SUBD Lot: 5	Add to My Images
Warranty Deed 00465992	B: 1003 P: 360 10/29/1996 04:46:00 PM Related: LOTS 2, 3, 4, & 5 WASHINGTON MILL SUB.	WM-3, WM-4, WM-5, From: WASHINGTON MILL LC	Subd: WASHINGTON MILL SUBD Lot: 2, Subd: WASHINGTON MILL SUBD Lot: ETAL	Add to My Images
Warranty Deed 00465994	B: 1003 P: 383 10/29/1996 04:51:00 PM Related: LOTS 2, 3, 4, & 5 WASHINGTON MILL SUB.	WM-3, WM-4, WM-5, From: PARK CITY MUNICIPAL CORPORATION	Subd: WASHINGTON MILL SUBD Lot: 2, Subd: WASHINGTON MILL SUBD Lot: ETAL	Add to My Images
Quit Claim Deed 00935794	B: 2107 P: 1748 12/12/2011 02:11:43 PM Related:	WM-2, WM-3, WM-4, From: WASHINGTON MILL LC	Subd: WASHINGTON MILL SUBD Lot: 2, Subd: WASHINGTON MILL SUBD Lot: 3, Subd: WASHINGTON MILL SUBD Lot: 4, Subd: WASHINGTON MILL SUBD Lot: 5	Add to My Images

6 items found, displaying all items.1

Return to Search Results

Application for Exemption – Real Property
Schedule A

UCA §59-2-1101 and 1102
Form PT-020A
PT-020a.ai Rev. 10/89

Complete a separate Schedule A for each parcel of real property under consideration

Property Owner

Full name of the owner of record
Mountainlands Community Housing Assoc.
Address
1960 Sidewinder Dr., Ste 107
City
Park City
EIN, SSN, or other tax ID number
87-0514438
Telephone
435-647-9719
State
UT Zip
84060

Property Information and Description

Property Location
270 Daly Ave., Park City, UT
Brief description of parcel
residential lot with structure
Property parcel number
WM-2
Date the property was acquired
12 Dec 2011
Acreage:
.22 Actual Approximate

List separately and describe each building or physical structure on the property
duplex apartment/homes - two units

Use of Property

- Complete this first question separately for each building or structure, use additional sheets as necessary.
 - Building or structure *duplex apartment/homes -*
 - Activities or functions this building or structure is used for *affordable rental housing*
 - Percentage of building or structure used for this purpose *100%*
 - Approximate hours per month building or structure is used for this purpose *100% - 720+*
 - Date use for this purpose began *prior to 1 Jan 1996*
- Have all activities/functions listed in 1 continued without interruption since first starting? Yes No
If no, explain any interim or non-use: _____
- Is there any use of the property, buildings or structures other than described in 1 above? Yes No
If yes, describe: _____
- Is all or part of the property, buildings or structures rented or leased? Yes No
If yes, answer the following.
 - Name of person or entity renting or leasing the property *various qualifying individuals/families*
 - Describe the portion that is rented or leased *100%*
 - Amount of rent or other compensation received *varies \$500-750/month*
 - How is the rent or compensation determined? *HHD FMR + income limits*

Attachments Attach the following items

- A copy of the legal description of the real property under consideration.
- A current photograph of the real property under consideration.

Application for Exemption – Real Property
Schedule A

UCA §59-2-1101 and 1102
Form PT-020A
PT-020a.a1 Rev. 10/99

Complete a separate Schedule A for each parcel of real property under consideration

Property Owner

Full name of the owner of record <i>Mountainlands Community Housing Assoc.</i>	EIN, SSN, or other tax ID number <i>87-0514438</i>
Address <i>1960 Sidewinder Dr., Ste. 107</i>	Telephone <i>435-647-9719</i>
City <i>Park City</i>	State <i>UT</i> Zip <i>84060</i>

Property Information and Description

Property Location <i>260 Edg. Ave, Park City, UT</i>	Property parcel number <i>WM-3</i>
Brief description of parcel <i>residential lot w/structure</i>	Date the property was acquired <i>12 Dec 2011</i>
List separately and describe each building or physical structure on the property <i>duplex apartment/homes - two units</i>	Acres: <i>.22</i> <input type="checkbox"/> Actual <input checked="" type="checkbox"/> Approximate

Use of Property

- Complete this first question separately for each building or structure, use additional sheets as necessary.
 - Building or structure *duplex apartment/homes*
 - Activities or functions this building or structure is used for *affordable rental housing*
 - Percentage of building or structure used for this purpose *100%*
 - Approximate hours per month building or structure is used for this purpose *100% - 720+*
 - Date use for this purpose began *prior to 1 Jan 1996*
- Have all activities/functions listed in 1 continued without interruption since first starting? Yes No
If no, explain any interim or non-use:
- Is there any use of the property, buildings or structures other than described in 1 above? Yes No
If yes, describe:
- Is all or part of the property, buildings or structures rented or leased? Yes No
If yes, answer the following.
 - Name of person or entity renting or leasing the property *various qualifying individuals/families*
 - Describe the portion that is rented or leased *100%*
 - Amount of rent or other compensation received *varies \$500-750/month*
 - How is the rent or compensation determined? *HUD FMR + income limits*

Attachments: Attach the following items

- A copy of the legal description of the real property under consideration.
- A current photograph of the real property under consideration.

Application for Exemption – Real Property Schedule A

UCA §59-2-1101 and 1102
Form PT-020A
PT-020a.ai Rev. 10/99

Complete a separate Schedule A for each parcel of real property under consideration

Property Owner

Full name of the owner of record <i>Mountainlands Community Housing Assoc.</i>	EIN, SSN, or other tax ID number <i>87-0514438</i>
Address <i>1960 Sidewinder Dr., Ste. 107</i>	Telephone <i>435-647-9719</i>
City <i>Park City</i>	State <i>UT</i> Zip <i>84060</i>

Property Information and Description

Property Location <i>250 Jaly Ave, Park City, UT</i>	Property parcel number <i>WM-4</i>
Brief description of parcel <i>residential lot w/ structure</i>	Date the property was acquired <i>12 Dec 2011</i>
List separately and describe each building or physical structure on the property <i>duplex apartment/homes - two units</i>	Acres: <i>.22</i> <input type="checkbox"/> Actual <input checked="" type="checkbox"/> Approximate

Use of Property

- Complete this first question separately for each building or structure, use additional sheets as necessary.
 - Building or structure *duplex apartment/homes - affordable rental housing*
 - Activities or functions this building or structure is used for *affordable rental housing*
 - Percentage of building or structure used for this purpose *100%*
 - Approximate hours per month building or structure is used for this purpose *100% - 720+*
 - Date use for this purpose began *prior to 1 Jan 1996*
- Have all activities/functions listed in 1 continued without interruption since first starting? Yes No
If no, explain any interim or non-use:
- Is there any use of the property, buildings or structures other than described in 1 above? Yes No
If yes, describe:
- Is all or part of the property, buildings or structures rented or leased? Yes No
If yes, answer the following.
 - Name of person or entity renting or leasing the property *various qualifying individuals/families*
 - Describe the portion that is rented or leased - *100%*
 - Amount of rent or other compensation received *varies \$500-750/month*
 - How is the rent or compensation determined? *HUD FMR + income limits*

Attachments: Attach the following items

- A copy of the legal description of the real property under consideration.
- A current photograph of the real property under consideration.

Application for Exemption – Real Property Schedule A

UCA §59-2-1101 and 1102
Form PT-020A
PT-020a.ai Rev. 10/99

Complete a separate Schedule A for each parcel of real property under consideration

Property Owner

Full name of the owner of record

Mountainlands Community Housing Assoc.

EIN, SSN, or other tax ID number

87-0514438

Address

1960 Sidewinder Dr., Ste 107

Telephone

435-647-9719

City

Park City

State

UT

Zip

84060

Property Information and Description

Property Location

240 Holly Ave, Park City, UT

Property parcel number

WM-5

Brief description of parcel

residential lot w structure

Date the property was acquired

12 Dec 2011

Acreage:

.22

Actual

Approximate

List separately and describe each building or physical structure on the property

duplex apartment/homes - two units

Use of Property

- Complete this first question separately for each building or structure, use additional sheets as necessary.
 - Building or structure duplex apartment/homes
 - Activities or functions this building or structure is used for affordable rental housing
 - Percentage of building or structure used for this purpose 100%
 - Approximate hours per month building or structure is used for this purpose 100% - 720+
 - Date use for this purpose began prior to 1 Jan 1996
- Have all activities/functions listed in 1 continued without interruption since first starting? Yes No
If no, explain any interim or non-use:
- Is there any use of the property, buildings or structures other than described in 1 above? Yes No
If yes, describe:
- Is all or part of the property, buildings or structures rented or leased? Yes No
If yes, answer the following.
 - Name of person or entity renting or leasing the property various qualifying individuals/families
 - Describe the portion that is rented or leased 100%
 - Amount of rent or other compensation received varies \$500-750/month
 - How is the rent or compensation determined? HUD FMR + income limits

Attachments: Attach the following items

- A copy of the legal description of the real property under consideration.
- A current photograph of the real property under consideration.

Application for Exemption – Personal Property Schedule B	UCA §59-2-1101 and 1102 Form PT-020B PT-020b1.ai Rev. 10/99
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Property Owner

Property owner <i>Mountainlands Community Housing Assn.</i>	EIN, SSN, or other tax ID number <i>87-0514438</i>
Address <i>1960 Sidewinder Dr. Sk 107</i>	Telephone <i>435-647-9719</i>
City <i>Park City</i>	State Zip <i>UT 84060</i>

Property Information and Description

Property Location <i>WM-2, WM-3, WM-4, WM-5</i>	Personal property account number (if any)
Briefly describe the personal property under consideration for exemption <i>None - not applicable</i>	

List the original acquisition cost and year acquired.

	Year Acquired	Acquisition Cost
Furniture and fixtures		\$
Commercial and industrial equipment		\$
Mobile homes		\$
Other personal property		\$
Estimated current value for items with unknown acquisition cost		\$

List all motor vehicles under consideration for exemption, including passenger cars, trucks and vans; motorcycles; campers, motor homes, travel trailers and other RVs; boats and watercraft; aircraft; and medium or heavy duty trucks.

License Plate No.	Type of Vehicle	Year	Make	Model	VIN/HIN	Location

Use of Property

1. Is the personal property used at a given parcel of real property? ___ Yes ___ No
 If yes, indicate the property parcel number or address: _____
 If no, where is the property usually located? _____
2. Describe in detail all activities and functions that the property is used for, and the date the use began.

3. Have all activities and functions in 2 continued without interruption since the use began? ___ Yes ___ No
 If no, explain any interim or non use: _____

(continued on reverse)

**Application for Exemption – Benefactors
Schedule C**

UCA §59-2-1101 and 1102
Form PT-20C
PT-020c1.ai Rev. 9/00

Property Owner

Name of organization applying <i>Mountainlands Community Housing Assoc.</i>	Property parcel or account number
Contact person <i>Scott Loomis, Executive Director</i>	Telephone <i>435-647-9719 x 11</i>
Property location	

Financial Information

- Does the use of the property in any way create funds, revenue, products or services that are sold or given away? Yes No
 If yes, state the amount and describe in detail: \$ monthly rent payments
- If you answered Yes in question 1, what portion of funds, revenue, products or services:
 - Are used directly for the purposes for which exemption is claimed? 100 %
 Describe the individuals or organizations receiving benefits, and how they are selected:
Mountainlands Community Housing Assoc. (net of expenses and debt service)
 - Are used indirectly for the purposes for which exemption is claimed? 0 %
 Describe the individuals or organizations receiving benefits, and how they are selected:
 - Are given to any shareholder or individuals or are distributed from the use of the property 0 %
 Explain in detail:
- Does anyone receive compensation in wages, goods, services or other benefits, for services rendered with respect to the property? Yes No
 If yes, attach the following information for each individual:
 - Total compensation received in detail, e.g., money, goods, living quarters, services or other benefits.
 - How the compensation is determined.
 - Explanation of the services performed, including duties and working hours.
 - Relationship of the individual to the owner, user or operator of the property, and whether the individual is a trustee, director, shareholder, lessor, member, employee or contributor of the owner.

(continued on reverse)

Attachments Attach the following documentation

1. Copies of any financial statements, income statements, profit and loss statements or other records that accurately reflect the use of the described property, including the source of all funds, the amount received from each source, and the use of such funds for the most recent fiscal year available.
2. All information requested in question 3, above.
3. If the use of the property did not create any funds, revenue, products or services that are sold or given away, but did result in a benefit to any individual or organization, attach detailed documentation indicating the following:
 - a. All individuals or organizations benefited.
 - b. The amount of benefit received by each.
 - c. How such individuals or organizations were selected.

Certification

I certify that all statements and information on this sheet are true and correct to the best of my knowledge, and that I will notify the Board of Equalization if any of the information should change. I further certify that I have authority to sign this document.

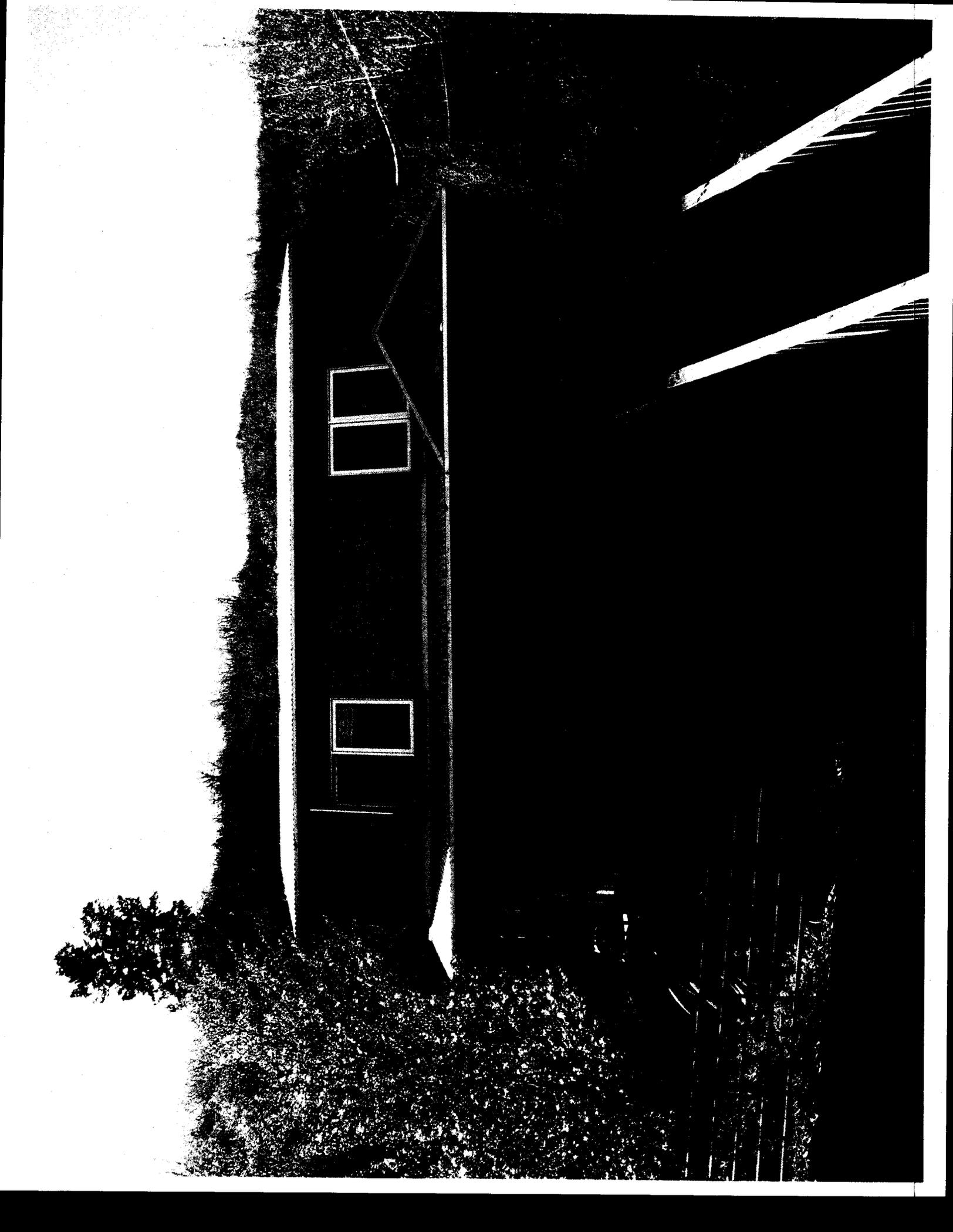
Name (printed) <i>Scott Loomis</i>	Position or capacity <i>Executive Director</i>
Signature <i>[Signature]</i>	Date signed <i>2/27/12</i>
X	

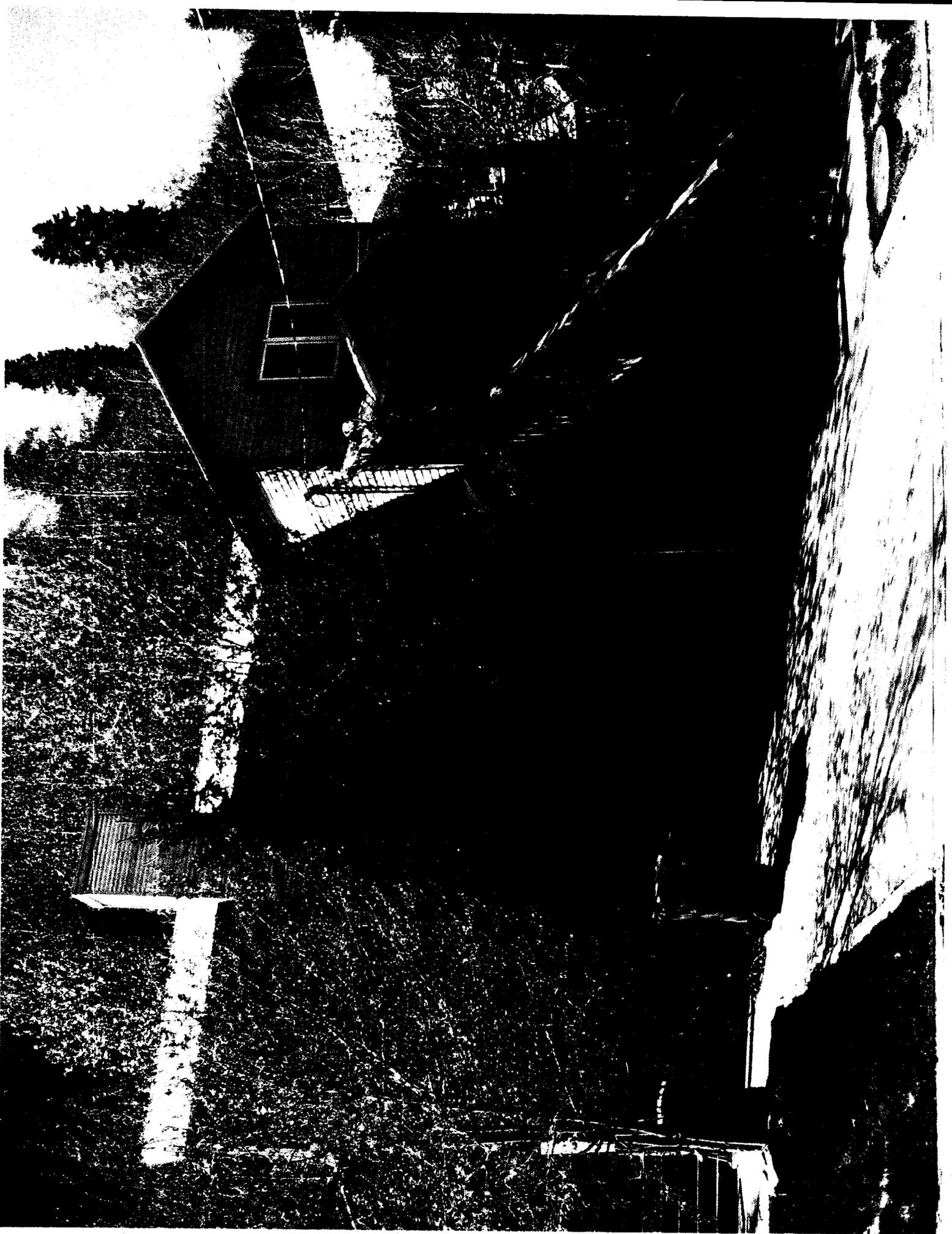
WASHINGTON MILL, L.C.			
BALANCE SHEET			
12/31/11			
ASSETS			
CASH IN BANK:			
OPERATING ACCOUNT		11857.93	
MONEY MARKET ACCOUNT		0.00	11857.93
LAND:			
WASHINGTON MILL APTS.			230000.00
BUILDINGS:			
WASHINGTON MILL APTS.		947230.08	
ACCUMULATED DEPRECIATION		-552330.04	394900.04
TOTAL ASSETS			636757.97
LIABILITIES AND CAPITAL			
SECURITY DEPOSITS			
			3841.00
NOTES & MORTGAGES PAYABLE:			
STATE OF UTAH		283249.76	
UHFA DEVELOPER NOTE		47150.00	330399.76
TOTAL LIABILITIES			334240.76
MEMBERS CAPITAL:			
MCHT		31161.62	
DEER VALLEY RESORT CO.		172940.86	
ZIONS 1ST NATIONAL BANK		114644.97	
2011 PROFIT & LOSS		-16230.24	302517.21
TOTAL LIABILITIES AND CAPITAL			636757.97
WASHINGTON MILL, L.C.			
BY MOUNTAINLANDS COMMUNITY HOUSING TRUST			
BY			
ROBERT W. WELLS			

ITEM	JULY		AUGUST		SEPTEMBER		OCTOBER		NOVEMBER		DECEMBER		BALANCE
	DR	CR	DR	CR	DR	CR	DR	CR	DR	CR	DR	CR	
CASH IN BANK	4801.00	3441.27	4101.00	4371.90	4876.00	3977.93	4126.00	4389.83	6326.00	7754.14	13071.82	7061.70	11857.93
CASH IN MM A/C	1.85		1.78		1.79		1.49		1.27		1.23	7495.82	0.00
LAND - DAILY													230000.00
BUILDINGS - DAILY													947230.08
ACC. DEPRECIATION		2870.39		2870.39		2870.39		2870.39		2870.39		2870.39	-552330.04
A/R-													0.00
OTHER													0.00
TOTAL ASSETS	4802.85	6311.66	4102.78	7242.29	4877.79	6848.32	4127.49	7260.22	6327.27	10624.53	13073.05	17427.91	636757.97
Prepaid Rent													0.00
A/P-MCHT													0.00
SECURITY DEPOSITS									74.00				3841.00
ACC. INT. ON DEVELOP. NOTE													0.00
HOME LOAN	980.41		982.87		985.32		987.79	-713.01	990.26		1991.52		207070.86
HOUSING TRUST LOAN	371.51		372.44		373.37		374.30	-263.78	375.24		754.62		76178.90
DEVELOPER NOTE - UHFA	350.00		350.00		350.00		350.00		350.00		700.00		47150.00
CAPITAL - DVRC													0.00
CAPITAL - MCHT													172940.89
CAPITAL - ZIONS													31161.62
P & L													114644.97
RENTAL INCOME		5576.00		4876.00		4876.00		4126.00		6400.00		5576.00	59586.00
INTEREST INCOME		1.85		1.78		1.78		1.49		1.27		1.23	29.16
OTHER INCOME													0.00
UTILITIES	587.65		627.13		639.81		644.05		676.53		617.13		0.00
INSURANCE													-7219.48
INCENTIVE MGT FEE													-2889.00
MGT FEES	167.28		146.28		146.28		123.78						0.00
BANK CHARGES			10.00										-1428.30
OFFICE EXPENSE													-35.00
INTEREST EXPENSE	734.42		731.03		727.65		724.25	976.79	720.84		1426.54		-235.00
SNOW REMOVAL													-8564.93
GROUPS MAINTENANCE	250.00		250.00		250.00		250.00		175.00		600.00		-5095.00
PROPERTY TAXES									4466.27				-1325.00
REPAIRS & MAINTENANCE	775.00		1677.15		505.60		935.66				971.89		-4466.27
DEPRECIATION	2870.39		2870.39		2870.39		2870.39		2870.39		2870.39		-10142.74
													-34444.68
	7086.66		8017.29		6848.32		4877.79	4127.49	10698.53		9932.09	5577.23	636757.97
	11889.51		12120.07		11726.11		11387.71	11387.71	17025.90		23005.14		

WASHINGTON MILL, L.C. GENERAL LEDGER 2011												
ITEM	2010 JRNL ENTRIES		NOVEMBER		DECEMBER		BALANCE 1/1/2010	NOVEMBER DR	NOVEMBER CR	DECEMBER DR	DECEMBER CR	BALANCE
	BALANCE 12/31/2010	DR	CR	DR	CR	DR						
CASH IN BANK	4358.32			6326.00	7754.14		4358.32					5847.81
CASH IN MM A/C	12466.66			1.27			12466.66					7494.59
LAND - DALY	230000.00						230000.00					230000.00
BUILDINGS - DALY	947230.08						947230.08					947230.08
ACC. DEPRECIATION	-517885.36				2870.39		-517885.36					-549459.65
AVR-	0.00						0.00					0.00
	0.00						0.00					0.00
OTHER	0.00						0.00					0.00
	0.00						0.00					0.00
	0.00						0.00					0.00
TOTAL ASSETS	676169.70	0.00	0.00	6327.27	10624.53	0.00	676169.70	6327.27	10624.53	0.00	0.00	641112.83
Prepaid Rent	0.00						0.00					0.00
A/P-MCHT	0.00						0.00					0.00
SECURITY DEPOSITS	3915.00			74.00			3915.00	74.00				3841.00
ACC. INT. ON DEVELOP. NOTE	0.00						0.00					0.00
HOME LOAN	220533.40			980.26			220533.40	980.26				209062.38
HOUSING TRUST LOAN	81273.85			375.24			81273.85	375.24				76933.52
DEVELOPER NOTE - UHFA	51700.00			350.00			51700.00	350.00				47650.00
	0.00						0.00					0.00
CAPITAL - DVRC	173009.86	69.00					173009.86					172940.86
CAPITAL - MCHT	31230.62	69.00					31161.62					31161.62
CAPITAL - ZIONS	128306.65	13661.68					114644.97					114644.97
P & L	-13799.68		13799.68				0.00					0.00
RENTAL INCOME	0.00						0.00	6400.00				54010.00
INTEREST INCOME	0.00						0.00	1.27				27.93
OTHER INCOME	0.00						0.00					0.00
UTILITIES	0.00						0.00					0.00
INSURANCE	0.00			676.53			0.00	676.53				-6602.35
INCENTIVE MGT FEE	0.00						0.00					-2889.00
MGT FEES	0.00						0.00					0.00
BANK CHARGES	0.00						0.00					-1428.30
OFFICE EXPENSE	0.00						0.00					-35.00
INTEREST EXPENSE	0.00						0.00					-235.00
SNOW REMOVAL	0.00			720.84			0.00	720.84				-7138.39
GROUNDS MAINTENANCE	0.00						0.00					-4495.00
PROPERTY TAXES	0.00			175.00			0.00	175.00				-1325.00
REPAIRS & MAINTENANCE	0.00			4466.27			0.00	4466.27				-4466.27
DEPRECIATION	0.00			2870.39			0.00	2870.39				-9170.65
	0.00						0.00					-31574.29
	676169.70	13799.68	13799.68	10698.53	6401.27		676169.70	10698.53	6401.27	0.00	0.00	641112.83
	13799.68		13799.68	17025.80	17025.80			17025.80	0.00	0.00		







To the Council

April 4, 2012

The matter before you constitutes a new application for an additional purchase of affordable housing units by Mountainlands Community Housing Assoc (MCHA).

The property consists of 4 units of a five unit project with a combined current market value of \$610,201 or \$335,610 taxable generating approximately \$4,400 in tax dollars annually.

It is understood that a similar project in Kamas (Meadow View of Kamas, approximately \$1,132,700 MV exempted) was heard a short while ago, however, there were no facts and findings made for this specific new trend by MCHA from the original holding of and developing vacant land for low income housing into purchasing and holding already improved projects. There was some discussion after the vote that created some conflict as to the guidelines this Office should pursue.

Given the fact that for every dollar exempted, someone else has to pay , it would be this Offices recommendation to consider this exemption vs. a vs. all the other affordable or low income housing that may soon fall under these decisions and the overall impact to those shouldering the now and future tax burden.

Steve Martin

Summit County Assessor

Location

Parcel Number WM-5
Account Number 0218317
Tax District 07 - PARK CITY A,J,K,U (D-D)
Acres 0.20
Situs Address 240 DALY AVE
Legal LOT 5, WASHINGTON MILL SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 8,684 SQ FT OR 0.20 ACRES 823-605-6 1003-360-383 2107-1748
Child Accounts 0301584
 0301592
Child Parcels WM-1
 WM-2
Parent Accounts
Parent Parcels

Value Info

Market (2011)				
Taxable				\$154,555
				\$123,055
	Tax Area: 07	Tax Rate: 0.009118		
Type	Actual	Assessed	SQFT	Units
01D	\$70,000	\$38,500		1.000
11G	\$84,555	\$84,555	1800.000	

Model Summary

Account Value	Cost	Override	Reconciled Value
Building	\$381,518		\$154,555 *
Land	\$311,518	\$84,555	
	\$70,000		

* Model override applied

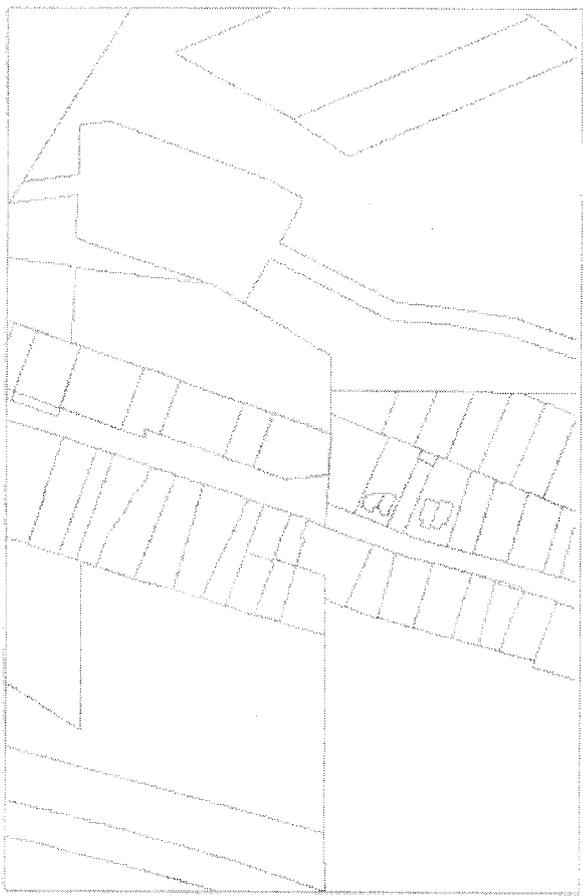
Owners

MOUNTAINLANDS COMMUNITY HOUSING ASSOCIATION
 Name MOUNTAINLANDS COMMUNITY HOUSING ASSOCIATION
 1960 SIDEWINDER DR STE 107
 PARK CITY, UT 84060

Tax Summary

Tax Year	Taxes
*2012	\$1,122.02
* Estimated 2011	\$1,122.02

Photo Sketch Map



Location

Parcel Number WM-4
Account Number 0218309
Tax District 07 - PARK CITY A,J,K,U (D-D)
Acres 0.10
Situs Address 250 DALY AVE
Legal LOT 4, WASHINGTON MILL SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 4, 236 SQ FT OR 0.10 ACRES 823-605-6 1003-360-383 2107-1748
Child Accounts 0301584
 0301592
Child Parcels WM-1
 WM-2
Parent Accounts
Parent Parcels

Value Info

Market (2011)		Tax Area: 07		Tax Rate: 0.009118			
Taxable		Actual	Assessed	SQFT	Units		
01D	\$70,000	\$38,500	1922.000	1.000			
11G	\$82,642	\$82,642					
						\$152,642	\$121,142

Model Summary

Account Value	Cost	Override	Reconciled Value
Building	\$374,472		\$152,642 *
Land	\$304,472	\$82,642	
	\$70,000		

* Model override applied

Owners

MOUNTAINLANDS COMMUNITY HOUSING ASSOCIATION
 Name MOUNTAINLANDS COMMUNITY HOUSING ASSOCIATION
 1960 SIDEWINDER DR STE 107
 PARK CITY, UT 84060

Tax Summary

Tax Year	Taxes
*2012	\$1,104.57
2011	\$1,104.57
* Estimated	



Location

Parcel Number WM-3
Account Number 0218291
Tax District 07 - PARK CITY A,J,K,U (D-D)
Acres 0.21
Situs Address 260 DALY AVE
Legal LOT 3, WASHINGTON HILL SUBDIVISION ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 9,191 SQ FT OR 0.21 ACRES 823-605-6-1003-360-383 2107-1748
Child Accounts 0301584
 0301592
Child Parcels WM-1
 WM-2
Parent Accounts
Parent Parcels

Value Info

Market (2011)					
Taxable					\$154,555
					\$123,055
Type	Tax Area: 07	Tax Rate: 0.009118			
01D	Actual	Assessed	SQFT	Units	
11G	\$70,000	\$38,500	1800.000	1.000	
	\$84,555	\$84,555			

Model Summary

	Cost	Override	Reconciled Value
Account Value	\$381,518		\$154,555 *
Building	\$311,518	\$84,555	
Land	\$70,000		

* Model override omitted

Owners

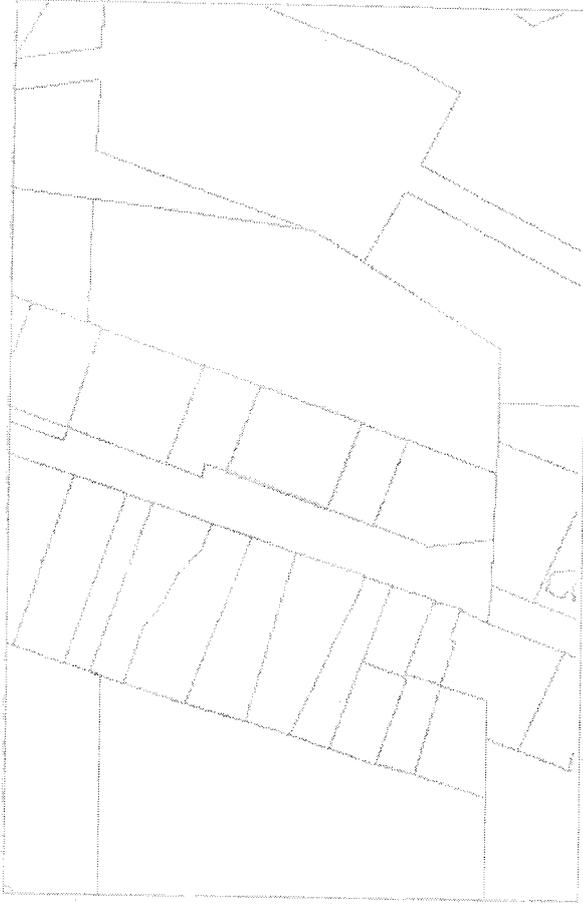
MOUNTAINLANDS COMMUNITY HOUSING ASSOCIATION
 Name MOUNTAINLANDS COMMUNITY HOUSING ASSOCIATION
 1960 SIDEWINDER DR STE 107
 PARK CITY, UT 84060

Tax Summary

Tax Year	Taxes
* 2012	\$1,122.02
* Estimated 2011	\$1,122.02

Photo/Sketch/Map

[Photo](#)
[Sketch](#)
[Map](#)

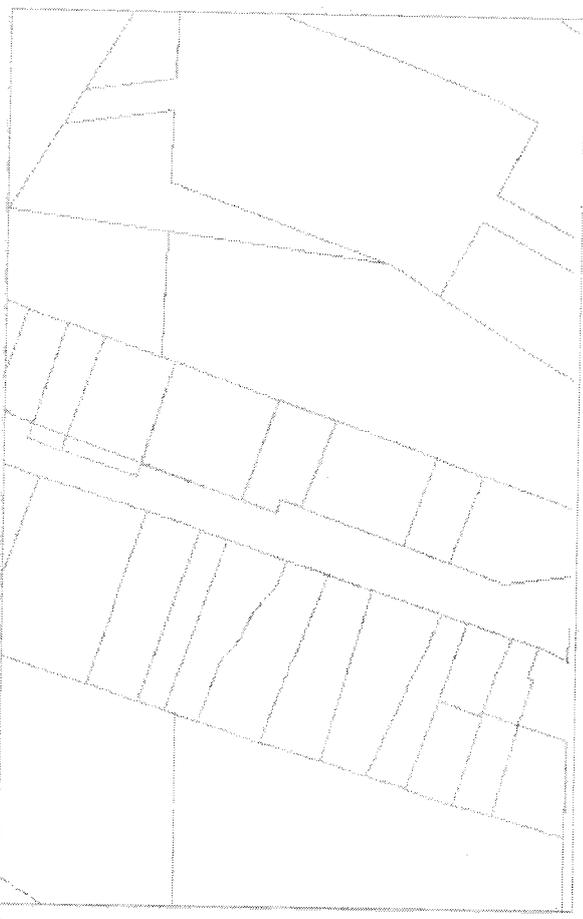


Location

Parcel Number WM-2
Account Number 0301592
Tax District 07 - PARK CITY A,J,K,U (D-D)
Acres 0.13
Site Address 270 DALY AVE
Legal LOT 2, WASHINGTON MILL SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 5,567 SQ FT OR 0.13 ACRES 823-605-6 1003-360-383 2107-1748
Child Accounts
Child Parcels
Parent Accounts 0023808
 0218291
 0218309
 0218317
Parent Parcels PC-630-MS
 PC-630-A
 PC-630-B
 PC-630-C

Photo/Sketch/Map

[Photo](#)
[Sketch](#)
[Map](#)



Value Info

Market (2011)		Tax Area: 07		Tax Rate: 0.009118		\$148,449
Taxable						\$116,949
Type	Actual	Assessed	SQFT	Units		
01D	\$70,000	\$38,500		1,000		
11G	\$78,449	\$78,449	1800,000			

Model Summary

Account Value	Cost	Override	Reconciled Value
Building	\$359,023		\$148,449 *
Land	\$289,023	\$78,449	
	\$70,000		

* Model override applied

Owners

OWNERS MOUNTAINLANDS COMMUNITY HOUSING ASSOCIATION
Name MOUNTAINLANDS COMMUNITY HOUSING ASSOCIATION
 1960 SIDEWINDER DR STE 107
 PARK CITY, UT 84060

Tax Summary

Tax Year	Taxes
*2012	\$1,066.34
2011	\$1,066.34
* Estimated	

Park City, Utah

April 18, 2012

A regular meeting of the County Council of Summit County, Utah (the "Council"), acting as governing body of the Mountain Regional Water Special Service District, Summit County, Utah (the "Issuer") was held on Wednesday, April 18, 2012, at the hour of 3:30 p.m. at its regular meeting place, at which meeting there were present and answering roll call the following members who constituted a quorum:

David Ure	Chair
Claudia McMullin	Vice Chair
John Hanrahan	Councilmember
Sally Elliott	Councilmember
Christopher Robinson	Councilmember

Also present:

Kent Jones	County Clerk
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Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the County Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this April 18, 2012, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Councilmember _____ and seconded by Councilmember _____, was adopted by the following vote:

AYE:

NAY:

The resolution is as follows:

RESOLUTION NO. 2012-6 MRW

A RESOLUTION OF THE COUNTY COUNCIL OF SUMMIT COUNTY, UTAH, ACTING AS THE GOVERNING AUTHORITY OF THE MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT, SUMMIT COUNTY, UTAH (THE ‘ISSUER’) AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$33,000,000 AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE REFUNDING BONDS, SERIES 2012, (THE ‘SERIES 2012 BONDS’) OF THE ISSUER, DELEGATING TO CERTAIN OFFICERS OF THE ISSUER THE AUTHORITY TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE SERIES 2012 BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE SERIES 2012 BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE SERIES 2012 BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE SERIES 2012 BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE SERIES 2012 BONDS MAY BE SOLD; PROVIDING FOR THE PUBLICATION OF SERIES 2012 BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING AND APPROVING THE EXECUTION OF A SUPPLEMENTAL INDENTURE, A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL STATEMENT, A BOND PURCHASE AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the ‘Act’), County Council of Summit County, Utah (the ‘Council’), acting as governing body of the Mountain Regional Water Special Service District, Summit County, Utah (the ‘Issuer’) the County Council of Summit County, Utah (the ‘Issuer’), has authority to issue its Water Revenue Refunding Bonds, Series 2012 (the ‘Series 2012 Bonds’) for the municipal purposes set forth therein; and

WHEREAS, subject to the limitations set forth herein, the Issuer desires to issue its Series 2012A Bonds to (a) refund all or a portion of the Issuer’s outstanding Water Revenue Bonds, Series 2003 (the ‘Refunded Bonds’), and (b) pay costs of issuance, pursuant to this Resolution, a General Indenture of Trust and a Supplemental Indenture of Trust (collectively, the ‘Indenture’), each between the Issuer and the Trustee, in substantially the forms presented to the meeting at which this Resolution was adopted and which are attached hereto as Exhibit B; and

WHEREAS, there has been presented to the Council at this meeting a form of a bond purchase agreement (the ‘Bond Purchase Agreement’) to be entered into between the Issuer and the underwriter or the purchaser selected by the Issuer for the Series 2012 Bonds (the ‘Underwriter/Purchaser’) in the event that the Series 2012 Bonds are not sold pursuant to a public bid with an official notice of bond sale, in substantially the form attached hereto as Exhibit C; and

WHEREAS, in the event that the Designated Officers (defined below) determine that it is in the best interests of the Issuer to publicly offer all or a portion of the Series 2012 Bonds, the Issuer desires to authorize the use and distribution of one or more of a Preliminary Official Statement (the ‘Preliminary Official Statement’) in substantially the form attached hereto as Exhibit D, and to approve one or more of a final Official Statement (the ‘Official Statement’) in substantially the form as the Preliminary Official Statement, and other documents relating thereto; and

WHEREAS, in order to allow the Issuer (with the consultation and approval of the Issuer’s Financial Advisor, Zions First National Bank (the ‘Financial Advisor’)) flexibility in setting the pricing date of the Series 2012 Bonds to optimize debt service savings to the Issuer, the Council desires to grant to the Chair of the Council, David Ure, Todd Hawkins, Andy Armstrong, and/or Scott Green, or any three thereof (the ‘Designated Officers’) of the Issuer the authority to approve the final interest rates, principal amounts, terms, maturities, redemption features, and purchase price at which the Series 2012 Bonds shall be sold, to determine whether all or a portion of the Series 2012 Bonds should be sold pursuant to a private placement or a public offering (including via a negotiated underwriter or public bid), and any changes with respect thereto from those terms which were before the Council at the time of adoption of this Resolution, provided such terms do not exceed the parameters set forth for such terms in this Resolution (the ‘Parameters’).

WHEREAS, the Act provides for the publication of a Notice of Public Hearing and Bonds to be Issued, and the Issuer desires to publish such a notice at this time in compliance with the Act with respect to the Series 2012 Bonds;

NOW, THEREFORE, it is hereby resolved by the Council, acting as the Governing Authority of the District, as follows:

Section 1. The Council hereby finds and determines that it is in the best interests of the Issuer and the residents located in the Issuer, for the Issuer to issue not more than Thirty-Three Million Dollars (\$33,000,000) aggregate principal amount of its Water Revenue Refunding Bonds, Series 2012, to bear interest at a rate of not to exceed five and one-half percent (5.50%) per annum on the unpaid principal balance, to mature in not more than twenty-two (22) years from their date or dates, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, as shall be approved by the Designated Officers, all within the Parameters set forth herein.

Section 2. The final interest rate or rates for the Series 2012 Bonds shall be set by the Designated Officers, in consultation with the Financial Advisor, at the rate or rates which, taking into account the purchase price offered by the Underwriter/Purchaser

of the Series 2012 Bonds, will in the opinion of the Designated Officers and the Financial Advisor result in the lowest cost of funding reasonably achievable given the manner of offering the Series 2012 Bonds at the time of the sale of the Series 2012 Bonds and evidenced by the execution of the Bond Purchase Agreement or acceptance of the winning bid pursuant to an official notice of bond sale.

Section 3. The Indenture and the Bond Purchase Agreement in substantially the forms presented to this meeting and attached hereto as Exhibits B and C, respectively, are hereby authorized, approved, and confirmed. The Designated Officers are hereby authorized to execute and deliver the Indenture and the Bond Purchase Agreement, if required, in substantially the forms and with substantially the content as the forms presented at this meeting for and on behalf of the Issuer, with final terms as may be established by the Designated Officers, in consultation with the Financial Advisor, within the Parameters set forth herein, and with such alterations, changes or additions as may be necessary or as may be authorized by Section 11 hereof. The Designated Officers are each hereby authorized to select the Underwriter/Purchaser and to specify and agree as to the final principal amounts, terms, discounts, maturities, interest rates, redemption features, and purchase price with respect to the Series 2012 Bonds for and on behalf of the Issuer, provided that such terms are within the Parameters set by this Resolution. The execution of the Bond Purchase Agreement or acceptance of the winning bid pursuant to an official notice of bond sale by the Chair or Chair pro tem shall evidence the Designated Officers approval.

Section 4. Should the Designated Officers determine to have the Series 2012 Bonds underwritten, the Issuer hereby authorizes the utilization of the Preliminary Official Statement, in the form attached hereto as Exhibit D in the marketing of the Series 2012 Bonds and hereby approves the Official Statement in substantially the same form as the Preliminary Official Statement. The Chair or Chair pro tem is hereby authorized to execute the Official Statement evidencing its approval by the Issuer.

Section 5. The appropriate officials of the Issuer are authorized to make any alterations, changes or additions to the Indenture, the Series 2012 Bonds, the Preliminary Official Statement (including but not limited to the addition of an official notice of bond sale), the Official Statement, the Bond Purchase Agreement or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2012 Bonds (within the Parameters set by this Resolution), to conform to any applicable bond insurance or reserve instrument or to remove the same, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

Section 6. The form, terms, and provisions of the Series 2012 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Indenture. The Chair and County Clerk are hereby authorized and directed to execute and seal the Series 2012 Bonds and to deliver said Series 2012 Bonds to the Trustee for authentication. The signatures of the Chair and the County Clerk may be by facsimile or manual execution.

Section 7. The appropriate officials of the Issuer are hereby authorized and directed to execute and deliver to the Trustee the written order of the Issuer for authentication and delivery of the Series 2012 Bonds in accordance with the provisions of the Indenture.

Section 8. Upon their issuance, the Series 2012 Bonds will constitute special limited obligations of the Issuer payable solely from and to the extent of the sources set forth in the Series 2012 Bonds and the Indenture. No provision of this Resolution, the Indenture, the Series 2012 Bonds, or any other instrument, shall be construed as creating a general obligation of the Issuer, or of creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Issuer or its taxing powers.

Section 9. The appropriate officials of the Issuer, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any or all additional certificates, documents and other papers (including, without limitation, any escrow deposit agreement or reserve instrument guaranty agreement in conformity with the Indenture and any tax compliance procedures) and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 10. After the Series 2012 Bonds are delivered by the Trustee to the Purchaser, and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of, premium, if any, and interest on the Series 2012 Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Indenture.

Section 11. The appropriate officials of the Issuer are authorized to make any alterations, changes or additions to the Indenture, the Series 2012 Bonds, the Bond Purchase Agreement, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2012 Bonds (within the Parameters set by this Resolution), to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

Section 12. In accordance with the provisions of the Act, the County Clerk shall cause the following 'Notice of Bonds to be Issued' to be (i) published one (1) time in the Park Record, a newspaper of general circulation in the Issuer, (ii) posted on the Utah Public Notice Website (<http://pmn.utah.gov>) and (iii) posted on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended. The County Clerk shall cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the office of Summit County Utah, for public examination during the regular business hours of the County until at least thirty (30) days from and after the date of publication thereof. The Issuer directs its officers and staff to publish a 'Notice of Bonds to be Issued' in substantially the following form:

NOTICE OF BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, that on April 18, 2012, the County Council of Summit County, Utah (the "Council"), acting as governing body of the Mountain Regional Water Special Service District, Summit County, Utah (the "Issuer") adopted a resolution (the "Resolution") in which it authorized the issuance of the Issuer's Water Revenue Refunding Bonds, Series 2012 (the "Series 2012 Bonds") in the aggregate principal amount of not more than Thirty-Three Million Dollars (\$33,000,000), to mature in not more than twenty-two (22) years from their date or dates, to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, and bearing interest at a rate or rates not to exceed five and one-half percent (5.50%) per annum, plus accrued interest to the date of delivery. No deposit is currently contemplated in connection with the sale of the Series 2012 Bonds.

The Series 2012 Bonds are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution, the Supplemental Indenture which was before the Council and attached to the Resolution in substantially final form at the time of the adoption of the Resolution.

The Series 2012 Bonds are special limited obligations of the Issuer payable from the net revenues of the Issuer's water system.

A copy of the Resolution, the General Indenture and the Supplemental Indentures are on file in the office of the County Clerk of Summit County, 60 North Main, Coalville, Utah, where they may be examined during regular business hours of the County Clerk from 8:00 a.m. to 5:00 p.m., Monday through Friday, for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which any person in interest shall have the right to contest the legality of the Resolution, the Supplemental Indenture or the Series 2012 Bonds, or any provision made for the security and payment of the Series 2012 Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality, or legality thereof for any cause whatsoever.

DATED this April 18, 2012.

/s/Kent Jones

County Clerk

Section 13. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this April 18, 2012.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
County Clerk

(Other business not pertinent to the foregoing appears in the minutes of the meeting.)

Upon the conclusion of all business on the Agenda, the meeting was adjourned.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
County Clerk

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

I, Kent Jones, the duly appointed and qualified County Clerk of Summit County, Utah, do hereby certify according to the records of said Issuer in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the meeting of the County Council held on April 18, 2012, including a resolution (the "Resolution") adopted at said meeting as said minutes and Resolution are officially of record in my possession.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on April 18, 2012, and pursuant to the Resolution a Notice of Public Hearing and Bonds to be Issued was published:

- (a) once in the Park Record, a newspaper having general circulation in Summit County, Utah, with the affidavit of such publication being hereby attached upon availability;
- (b) on the Utah Public Meeting Notice Website (<http://pmn.utah.gov>);
and
- (c) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said County, this April 18, 2012.

(SEAL)

By: _____
County Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Kent Jones, the undersigned County Clerk of Summit County, Utah (the 'County'), do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the April 18, 2012, public meeting held by the County Council of Summit County, Utah (the 'Issuer') as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the County on April _____, 2012, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Park Record on April _____, 2012, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2012 Annual Meeting Schedule for County Council (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the County Council to be held during the year, by causing said Notice to be (a) posted on _____, at the principal office of the Council, (b) provided to at least one newspaper of general circulation within the County on _____, and (c) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this April 18, 2012.

(SEAL)

By: _____
County Clerk

SCHEDULE 1
NOTICE OF MEETING

SCHEDULE 2

ANNUAL MEETING SCHEDULE

(attach Proof of Publication of
Notice of Bonds to be Issued)

EXHIBIT B

FORM OF INDENTURES

(See Transcript Document Nos. 3 and 4)

EXHIBIT C

FORM OF BOND PURCHASE AGREEMENT OR
OFFICIAL NOTICE OF BOND SALE

(See Transcript Document No. __)

EXHIBIT D

FORM OF PRELIMINARY OFFICIAL STATEMENT

(See Transcript Document No. __)

**SUMMIT COUNTY, UTAH
CREATION OF SPECIAL SERVICE DISTRICT**

RESOLUTION NO. 2012-7

A RESOLUTION ESTABLISHING THE “ECHO SEWER SPECIAL SERVICE DISTRICT” AND RELATED MATTERS.

WHEREAS, pursuant to a resolution (the “Resolution”), adopted on January 18, 2012, the County Council of Summit County, Utah (the “Council”) gave notice of its intention to create a special service district described therein as the Echo Sewer Special Service District (the “District”), having the boundaries set out in the Resolution, to potentially provide the services described therein; and

WHEREAS, the County Clerk gave public notice of the Council’s intention and of the time and place of a public hearing called for March 7, 2012, through the publication of an appropriate notice in the Park Record and the Wasatch Wave, newspapers published and of general circulation in Summit County, Utah, once a week during three consecutive weeks, the first of such publications having been not less than twenty-one days nor more than thirty-five (35) days prior to the date of the public hearing; and

WHEREAS, the public hearing was properly noticed and held at the designated time and place and was continued on March 7, 2012, to March 21, 2012, the County Council considered all protests filed and heard and considered all interested persons desiring to be heard, and received additional protests and comments for fifteen (15) days thereafter (after March 21, 2012) and the time for filing protests as provided in Title 17D, Chapter 1, Utah Code Annotated 1953, as amended (the “Act”), has expired; and

NOW, THEREFORE, the County Council of Summit County, Utah, hereby resolves as follows:

Section 1. That the County Council does hereby find and determine:

(a) That the Summit County Clerk caused public notice of the hearing regarding the establishment of the District for the furnishing of sewage waste disposal services, to be given by publication of an appropriate notice in the Park Record and the Wasatch Wave, newspapers published and of general circulation in Summit County, Utah, once a week for three consecutive weeks prior to March 7, 2012, the first of said publications having been made not less than twenty-one (21) days nor more than thirty-five (35) days prior to the date of such hearing.

(b) That a public hearing on the establishment of the District and the furnishing of the services described in paragraph (a) above was held and conducted by this Council as required by law and the Resolution giving notice thereof, on March 7, 2012, and as continued on March 21, 2012 at 6:00 p.m. at the regular meeting place of

the Council in Summit County in Coalville, Utah, at which public hearing the Council considered all interested persons desiring to be heard.

(c) That the Council considered all protests, comments, and public input filed within fifteen (15) days following the public hearing (after March 21, 2012).

(d) That after careful consideration of all factors involved and of all objections and protests, it has been and is hereby found, determined and declared that the District shall be created with the following boundaries and to provide the services described herein, and that all proceedings already taken in establishing the District have been in compliance with law.

Section 2. That there is hereby established a special service district within Summit County, Utah, to be known as the “**Echo Sewer Special Service District.**” The boundaries and service area of the District shall include portions of Summit County, Utah, more particularly described as follows:

[INSERT BOUNDARY DESCRIPTION HERE]

Section 3. That the District is created for the purpose of furnishing

i. Sewage waste disposal ,

and related services within the area included within its boundaries, through facilities or systems acquired or constructed for that purpose through construction, purchase, lease, contract, gift, condemnation or any combination thereof.

Section 4. That the County Council hereby finds and determines that neither more than thirty three percent (33%) of the qualified voters of the territory to be included within the District, nor the owners of more than thirty three percent (33%) of the taxable value of the taxable property to be included within the District, have filed written protests with the County against (1) the establishment of the District, or (2) a specified type or types of services within the District.

Section 5. That any person who filed a written protest at the public hearing or within fifteen (15) days after the conclusion of the public hearing held on March 7, 2012, as continued on March 21, 2012, with the County, against the establishment of the District or against the furnishing of a specified type or types of services within the District or to the effect that his land will not be directly benefited by the District’s services and who is a qualified voter residing within the District or whose property has been included within the boundaries of the District notwithstanding such protest, may, within thirty (30) days after the adoption of this resolution, apply to the District Court of the Third Judicial District for a writ of review of the actions of the County Council in

establishing the District. Persons who fail to file a written protest as provided in the Act will be deemed to have consented to the inclusion of their land within the District.

Failure to timely apply for a writ of review forecloses the right of all owners of property and of qualified voters within the District to further object.

Section 6. That the District shall be a separate body politic and corporate and a quasi-municipal public corporation distinct from Summit County, Utah, in which the District is located. The Council shall control and have supervisory authority over all activities of the District, except the that this Council may by resolution delegate authority to an administrative control board established under the Act the performance of any such activities and the exercise of any rights, powers and authority of the District, to the extent permitted by law. The District shall have all rights, powers and authority granted to such Districts under the Act., including the power of eminent domain, and the power to bond and incur indebtedness.

Section 7. That pursuant to the requirements of the Act, the County Council shall file the required notification of the establishment or the District with the Lieutenant Governor within thirty days after the adoption of the is resolution.

Section 8. That all acts and resolutions in conflict with this resolution or any part thereof are hereby repealed.

Section 9. That this resolution shall take immediate effect upon its adoption and approval.

ADOPTED, APPROVED, and ORDERED by majority vote at a duly called meeting of this April 18, 2012.

SUMMIT COUNTY, UTAH

Chair

ATTEST:

County Clerk

(SEAL)

SUMMIT COUNTY
NOTICE OF ADOPTION OF RESOLUTION ESTABLISHING THE ECHO
SEWER SPECIAL SERVICE DISTRICT AND CERTIFICATION

Pursuant to the provisions of Title 17D, Chapter 1, Utah Code Annotated 1953, as amended (the “Act”), and a resolution adopted by the County Council of Summit County, a body corporate and politic of the State of Utah hereby gives notice to the Utah Lieutenant Governor, that on April 18, 2012, the County Council of Summit County, Utah adopted a Resolution establishing the Echo Sewer Special Service District.

Accompanying this Notice is a copy of the Resolution approving the establishment of the Echo Sewer Special Service District, together with a map showing the boundaries of the Echo Sewer Special Service District, prepared and certified by a licensed surveyor. A copy of the map has been filed with the Summit County Surveyor in accordance with the Act.

I hereby certify that Summit County, Utah has completed all of the legal requirements necessary for the establishment of the Echo Sewer Special Service District.

Dated this _____, 2012.

SUMMIT COUNTY

Chair

ATTEST

County Clerk

(SEAL)

LARGE AREA
ECHO SEWER SPECIAL SERVICE DISTRICT BOUNDARY

Commencing at the South quarter corner of Section 24, Township 3 North, Range 4 East, Salt Lake Meridian; thence East 263.32 feet along section line to a point on the Westerly right of way line for Interstate 84 west frontage road and the POINT OF BEGINNING;

thence along said right of way line through the following six (6) calls, to-wit: North 25°12'39" West 203.53 feet; thence North 29°29'26" West 202.14 feet; thence North 24°29'26" West 537.93 feet; thence North 65°14'27" West 8.00 feet; thence North 25°55'32" East 15.50 feet; thence North 24°29'26" West 1489.78 feet to the southerly boundary line of tax parcel NS-920-B-X;

thence along the boundary of said parcel NS-920-B-X through the following four (4) calls, to-wit: South 75°19'22" West 293.27 feet; thence North 24°29'26" West 220.00 feet; thence North 76°15'34" East 149.97 feet; thence North 67°34'34" East 141.73 feet to a point on the Westerly right of way line for Interstate 84 west frontage road;

thence along said right of way line North 24°31'27" West 931.83 feet;

thence North 62°33'22" East 658.04 feet to a point on the Easterly right of way line of the easternmost roadway;

thence along the Easterly right of way line of the easternmost roadway North 25°43'37" West 1762.59 feet to the North line of said Section 24;

thence along section line South 88°46'06" East 3992.91 feet to the Northeast corner of said Section 24;

thence along section line South 00°39'38" East 5091.66 feet to the Southeast corner of said Section 24;

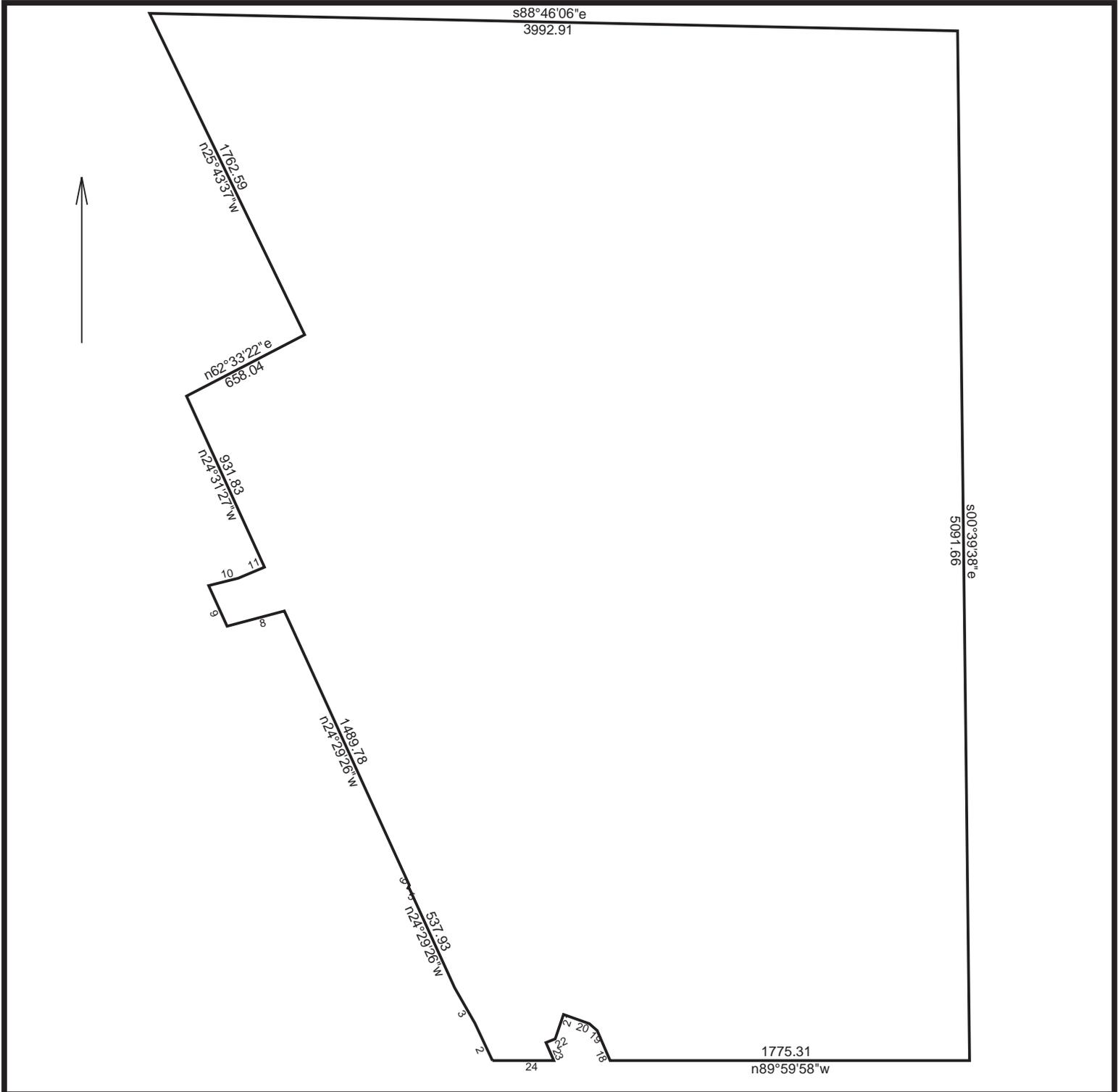
thence along section line North 89°59'58" West 1775.31 feet to a point on the Easterly boundary of tax parcel NS-904-A;

thence along the boundary of said parcel NS-904-A through the following six (6) calls, to-wit: North 23°36'17" West 160.57 feet; thence North 47°35'17" West 51.80 feet; thence North 70°09'17" West 136.35 feet; thence South 18°33'51" West 127.52 feet; thence South 66°28'16" West 49.97 feet; thence South 23°22'27" East 95.36 feet to a point on the South line of said Section 24;

thence along section line South 89°59'56" West 302.64 feet to the POINT OF BEGINNING.

Contains 16856344 square feet or 386.968 acres, more or less.

DATE April 11, 2012



4/11/2012

Scale: 1 inch= 684 feet

File:

Tract 1: 386.9695 Acres, Closure: s49.4324e 0.02 ft. (1/915000), Perimeter=18398 ft.

01 /e 263.32	15 s88.4606e 3992.91
02 n25.1239w 203.53	16 s00.3938e 5091.66
03 n29.2926w 202.14	17 n89.5958w 1775.31
04 n24.2926w 537.93	18 n23.3617w 160.57
05 n65.1427w 8	19 n47.3517w 51.8
06 n25.5532e 15.5	20 n70.0917w 136.35
07 n24.2926w 1489.78	21 s18.3351w 127.52
08 s75.1922w 293.27	22 s66.2816w 49.97
09 n24.2926w 220	23 s23.2227e 95.36
10 n76.1534e 149.97	24 s89.5956w 302.64
11 n67.3434e 141.73	
12 n24.3127w 931.83	
13 n62.3322e 658.04	
14 n25.4337w 1762.59	

SMALL AREA
ECHO SEWER SPECIAL SERVICE DISTRICT BOUNDARY

Commencing at the South quarter corner of Section 24, Township 3 North, Range 4 East, Salt Lake Meridian; thence East 263.32 feet along section line to a point on the Westerly right of way line for Interstate 84 west frontage road and the POINT OF BEGINNING;

thence along said right of way line through the following six (6) calls, to-wit: North 25°12'39" West 203.53 feet; thence North 29°29'26" West 202.14 feet; thence North 24°29'26" West 537.93 feet; thence North 65°14'27" West 8.00 feet; thence North 25°55'32" East 15.50 feet; thence North 24°29'26" West 1489.78 feet to the southerly boundary line of tax parcel NS-920-B-X;

thence along the boundary of said parcel NS-920-B-X through the following four (4) calls, to-wit: South 75°19'22" West 293.27 feet; thence North 24°29'26" West 220.00 feet; thence North 76°15'34" East 149.97 feet; thence North 67°34'34" East 141.73 feet to a point on the Westerly right of way line for Interstate 84 west frontage road;

thence along said right of way line North 24°31'27" West 931.83 feet;

thence North 62°33'22" East 658.04 feet to a point on the Easterly right of way line of the eastern most roadway;

thence along the Easterly right of way line of the eastern most roadway South 25°43'37" East 1581.37 feet to the Northerly boundary line of tax parcel NS-921-A;

thence along the boundary of said parcel NS-921-A through the following two (2) calls, to-wit: North 66°28'00" East 62.40 feet; thence South 52°06'00" East 119.35 feet to a point on the Northerly boundary of tax parcel NS-908-X;

thence along said Northerly boundary North 65°33'13" East 224.00 feet to the Westerly corner of tax parcel NS-900;

thence along the boundary of said tax parcel NS-900 through the following eight (8) calls, to-wit: North 64°05'00" East 414.00 feet; thence North 25°30'00" West 250.00 feet; thence North 64°30'00" East 256.00 feet; thence South 81°00'00" East 175.00 feet; thence South 175.00 feet; thence South 64°30'00" West 85.90 feet; thence South 26°26'00" East 338.60 feet; thence South 64°30'00" West 123.32 feet to a point on the Easterly boundary of tax parcel NS-910-X;

thence along the Easterly boundary of said parcel NS-910-X South 18°00'00" East 34.33 feet to a point on the Northerly boundary of tax parcel NS-934;

thence along the boundary of said parcel NS-934 through the following two (2) calls: to-wit: North 64°55'00" East 106.04 feet; thence South 25°00'00" East 261.48 feet to the Northerly boundary of tax parcel NS-914-A;

thence North 64°40'00" East 95.07 feet to a point on the sixteenth line of said Section 24;

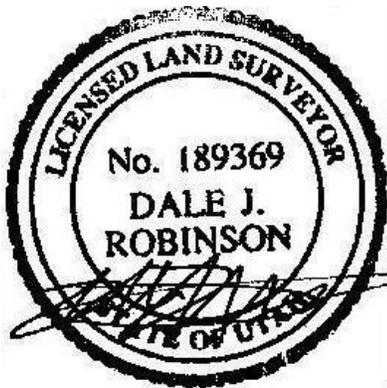
thence along sixteenth line of said Section 24 South 1946.14 feet to the South line of said section 24;

thence along section line to the North 89°59'54" West 465.09 feet to a point on the Easterly boundary of tax parcel NS-904-A;

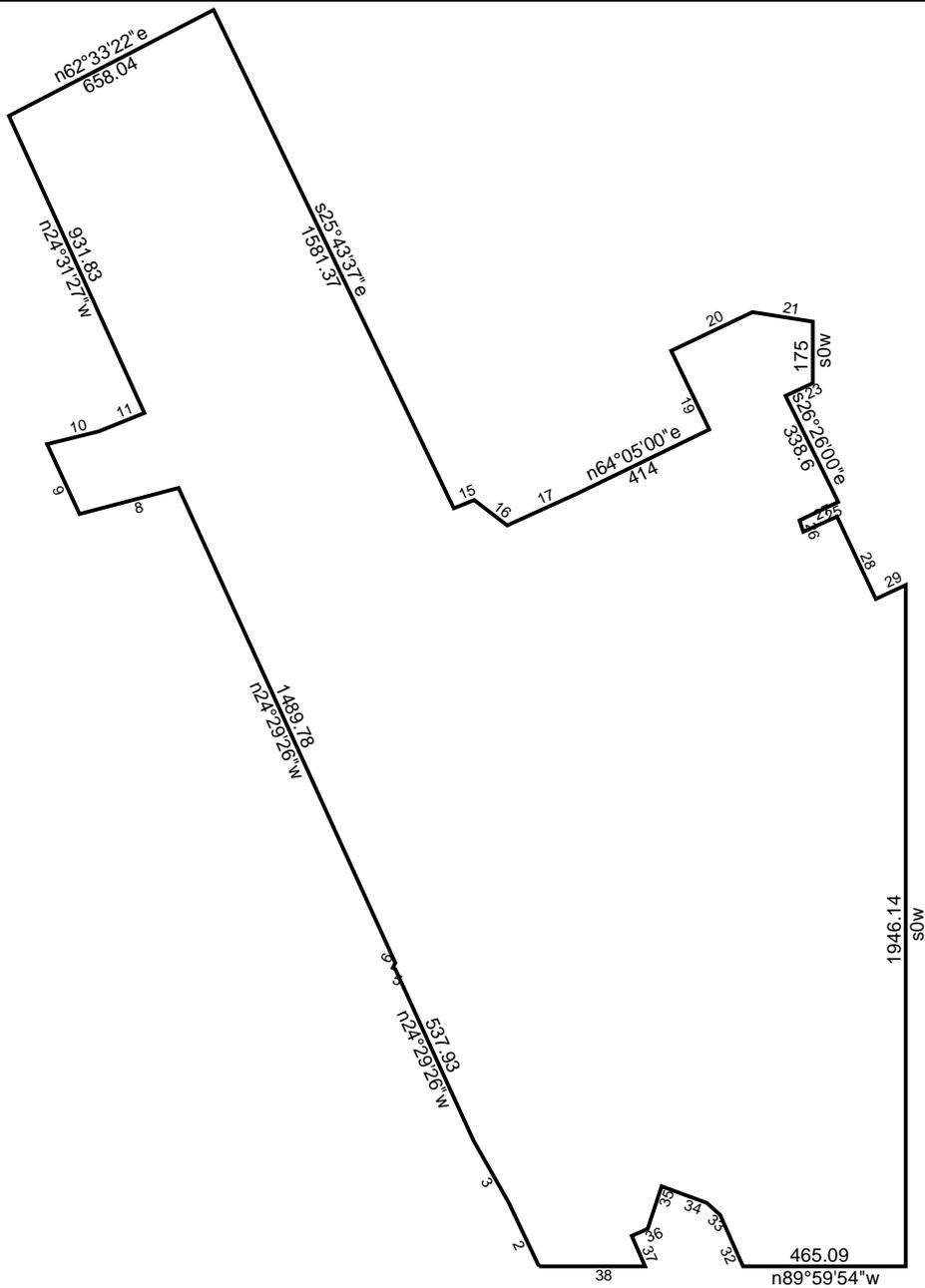
thence along the boundary of said parcel NS-904-A through the following six (6) calls, to-wit: North 23°36'17" West 160.57 feet; thence North 47°35'17" West 51.80 feet; thence North 70°09'17" West 136.35 feet; thence South 18°33'51" West 127.52 feet; thence South 66°28'16" West 49.97 feet; thence South 23°22'27" East 95.36 feet to a point on the South line of said Section 24;

thence along section line South 89°59'56" West 302.64 feet to the POINT OF BEGINNING.

Contains 45147'07 square feet or 103.643 acres, more or less.



DATE April 11, 2012



4/11/2012

Scale: 1 inch= 544 feet

File:

Tract 1: 103.6164 Acres, Closure: n30.4256e 0.01 ft. (1/999999), Perimeter=12489 ft.

01 n90e 263.32	23 s64.3000w 85.9
02 n25.1239w 203.53	24 s26.2600e 338.6
03 n29.2926w 202.14	25 s64.3000w 123.32
04 n24.2926w 537.93	26 s18.0000e 34.33
05 n65.1427w 8	27 n64.5500e 106.04
06 n25.5532e 15.5	28 s25.0000e 261.48
07 n24.2926w 1489.78	29 n64.4000e 95.07
08 s75.1922w 293.27	30 s0w 1946.14
09 n24.2926w 220	31 n89.5954w 465.09
10 n76.1534e 149.97	32 n23.3617w 160.57
11 n67.3434e 141.73	33 n47.3517w 51.8
12 n24.3127w 931.83	34 n70.0917w 136.35
13 n62.3322e 658.04	35 s18.3351w 127.52
14 s25.4337e 1581.37	36 s66.2816w 49.97
15 n66.2800e 62.4	37 s23.2227e 95.36
16 s52.0600e 119.35	38 s89.5956w 302.64
17 n65.3313e 224	
18 n64.0500e 414	
19 n25.3000w 250	
20 n64.3000e 256	
21 s81.0000e 175	
22 s0w 175	

DAVID R. BRICKEY COUNTY ATTORNEY



Criminal Division

JOY NATALE
Prosecuting Attorney

MATTHEW D. BATES
Prosecuting Attorney

RYAN P.C. STACK
Prosecuting Attorney

Summit County Courthouse • 60 N. Main • P.O. Box 128 • Coalville, Utah 84017
Telephone (435) 336-3206 Facsimile (435) 336-3287
email: (first initial)(last name)@summitcounty.org

Civil Division

DAVID L. THOMAS
Chief Deputy

JAMI R. BRACKIN
Deputy County Attorney

HELEN E. STRACHAN
Deputy County Attorney

To: Summit County Council &
Summit County Manager, Bob Jasper

From: Helen E. Strachan *HS*

Date: April 18, 2012

Re: *Resolution re Creation of Snyderville Basin Cemetery District*

Background: Please find attached the proposed resolution regarding the creation of the Snyderville Basin Cemetery District. The Summit County Council (“SCC”) has asked the County Attorney’s Office to begin the process towards the proposed creation of a cemetery district for the benefit of the unincorporated areas of western Summit County. While the SCC is spearheading the proposed creation of this district, it should be noted that ultimately, the district’s creation is a question for the voters at the next election. The SCC conducted a work session on February 29, 2012. At that meeting, the SCC discussed some of the details needed for inclusion in the resolution, namely the number of board of trustee members of the district, the name of the district, boundaries of the district, proposed funding sources for the district, and the exclusivity of the district (that is, whether it would be open to individuals outside of the district boundaries).

Detail in the Resolution: The SCC decided to name the proposed district the “Snyderville Basin Cemetery District.” The district shall be governed by a five-member board of trustees, who shall be appointed by the SCC if the district is eventually created. The boundaries of the district shall be conterminous with the boundaries of the Park City School District, less and excepting therefrom the boundaries of Park City Municipal, as well as several other parcels that are currently the subject of annexation petitions in Park City or are parcels that would not be benefitted by the district’s creation (i.e. parcels that share a border with Wasatch County and are quite remote) (*See Exhibit A to the proposed resolution for more detail on the district boundaries*). In terms of financing the district, there are many unknowns at this point that play a role in determining not only the method of financing the district (e.g., taxes, bonds, fees, or a combination thereof), but also the costs associated with running the district. At this point, the location of proposed cemetery sites is unknown and obviously if Summit County has a parcel(s) that is already ideal for a cemetery site, the cost to initially fund the district will be quite a bit lower than if the district needed to purchase the land. With the help of Kent Wilkerson in the Engineering Department, we have a better idea of possible costs, which are discussed in more detail below, and it appears that the district may be administered at a relatively low cost to Snyderville Basin residents. For this reason, I would recommend that our resolution state that the estimated average financial impact on a household within the proposed district is approximately \$20/year. Even that figure may be too high; however, we believe it gives voters at least an idea of the costs.

Steps to Create the District: At this stage, it is necessary that the SCC adopt a resolution that will propose the creation of the district. Once this resolution is adopted, we shall hold a public hearing. I have included the next steps below:

- 1) **Public Hearing:** By law, we are to have multiple hearings if necessary to ensure that no substantial group of residents need travel an unreasonable distance to get there, however, given the area of the district, one public hearing at the Richins Building should be sufficient. The public hearing must be no later 45 days after you adopt the resolution. Its purpose is to allow the public to ask questions and obtain further information from the Council regarding the issues raised by the resolution. At the beginning and end of the hearing, the Council must announce the deadline for filing protects and generally explain the protest procedure and requirements.
- 2) **Protests:** If we receive enough “adequate protests” as that term is defined in the code, within 60 days after the last public hearing, then we may not go through with the election. I do not anticipate a cemetery district is controversial enough that we will receive much protest, however, the process for filing such protests must be explained thoroughly at the public hearing.
- 3) **Resolution indicated whether the requested service will be provided:** Within 60 days after the public hearing, we then adopt another resolution indicating whether the County will provide a cemetery maintenance district in the Basin and we then have *120 days* after the resolution’s adoption to take substantial measure to provide cemetery maintenance district services. If we fail to take substantial steps, then it is as if we’ve declined to provide services and we must start the process over. Time is therefore of the essence and we should have a good indication now as to where the cemetery areas will be located within the Basin and how we’re going to fund the district. I would consider substantial steps to be holding an election, obtaining the certificate of creation from the Lieutenant Governor’s Office, determining the district’s funding mechanism(s), determining location(s), obtaining needed land use permits, and the like.
- 4) **Resolution to put language regarding the district’s creation on the ballot.** At this point, given time constraints set by law, we do not have time to include the question of whether we want to create this district in time for the June primary. For inclusion in the November election, we need to adopt a resolution with ballot language at least 75 days before the election. It is recommended that we wait until then anyway because we need time to determine where the cemetery district lands will be located.
- 5) **Election:** In November, we’ll hold an election on the question of whether the district should be created. The election must be more than 60 days after the last public hearing as required in Section 2 above. If a majority of those voting at the election within the proposed local district vote in favor of its creation, the district is established once certain documents are filed with the Lieutenant Governor’s Office and recorded.

Timeline of Events: Here is a rough timeline of events that must take place over the next few months to get the ball rolling on this district.

- Resolution proposing the creation of the district: adoption by end of April
- Public Hearing: concluded by end of May (within 45 days of the resolution proposing the district's creation)
- Protest Period: June 1-August 1, 2012 (within 60 days after the public hearing)
- August 1, 2012: Must adopt resolution indicating that we will provide cemetery services
- August 23, 2012: Must adopt resolution to put language on ballot by this date
- November 6, 2012: Election
- Fall/winter 2012: Formal creation of the district by the Lt. Governor's Office and recording of pertinent creation documents with the County Recorder.
- February 1, 2013: By now, we must have taken substantial steps to move in the direction of providing these services (i.e. land dedicated, land use permits obtained, etc...).
- 2013: Attempt to bond or tax for the district

Issues and Questions to Consider:

- 1) **What is the demand for a cemetery in the Snyderville Basin?** The true answer to this and the followings questions is really unknown and, assuming the district is created, staff suggests that the board of trustees send out a survey to district residents to determine the actual need and desire of having a cemetery in the district. That aside, County Engineer, Kent Wilkerson, made a probable guess of approximately **29,000 internments over a forty year period** (said figure is based on a County median age of 37, a life expectancy of 76, a total county population of approximately 36,000 residents, Snyderville Basin population of about 15,000 residents and an out of area demand of about 2000 people). *Please let me know if you wish to have a more complete/detailed understanding of his analysis. I would be happy to provide it at the public hearings. However, the figures presented in this report are very preliminary and should be verified at a later time by professionals hired directly by the district.*
- 2) **What burial methods should we consider and how does that factor into the number of acres of land we need for burial?** Based on research that Kent Wilkerson conducted in other jurisdictions, Staff estimates that **over the course of forty years, we would need approximately 30 acres of land for a cemetery.** This figure is based on an estimate that approximately 40% of residents would opt for cremation. It is also assumed that the district would shy away from traditional burial methods such as traditional vaults, raised headstones, green lawns, and the like. Thirty acres is also based on 6x9 foot burial plots, 806 burial plots per acre with a 10% loss for access.
- 3) **Where/what are possible locations for the cemetery?** The possibility of including a cemetery on the PRI/Research Park open space area at Kimball Junction was discussed at the last SCC work session. BOSAC, who oversees the open space at that location, met on March 27, 2012 and specifically addressed this issue. BOSAC voted to allow a cemetery of up to twelve acres on the open space parcel, adjacent to the Bear Hollow development and power substation. Staff does not know at this time whether this land to be considered is even suitable for a cemetery district as there was discussion at the last SCC meeting that the land may be geologically unsuitable for such a use. Further research will need to be done on this issue.

Staff proposes three general land options and estimated prices based on the 30 acre assumption:

- designation of current county-owned open space: \$1,000/acre with a total cost of \$30,000
- acquisition of current, non-county open space: \$10,000/acre with a total cost of \$300,000
- acquisition of private land: \$100,000/acre with a total cost of \$3,000,000

As is obvious, location/price of land is a huge variable in terms of start-up costs for this district. Also, land acquisition may be phased and varied as to locations.

- 4) **What are other start-up costs associated with the district?** Staff recommends that the Council consider some “seed money” to help the district get off of its feet. A survey to determine community interest will provide a lot of insight to some of the questions posed, and some initial funding to help the board with this simple but effective task is recommended. It may also be wise to set up an initial steering committee set up by the SCC prior to the district’s creation to help ascertain this.

It is likely that a geo-technical investigation will need to be conducted, assuming that the Research Park location is to be considered. In the Snyderville Basin, a conditional use permit is required for a cemetery district in all areas except for the Service Commercial Zone, where they are not allowed, which is another cost. A horticulturalist/landscape architect will likely need to be hired to determine methods of achieving the goals initially mentions such as low-water, low-grass, environmentally sensitive options. Other start-up costs may include access, design, survey, etc. Excluding the cost of land, it is estimated that the district’s start-up costs would be anywhere from \$375,000 to \$2,000,000. This wide estimate is based on either a fiscally conservative or more liberal approach to the district and its needed expenses. For example, cemetery structures such as memorial walls, trails, etc., may range from \$250,000 to \$1.5 million. Likewise, an irrigation system is a variable, costing anywhere from \$25,000 to \$200,000 depending on water consumption and methods used.

- 5) **What are the estimated operating expenses of the district?** Once a size and location is determined, the actual overhead costs of running such a district should be relatively low. Such expenses would include clerical, burial services, weed control, and the like. It is estimated that the district would cost anywhere from \$101,500 to \$235,000 per year. Again, this range is based on either a fiscally conservative or more liberal approach to the district and its needed expenses. These figures also do not reflect possible internment fees, which would offset some of the operating expenses as well. Based on a forty year projection, district start-up and operational costs could be anywhere from \$4-10 million, excluding the costs of the land. This also may be phased based on community interest.
- 6) **What is the projected revenue of the district?** It is staff’s desire and belief that the district would be 100% self-sustaining. This belief is based on the fact that once the district is operating, the fees for burial will outpace the relatively low operating expenses of the district.

First, it is predicted that there would be two fees. Typically, one is charged initially for the site and perpetual maintenance and then pays a second fee for internment (i.e. digging the site and restoration). Fees vary depending on the method of burial (i.e. cremation, memorial wall, natural burial, traditional vault). The below chart explains the estimated fees depending on the type of burial and projected revenue *over the course of 40 years*.

<u>Type of Burial</u>	<u>Estimated Demand (# of plots)</u>	<u>Initial Site fee</u>	<u>Internment fee</u>	<u>Site Fee Revenue</u>	<u>Internment Fee Revenue</u>	<u>Total Revenue</u>
Memorial wall	5800	\$ 300	\$ 100	\$ 1,740,000	\$ 580,000	\$ 2,320,000
Vertical Structured internment	1450	\$ 2,000	\$ 550	\$ 2,900,000	\$ 797,500	\$ 3,697,500
Natural burial plot reuse	10150	\$ 2,500	\$ 550	\$ 25,375,000	\$ 5,582,500	\$ 30,957,500
Traditional vault	5800	\$ 2,500	\$ 750	\$ 14,500,000	\$ 4,350,000	\$ 18,850,000
					TOTAL =	\$ 55,825,000
					Average fee/price per plot	\$1,925

- 7) **How much will it cost taxpayers?** As a means of comparison, the South Summit Cemetery District operates annually for about \$150,000. With approximately 8,000 residents in that area, the cost is approximately \$18.75 a year per household. The recent \$20 million / 20 year recreation bond voted on by Snyderville Basin residents costs households approximately \$9.77 per \$100,000 of home market value. Staff estimates that assuming a \$5 million bond, no presales of burial plots, an average fee of \$1,925, a certain assumed average number of internments per year, a low estimate of district operating expenses (\$101,500), and a revenue stream per year based on the chart above, the 5 million bond would be paid off within 20 years and thereafter would begin to generate money. A more detailed analysis of this is available in Kent Wilkerson's report, which may be provided at a future meeting.

Recommendation: The attached resolution is recommended for your review and approval. After its adoption, staff will begin the process of noticing and conducting a public hearing. Staff welcomes comments and questions that may be raised by this report. Thanks.

RESOLUTION NO. 2012-___

**A RESOLUTION PROPOSING THE CREATION OF
THE SNYDERVILLE BASIN CEMETERY DISTRICT**

WHEREAS, pursuant to Utah Code Annotated, §17B-1-101 et. seq. and §17B-2a-101 et. seq., the Summit County Council (hereinafter referred to as “Council”) is authorized to create a specialized local district, such as a cemetery maintenance district; and

WHEREAS, the Council has determined that the establishment of a cemetery in the Snyderville Basin area of Summit County is vital in serving the needs of the growing and aging population of unincorporated western Summit County; and

WHEREAS, the Council has determined that it is in the best interests of the residents of the unincorporated Snyderville Basin area of Summit County that a local district be organized for the purpose of providing one or more public cemeteries for its residents and the Council desires to initiate the statutorily authorized process for the creation of such a district; and

WHEREAS, the Council has further determined that subject to the appropriate public hearing and protest process as required by statute, it is in the best interests of the residents of the unincorporated Snyderville Basin area that the local district as contemplated, by organized as a specialized local district, more specifically, a cemetery maintenance district, pursuant to the authority of §17B-1-101 et. seq. and §17B-2a-101 et. seq.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF SUMMIT COUNTY, STATE OF UTAH AS FOLLOWS:

Section 1. **Intent.** The Council hereby expresses its intent to create a specialized local district pursuant to the provisions of Utah Code Annotated, §17B-1-101 et. seq. and §17B-2a-101 et. seq., to be specifically organized as a cemetery maintenance district for the purpose of providing one or more public cemeteries to the residents of the unincorporated Snyderville Basin area.

Section 2. **Name.** It is proposed that the name of the cemetery maintenance district be the “Snyderville Basin Cemetery District.”

Section 3. **Powers.** It is intended that the cemetery maintenance district shall have and exercise, through its proper officers, all power and authority conferred upon local districts in general and cemetery maintenance districts specifically, created for the purposes herein described under, and by virtue of Utah Code Annotated, §17B-1-101 et. seq. and §17B-2a-101 et. seq., and all laws amendatory thereof and supplemental thereto and all such power and authority as may hereinafter be conferred by law.

Section 4. **Declaration of Benefit and Territorial Exclusion.** The Council does hereby find and declare that, subject to further information to be obtained through a public hearing(s): No property which will not benefit from the services to be provided by the district

and by improvements to be made by the district, is included within the boundaries thereof; and no territory included within the boundaries of the district is included in whole or in part within the boundaries of any other local district that is now providing the same services that will be supplied by the district. The Council further intends that each parcel of property within the district will be benefitted by the creation of the district and by improvements made by the district, ratably with all other parcels of property within the district in proportion to the parcel's taxable value and that each such parcel will be assessed equally in proportion to its taxable value for the purpose of cemetery improvement and maintenance.

Section 5. **Services of the District.** It is contemplated and intended that the district shall provide one or more public cemeteries to the residents of the unincorporated Snyderville Basin area, and shall ensure that such public cemeteries are beautified, improved, and maintained.

Section 6. **Boundaries.** It is intended that the district shall be generally inclusive of the entire boundary of the Park City School District, less the boundaries of Park City Municipal Corporation as well as the following parcels that either are currently the subject of pending annexation petitions or are parcels that would not be benefitted by the district's creation due to their remoteness and closer proximity to Wasatch County: Parcel SS-104-B, SS-104-1-B, SS-104-1-B-1-X, and SS-65-A. A more detailed description and map is attached hereto and incorporated herein as Exhibit A.

Section 7. **Board of Trustees.** It is intended that the district shall be governed by a five (5) member Board of Trustees to be appointed by the County Council in accordance with Utah State law.

Section 8. **Method of Funding.** It is intended that the Board of Trustees shall have the authority to annually impose fees and charges to pay for all or a part of the services to be provided by the district. It may also annually levy taxes upon all taxable property within the district, to provide the proposed services, and may issue bonds for the acquisition and construction of facilities, systems or improvements to provide said services, provided, however, that the levy to provide said services or to repay said bonds, must be authorized and approved by a majority of the qualified electors of the district at an election held for that purpose.

Section 9. **Estimated Average Financial Impact.** Based upon a review of other local districts, including cemetery maintenance districts within Summit County, it is estimated that an average household within the district would pay no more than \$20.00 per year to fund the district through taxes, bonds, or fees.

Section 10. **Public Hearing and Notice.** In conformance with the provisions of UCA §17B-1-210, a public hearing is hereby called and directed to be held on the proposed creation of the district. The public hearing is to be convened for the purpose of allowing the public to ask questions and obtain further information from the Council regarding the issue of creating a cemetery maintenance district. The Council hereby directs that County Staff take all action necessary to schedule an appropriate time and place for a public hearing(s) on the question of the district in accordance with law, such hearing to be properly noticed and advertised and held prior

to June 2, 2012.

Section 11. **Severability.** If any one or more sections, sentences, clauses or parts of this resolution shall, for any reason, be questioned or held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this resolution, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this resolution so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this resolution in any one or more instances shall not affect or prejudice in any way the applicability and validity of this resolution in any other instances.

Section 12. **Repealer.** All resolutions, by-laws and regulations of the Board of Commissioners of Summit County, Utah, in conflict with this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, by-law, or regulation, or part thereof, heretofore repealed.

GIVEN by order of the County Council, this ____ day of _____, 2012.

Chairperson

ATTEST:

County Clerk

Snyderville Basin Cemetery District

Beginning at a common intersection point of the Summit County and Morgan County boundary line, said point being located on the North line of Section 29, T 1 N, R 4 E, SLBM, and running thence East along the North line of said Sec. 29 to the NE corner of said Sec. 29; thence South one mile m/l along the East line of said Sec. 29 to the SE corner of said Sec. 29; thence East one mile m/l along the North line of Section 33, T 1 N R 4 E, SLBM, to the NE corner of said Section 33; thence South along the East line of said Sec. 33 one mile m/l to the SE corner of said Sec. 33; thence East one mile m/l along the North line of Section 3, T 1 S, R 4 E, SLBM, to the NE corner of said Sec. 3; thence South along East line of said Sec. 3, and Section 10, T 1 S, R 4 E, SLBM, to a point of intersection with the North Right of way line of Interstate 80; thence Southwesterly along said Right of way line to intersection of the East Right of way line of Highway 40; thence Southeasterly along said right of way line to a point of intersection with the South line of Section 35, T 1 S, R 4 E, SLBM; thence East along the South line of said Sec. 35, to the NW corner of Section 1, T 2 S, R 4 E, SLBM; thence East along the North line of said Sec. 1, to the intersection with the Summit County and Wasatch County boundary line; thence along the Summit County boundary line in the following general directions Southerly; thence Southwesterly; thence Northwesterly; thence Northeasterly; thence Southeasterly, thence Northeasterly to the point of beginning.

Also the Red Hawk Subdivision Phase II, according to the official plat on file in the Summit County Recorder's office.

Excepting therefrom that portion lying within the city of Park City.

Also Excepting therefrom the following described parcels:

SS-104-B

BEG N 545.80 FT & W 296 FT FR S 1/4 COR SEC 5 T2SR4E SLBM, RUN TH W 204 FT; N 200FT; E 204 FT; S 200 FT TO BEG CONT 0.93AC

SS-104-1-B

PARCEL 1: THAT PORTION OF THE FOLLOWING DESC PARCEL LYING WITHIN THE PARK CITY LIMITS: BEG AT A POINT WEST 2403.70 FT, AND NORTH 655.95 FT FROM THE SE CORNER OF SEC 5, T2SR4E SLBM: THENCE WEST 144.50 FT; THENCE SOUTH 0*44'37" EAST 110.15 FT; THENCE WEST 49.98 FEET; THENCE SOUTH 5*36'06" EAST 598.43 FT TO THE NORTH LINE OF PAYDAY DRIVE AND TO A POINT ON A 342.50 FOOT RADIUS CURVE TO THE LEFT THE CENTER OF WHICH BEARS SOUTH 2*16'05" EAST; THENCE SW'LY ALONG SAID CURVE TO THE LEFT AND SAID NORTH LINE THROUGH A CENTRAL ANGLE OF 8*09'58" A DISTANCE OF 48.81 FT TO A POINT ON A 292.50 FOOT RADIUS CURVE TO THE RIGHT THE CENTER OF WHICH BEARS NORTH 10*26'03" WEST; THENCE SW'LY ALONG SAID CURVE TO THE RIGHT AND SAID NORTH LINE THROUGH A CENTRAL ANGLE OF 10*26'03" A DISTANCE OF 53.27 FT; THENCE WEST ALONG SAID NORTH LINE 235.65 FT; THENCE NORTH 605.80 FT; THENCE EAST 139.68 FT; THENCE NORTH

233.63 FEET TO A FENCE LINE ON THE SOUTH LINE OF ASPEN SPRINGS SUBDIVISION AS RECORDED; THENCE SOUTH 88*52'28" EAST ALONG SAID FENCE LINE AND SAID SOUTH LINE 89.22 FT; THENCE NORTH 82*44'39" EAST ALONG SAID FENCE LINE AND SAID SOUTH LINE 34.35 FT TO A FENCE LINE ON THE EAST LINE OF ASPEN SPRINGS SUBDIVISION; THENCE NORTH 5*06'23" WEST ALONG SAID FENCE LINE AND SAID EAST LINE 306.43 FT; THENCE NORTH 4*09'13" WEST ALONG SAID FENCE LINE AND SAID EAST LINE 252.24 FT; THENCE EAST 245.46 FT; THENCE SOUTH 0*44'37" EAST 682.93 FEET TO THE PT OF BEG.

ALSO PARCEL 2: BEG AT A POINT WEST 2403.70 FT, AND NORTH 655.95 FT FROM THE SOUTHEAST CORNER OF SEC 5 T2SR4E, SLBM: TH EAST 187.26 FT; TH SOUTH 577.14 FT TO THE NORTH LINE OF THAYNES CREEK RANCH SUBDIVISIONS AS RECORDED; TH WEST ALONG SAID NORTH LINE 80.00 FT TO THE WEST LINE OF THAYNES CREEK RANCH SUBDIVISIONS AS RECORDED; THENCE SOUTH ALONG SAID WEST LINE 128.30 FT TO THE NORTH LINE OF PAYDAY DRIVE; THENCE WEST ALONG SAID NORTH LINE 228.35 FT TO A POINT ON A 342.50 FOOT RADIUS CURVE TO THE LEFT THE CENTER OF WHICH BEARS SOUTH; THENCE SW'LY ALONG SAID CURVE TO THE LEFT AND SAID NORTH LINE THROUGH A CENTRAL ANGLE OF 2*16'05" A DISTANCE OF 13.56 FT; THENCE NORTH 5*36'06" WEST 598.43 FT, THENCE EAST 49.98 FT; THENCE NORTH 0*44'37" WEST 110.15 FT; THENCE EAST 144.50 FT TO THE PT OF BEG. CONT 235,224 SQ FT OR 5.4000 AC. (LESS 0.13 AC M/L LYING WITHIN PARK CITY LIMITS) (LESS 0.31 AC THAYNES CREEK RANCH 1B) BAL 13.57 AC.

SS-104-1-B-1-X

BEG AT A PT W 2403.70 FT & N 655.95 FT FROM THE SE COR OF SEC 5 T2SR4E SLBM; TH E 187.26 FT; TH S 577.14 FT TO THE N LINE OF THAYNES CREEK RANCH SUBDIVISION AS RECORDED; TH E ALONG SD N LINE 831.89 FT TO THE W LINE OF STATE HWY U-224; TH N 21*12' W ALONG SD W LINE 1351.47 FT; TH W 539.30 FT; TH S 0*44'37" E 682.93 FT TO THE PT OF BEG CONT 871,200 SQ FT OR 20.0000 AC (LESS 0.44 AC LYING IN PARK CITY LIMITS) BAL 19.56 AC

SS-65-A

(REMAINING DESCRIPTION FOR ASSESSMENT PURPOSES): A PARCEL OF LAND IN THE SE1/4 OF THE SW1/4 OF SEC 35 T1SR4E SLBM; DESC AS FOL: BEG IN THE S LINE OF SAID SEC 35 AT A PT 2048.43 FT S 89*53'00" E FRM THE SW COR OF SAID SEC 35; TH S 89*53'00" E 192.46 FT; TH N 46*13'24" E 134.57 FT; TH N 11*42'39" W 166.28 FT; TH S 45*02'17" W 361.62 FT TO THE PT OF BEG.

Also excepting therefrom those portions lying within Sections 13, 14 and 22 T 2 S, R 4 E, SLBM.

Proposed Snyderville Basin Cemetery Maintenance District

Morgan County

Red Hawk Subdivision

Salt Lake County

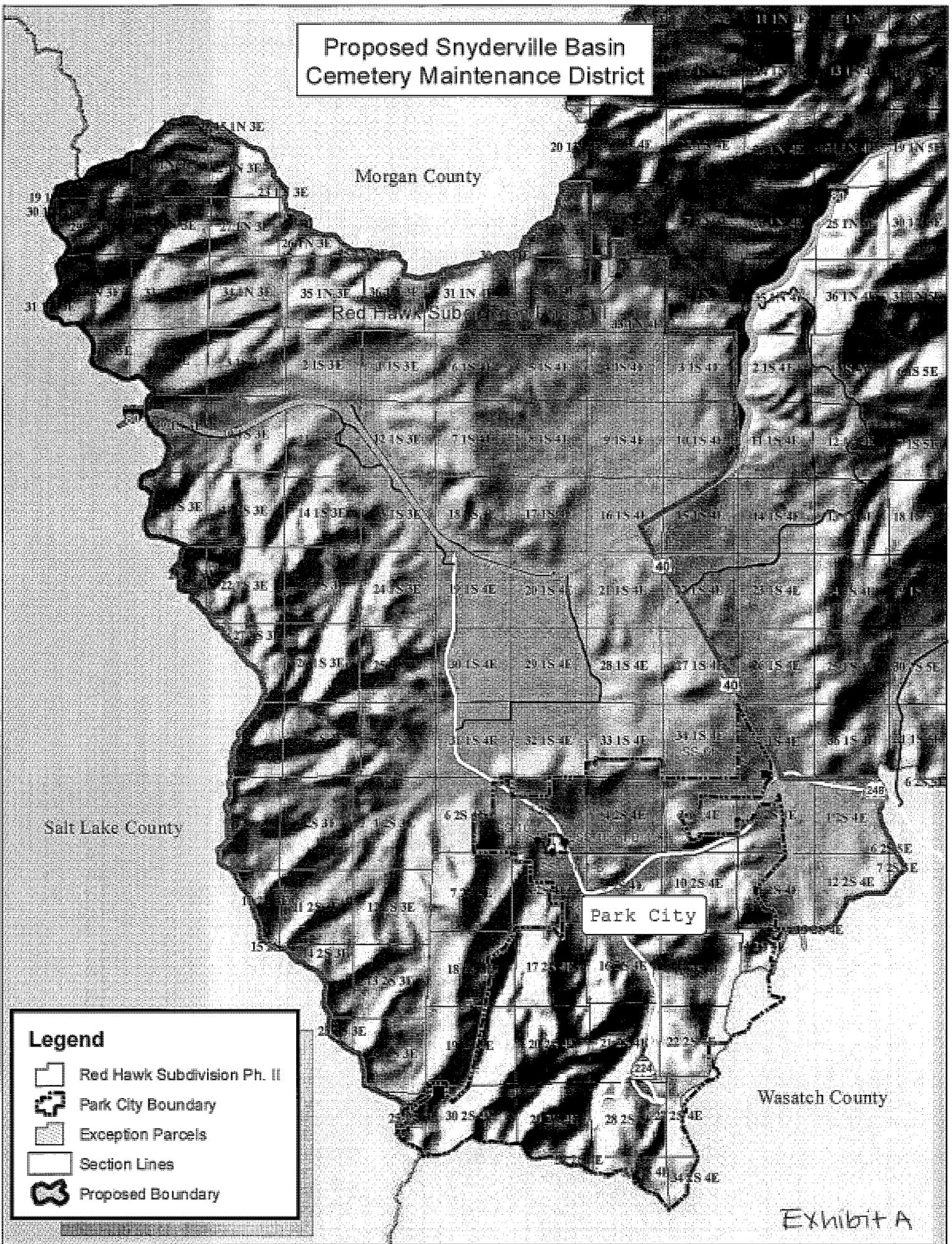
Park City

Wasatch County

Legend

-  Red Hawk Subdivision Ph. II
-  Park City Boundary
-  Exception Parcels
-  Section Lines
-  Proposed Boundary

Exhibit A



Errors and Omissions

To the Council

April 5, 2012

IRH-A-5, DeBoer, condominium unit in the Iron horse project in Park City, appealed to the BOE in 2007 for a primary residence exemption and which was granted for 2007. The application was in the BOE appeal papers and not scanned into the appropriate computer file and was not carried over into the subsequent years of 2008,2009,20010, and 2011. This was an error on the part of the Assessor's office and would request a refund of the difference of the years in question in the amount of \$2,987.19. The status has been corrected for 2012, forward.

D. G. 10

Location

Parcel Number IRH-A-5
Account Number 0212906
Tax District 07 - PARK CITY A, J, K, U (D-D)
Acres 0
Situs Address 1710 UPPER IRONHORSE LOOP #5
Legal BLDG A UNIT 5 IRONHORSE CONDOMINIUM NO 1 SEC 9, T2SR4E, SLBM CONT 946 SQ FT, TOGETHER WITH 0.014727% INT IN COMMONAREA M213-495 M221-338 356-558 401-2 477-214 856-2 1269-693
Child Accounts
Child Parcels
Parent Accounts
Parent Parcels

Value Info

Market (2009)					
Taxable					\$200,000
					\$200,000
Type		Tax Area: 07	Tax Rate: 0.007830	SQFT	Units
02A		Actual	Assessed	946.000	1.000
12B		\$50,000	\$150,000		
		\$150,000			

Model Summary

Account Value	Cost	Override	Reconciled Value
Building	\$50,000		\$200,000 *
Land	\$0	\$150,000	
	\$50,000		

* Model override applied

Owners

DEBOER, JON
Name DEBOER JON
 PO BOX 3372
 PARK CITY, UT 84060-3372

Tax Summary

Tax Year	Taxes
2009	\$1,566.00
2008	\$1,459.00

Photo/Sketch/Map

[Photo](#)
[Sketch](#)
[Map](#)

POS-32
JJC

Location

Parcel Number IRH-A-5
 Account Number 0212906
 Tax District 07 - PARK CITY A,J,K,U (D-D)
 Acres 0
 Situs Address 1710 UPPER IRONHORSE LOOP #5
 Legal BLDG A UNIT 5, IRONHORSE CONDOMINIUM NO 1 SEC 9, T25R4E, S16M CONT 946 SQ FT,
 TOGETHER WITH 0.014727% INT IN COMMONAREA M213-495 M221-338 356-558 401-2
 477-214 856-2 1269-693

Child Accounts
Child Parcels
Parent Accounts
Parent Parcels

Value Info

Market (2010)
 Taxable \$200,000

Tax Area: 07 Tax Rate: 0.008948

Type	Actual	Assessed	SQFT	Units
02A	\$50,000	\$50,000		1.000
12B	\$150,000	\$150,000	946.000	

Model Summary

Account Value	Cost	Override	Reconciled Value
Building	\$50,000		\$200,000 *
Land	\$0	\$150,000	
	\$50,000		

* Model override applied

Owners

DEBOER, JON

Name DEBOER, JON
 PO BOX 3372
 PARK CITY, UT 84060-3372

Tax Summary

Tax Year	Taxes
2010	\$1,789.60
2009	\$1,566.00

Photo/Sketch/Map

Photo Sketch Map

Location

Parcel Number IRH-A-5
 Account Number 0212906
 Tax District 07 - PARK CITY A,J,K,U (D-D)
 Acres 0
 Situs Address 1710 UPPER IRONHORSE LOOP #5
 Legal BLDG A UNIT 5 IRONHORSE CONDOMINIUM NO 1 SEC 9, T2SR4E, S16M CONT 946 SQ FT,
 TOGETHER WITH 0.014727% INT IN COMMONAREA M213-495 M221-338 356-558 401-2
 477-214 856-2 1269-693

Child Accounts
Child Parcels
Parent Accounts
Parent Parcels

Value Info

Market (2011)		Tax Area: 07		Tax Rate: 0.009118	
Taxable		Actual	Assessed	SQFT	Units
		\$50,000	\$50,000	946.000	1.000
Type		\$150,000	\$150,000		
02A					
12B					

Model Summary

Account Value	Cost	Override	Reconciled Value
Building	\$50,000		\$200,000 *
Land	\$0	\$150,000	
	\$50,000		

* Model override applied

Owners

DEBOER, JON

Name DEBOER, JON
 PO BOX 3372
 PARK CITY, UT 84060-3372

Tax Summary

Tax Year	Taxes
2011	\$1,823.60
2010	\$1,789.60

Photo/Sketch/Map



8220.00 FF

AUG 03 2007

Summit County
State of Utah
Signed Statement of Primary Residence
 Pursuant to Section 59-2-103 UCA

I understand that, pursuant to Utah Code Section 59-2-308(2), any misrepresentation on this statement subjects the owner to severe penalties.

I hereby certify that:

A. I am the owner of the following described property: (Please print name, property address or condo unit number and mailing address.)

Name: Jon C. DeBoer Tax Account #: 0212906
 Parcel Serial #: IRH-A-5
 Property Address: 1710 Upper Iron Horse #A-5
 City: Park City State: UT Zip: 84060
 Mailing Address: PO Box 3372
 City: Park City State: UT Zip: 84060

And the described property is my permanent, full time residence and that I have no other permanent residence either in the State of Utah or any other state.

Date of Occupancy: June, 1999
 Owner's Signature: [Signature] Date: 8/1/07

OR

B. As the owner, I am leasing the above described property on a year round basis to the tenant named below, as of the _____ day of _____. Attached is a copy of the lease.

Name of the Lessee: _____
 Mailing Address: _____
 City: _____ State: _____ Zip: _____
 Owner's Signature: _____ Date: _____

Attach this signed statement to your Appeal Application.
Criteria for Determining Primary Residence

2007 SUMMIT COUNTY Notice of Property Valuation & Tax Changes

**THIS IS NOT A BILL
DO NOT PAY**

50 NORTH MAIN
PO BOX 128
PARK CITY UT 84017
Parcel # 1RH-A-5
Assessor # 0212906
Tax District: 07

PROPERTY ADDRESS: 50 NORTH MAIN
ACRES: 0
LEGAL DESCRIPTION: 50 NORTH MAIN
LEGAL DESCRIPTION: 50 NORTH MAIN
LEGAL DESCRIPTION: 50 NORTH MAIN

This may be a partial description. A complete legal description is available at the office of The County Recorder or on our web site at www.summitcounty.org

MARKET VALUE OF YOUR PROPERTY		
	Last Year's Market Value	This Year's Market Value
IMPROVEMENTS		150,000
LAND		50,000
Total Property Value	123,000	200,000

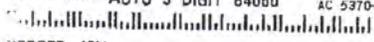
LAST YEAR, CURRENT, AND PROPOSED PROPERTY TAXES					
Taxing Entities	Last Year		Proposed		Public Hearing Will Be Held
	Last Year	No Budget Change	Budget Approved	Budget Approved	
STATE	250.10	602.60	649.80	649.80	TUES AUG 21 6:00 PM, P.C.S.D. OFFICE, 2700 KEARNS BLVD, PARK CITY MON AUG 20 7:00 PM, WEBER COUNTY LIBRARY 2464 JEFFERSON, OGDEN UT
SCHOOL DIST	134.15	334.80	334.80	334.80	
COUNTY	102.49	262.20	262.20	262.20	
CITY	68.26	169.20	169.20	169.20	
WATER	65.15	162.20	162.20	162.20	
SEWER	12.04	81.60	40.00	40.00	
LIBRARY	9.40	24.20	24.20	24.20	
HEALTH	7.31	18.40	18.40	18.40	
INDUSTRIAL	2.98	7.60	7.60	7.60	
Property Tax	651.88	1,612.80	1,668.40	1,668.40	

THESE VALUES DO NOT INCLUDE PERSONAL PROPERTY

COUNTY BOARD OF EQUALIZATION

Please review carefully the information shown on this notice. If you believe the value of your property or your property type is incorrect, you will need to file an appeal with the County Board of Equalization. The deadline for application to the Board of Equalization is September 17, 2007. Your appeal must address the market value or the property type, not the tax rate. Appeals will only be accepted in written form. Evidence supporting your estimation of market value must be included in the appeal. The Board of Equalization application as well as information on how to appeal is listed on our web site at www.summitcounty.org or you may call 435-338-3019, 435-615-3019 or 435-783-4351 ext 3019.

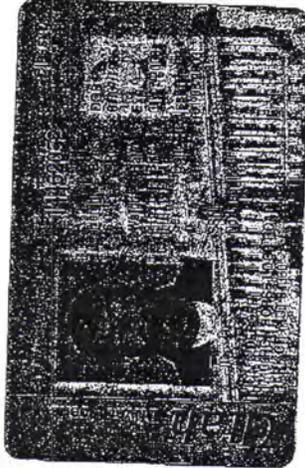
The appeal deadline is September 17, 2007.

*****AUTO 5-DIGIT 84060 AC 5370-1/1-GRP 1-TRAY 16

 DEBOER JON
 PO BOX 3372
 PARK CITY UT 84060-3372

SEE REVERSE FOR EXPLANATIONS
AND INSTRUCTIONS FOR THIS
NOTICE

PLEASE NOTE ALL FILING
REQUIREMENTS AND DEADLINES

Alan Appels
re: IAH-A-5
Acct# 0212906



contact info
(435) 649-0528 n
714-0221 cell

please note address
same as property
to establish as
permanent residence/primary
for appeal

Auditor

Blake Frazier



April 12, 2012

County Council,

This years Tax Sale will be held on May 24th. We have an abundance of properties for sale this year due to delinquent property taxes.

As expected we've had more requests than usual for payment extentions. The following properties wish to be heard on April 18th for your consideration of thier proposed payment plan.

NS-287	Residential Lot
NS-447	Agricultural Land
NS-477-B	Agricultural Land
NS-448	Agricultural Land
NS-446	Agricultural Land
NS-446-A	Agricultural Land
NS-446-B	Agricultural Land
NS-446-C	Agricultural Land

They are all owned by Platinum Fundin Corp. Kurk Rolf is the gentleman that will be representing Platinum Funding Corp. Blake is ok with the payment proposal by Kurt Rolf.

I've attached a copy of the letter Mr. Rolf submitted and a copy of the plat map of the area.

There will be more property owners on the agenda for May 2nd asking for simular agreements.

Thanks You,

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

Kathryn Rockhill
Duputy Auditor

MAR 08 2012

Platinum Funding
5965 South Redwood Rd. #100
Taylorsville, Utah 84123

To: Summit County Council
C/O: Blake Frazier

Regarding delinquent taxes:

Platinum Funding owns eight parcels of property which have delinquent taxes due (parcel numbers listed below) we ask your help with a payment plan to prevent the properties from going to tax sale. Platinum Funding cannot at this time pay the entire taxes due. If you could allow us to make equal payments starting May 1, 2012 we will have the entire balance paid off on/or before December 31, 2012. If you could help us in this matter it would be greatly appreciated. Thank you in advance for your consideration on this urgent matter.

Parcel ID Numbers:

NS-287

NS-447

NS-447-B

NS-448

NS-446

NS-446-A

NS-446-B

NS-446-C

Thank you,
Kurt Rolfe
knrolfe@msn.com
801-231-4018

Account ID: 0081585
Parcel Number: NS-287
Owner: PLATINUM FUNDING CORP
Address: 12345 Main St, Suite 100, Dallas, TX 75201

Account Type: ARM
Interest Rate: 5.25%
Term: 30 Years
Original Balance: \$100,000.00
Current Balance: \$85,000.00
Next Payment Due: 10/15/2012

Date	Period	Amount	Balance	Description
Apr 4, 2012	10/11/09	\$125.00	\$125.00	Fee: Date Fee
Oct 18, 2011	10/10/09	\$10.00	\$115.00	Interest Charge
Oct 18, 2011	10/10/09	\$21.47	\$136.47	Principal Change
Oct 18, 2011	10/10/09	\$20.12	\$156.59	Interest Charge
Oct 18, 2011	10/09/09	\$11.13	\$167.72	Interest Charge
Oct 18, 2011	10/09/09	\$25.47	\$193.19	Interest Charge
Oct 18, 2011	10/09/09	\$0.00	\$193.19	Interest Charge
Oct 18, 2011	10/09/09	\$11.13	\$204.32	Interest Charge
Oct 18, 2011	10/09/09	\$20.00	\$224.32	Interest Charge
Oct 18, 2011	10/09/09	\$0.74	\$225.06	Interest Charge
Oct 18, 2011	10/07/09	\$201.00	\$426.06	Interest Charge
Oct 18, 2011	10/07/09	\$10.00	\$436.06	Interest Charge
Oct 18, 2011	10/07/09	\$0.74	\$436.80	Interest Charge
Oct 18, 2011	10/07/09	\$4.49	\$441.29	Interest Charge
Oct 18, 2011	10/11/09	\$725.00	\$1166.29	Payment
Aug 28, 2011	10/11/09	\$103.04	\$1269.33	Special Assess
Oct 28, 2011	10/09/09	\$7.03	\$1276.36	Interest Charge
Oct 28, 2011	10/09/09	\$24.34	\$1300.70	Interest Charge
Oct 28, 2011	10/09/09	\$0.04	\$1300.74	Interest Charge
Oct 28, 2011	10/09/09	\$7.04	\$1307.78	Interest Charge
Oct 28, 2011	10/09/09	\$17.77	\$1325.55	Interest Charge
Oct 28, 2011	10/09/09	\$0.00	\$1325.55	Interest Charge
Oct 28, 2011	10/07/09	\$100.70	\$1426.25	Interest Charge
Oct 28, 2011	10/07/09	\$7.70	\$1433.95	Interest Charge
Oct 28, 2011	10/07/09	\$0.40	\$1434.35	Interest Charge
Oct 28, 2011	10/07/09	\$7.00	\$1441.35	Interest Charge
Oct 28, 2011	10/10/09	\$076.00	\$1517.35	Fee Change

Parcel Number: NS-287
Account ID: 0081585
Owners: PLATINUM FUNDING CORP
Address: 12345 Main St, Suite 100, Dallas, TX 75201
Legal Description: A PORTION OF LAND LOCATED IN THE COUNTY OF DALLAS, TEXAS, BEING THE TRACT OF LAND SHOWN AS LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 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599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

OK with deal proposed by
 Property owner.
 Per Blake

APR 05 2012

(8 parcels)

Name: [REDACTED]
 Address: [REDACTED]
 City: [REDACTED]
 State: [REDACTED]
 Zip: [REDACTED]

Account No: [REDACTED]
 Date: Apr 1, 2012
 [REDACTED]

DATE	AMOUNT	DESCRIPTION	BALANCE
Apr 1, 2012	1000.00	Initial Fee	1000.00
Oct 10, 2011	100.00	Interest Charge	1100.00
Oct 10, 2011	100.00	Interest Charge	1200.00
Oct 10, 2011	100.00	Interest Charge	1300.00
Oct 10, 2011	100.00	Interest Charge	1400.00
Oct 10, 2011	100.00	Interest Charge	1500.00
Oct 10, 2011	100.00	Interest Charge	1600.00
Oct 10, 2011	100.00	Interest Charge	1700.00
Oct 10, 2011	100.00	Interest Charge	1800.00
Oct 10, 2011	100.00	Interest Charge	1900.00
Oct 10, 2011	100.00	Interest Charge	2000.00
Oct 10, 2011	100.00	Interest Charge	2100.00
Oct 10, 2011	100.00	Interest Charge	2200.00
Oct 10, 2011	100.00	Interest Charge	2300.00
Oct 10, 2011	100.00	Interest Charge	2400.00
Oct 10, 2011	100.00	Interest Charge	2500.00
Oct 10, 2011	100.00	Interest Charge	2600.00
Oct 10, 2011	100.00	Interest Charge	2700.00
Oct 10, 2011	100.00	Interest Charge	2800.00
Oct 10, 2011	100.00	Interest Charge	2900.00
Oct 10, 2011	100.00	Interest Charge	3000.00
Oct 10, 2011	100.00	Interest Charge	3100.00
Oct 10, 2011	100.00	Interest Charge	3200.00
Oct 10, 2011	100.00	Interest Charge	3300.00
Oct 10, 2011	100.00	Interest Charge	3400.00
Oct 10, 2011	100.00	Interest Charge	3500.00
Oct 10, 2011	100.00	Interest Charge	3600.00
Oct 10, 2011	100.00	Interest Charge	3700.00
Oct 10, 2011	100.00	Interest Charge	3800.00
Oct 10, 2011	100.00	Interest Charge	3900.00
Oct 10, 2011	100.00	Interest Charge	4000.00
Oct 10, 2011	100.00	Interest Charge	4100.00
Oct 10, 2011	100.00	Interest Charge	4200.00
Oct 10, 2011	100.00	Interest Charge	4300.00
Oct 10, 2011	100.00	Interest Charge	4400.00
Oct 10, 2011	100.00	Interest Charge	4500.00
Oct 10, 2011	100.00	Interest Charge	4600.00
Oct 10, 2011	100.00	Interest Charge	4700.00
Oct 10, 2011	100.00	Interest Charge	4800.00
Oct 10, 2011	100.00	Interest Charge	4900.00
Oct 10, 2011	100.00	Interest Charge	5000.00

Parcel Number: NS 410 41
Account ID: 0421978
Owner: PLATINUM FUNDING CORP
Address: 1000 PLAZA DRIVE, SUITE 100, DENVER, CO 80202
Legal Description:
 A PORTION OF UNDEVELOPED LAND LOCATED IN SEC 10 T19N R10W...
 BEING A PART OF SEVEN (7) ACRES MORE OR LESS...
 BETWEEN THE S1/4 CORNER AND THE N1/4 CORNER OF SECTION 10...
 AS PER THE ORIGINAL SURVEY OF 1888...
 THE S1/4 CORNER OF SECTION 10...
 BEING A PORTION OF UNDEVELOPED LAND LOCATED AT THE CORNER OF...
 ADJACENT TO THE S1/4 CORNER OF SECTION 10...
 PARCEL NUMBER NS 410 41...
 PARCEL AREA 1.0000 ACRES...
 LOT 10, THE FOLLOWING DIMENSIONS: 100 FT. WIDE AND...
 100 FT. DEEP...
 TO THE S1/4 CORNER OF SECTION 10...



MEMORANDUM:

Date: April 18, 2012

To: Council Members

From: Robert Jasper

Re: Recommendation to appoint members to the Summit County Heritage and
Landmark Commission

Advice and consent of County Manager's recommendation to appoint Kirsten Hendry and Kathy McGuinness to the Summit County Heritage and Landmark Commission. Kirsten's and Kathy's terms of service to expire October 31, 2014.

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, MARCH 14, 2012
COUNCIL CHAMBERS
COALVILLE, UTAH

PRESENT:

David Ure, Council Chair
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
Karen McLaws, Secretary

- **Council Mail Review**

CLOSED SESSION

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

The Summit County Council met in closed session from 1:50 p.m. to 2:15 p.m. to discuss property acquisition. Those in attendance were:

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

Robert Jasper, Manager
Dave Thomas, Deputy Attorney
Carl McQueen
Vern Williams
Don Woolstenhulme

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

The Summit County Council met in closed session from 2:15 p.m. to 3:10 p.m. to discuss litigation. Those in attendance were:

David Ure, Council Chair
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
Jody Burnett, Outside Counsel

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, 5 to 0.

WORK SESSION

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

- **Discussion regarding possible amendments to Summit County’s Optional Form of Government; Dave Thomas, Chief Civil Attorney**

Chief Civil Attorney Dave Thomas reviewed proposed changes to the Optional Form of Government, which include property acquisition and disposal, settlement of lawsuits, and a change to the process for selecting a County Manager.

Council Member Robinson noted that the amendments address the disposal of assets and asked about the acquisition of assets. Mr. Thomas explained that is a legislative function, as the legislative body must appropriate the funds to purchase assets.

Council Members Elliott and McMullin stated that they would like to limit the Manager’s ability to dispose of property and settle lawsuits to \$500,000.

Council Member Robinson questioned whether all land use claims, rather than just constitutional land use claims, should come to the Council. Mr. Thomas explained the meaning of a constitutional land use claim and explained that constitutional challenges would be major lawsuits that sue for damages. Other types of land use claims include Lot of Record determinations, Low Impact Permits, etc. He acknowledged that some statutory claims might have a major impact. Council Member Robinson expressed concern that constitutional claims may not cover every major category of lawsuit and questioned whether constitutional land use claims is the right term or whether there might be better language that would include all cases that might have a major impact on the citizens. He believed the Council should have the opportunity to at least look at all land use claim settlements and requested that the word “constitutional” be removed from the language. Chair Ure requested that Mr. Thomas prepare a document for the Council Members explaining the effects of removing “constitutional” from the language. Council Member Robinson also requested that the Council hold a public hearing on the proposed amendments to receive input regarding other things the public might want to see changed.

With regard to the selection process for the County Manager position, the Council Members suggested that the County Council appoint the selection committee members. County Manager Bob Jasper agreed that there should be some kind of selection committee that would recommend a list of finalists. He suggested that they also have the option of working with a professional

recruiter who would do profiles and work closely with the selection committee to get a better applicant pool. Council Member Robinson suggested that the selection committee provide a larger pool to select from than just a small number of candidates. Council Member McMullin suggested that the language state a minimum of five candidates, and if the committee wants to put forward more than five candidates, they can. Council Member Robinson stated that he would like to see at least ten candidates. He felt the Council was too far removed from the process last time and did not have a sense of the other candidates and their qualifications. The Council Members compromised on the minimum number of candidates presented being seven. Council Member Elliott stated that she did not believe they should limit the number of candidates recommended to the Council. Mr. Jasper explained that, if they work with a recruiter, that person would meet with the Council and the committee to determine the kind of candidate they are looking for and pre-screen candidates for the committee. He noted that the County has to pay for the candidates to come for interviews, so they may not want to specify a minimum. Council Member Robinson suggested that they use the language as proposed, that the County Council will select a County Manager. That would enable them to form a committee, hire a recruiter, or follow whatever process helps them accomplish that so long as the Manager meets the qualifications for the position. Mr. Jasper suggested that they include a selection committee in the proposed amendments.

The Council Members reviewed and discussed the proposed qualifications and agreed that they should be broadened. Mr. Jasper stated that some experience in running a city or county would be helpful, because that is not the same as the private sector or even state or federal government. The Council Members agreed to change the experience language to state experience running a local government. Council Member Hanrahan stated that he would like to open it up to private enterprise, because a future Council may want that kind of experience. Council Member Robinson suggested that the language state “an administrator in the public or private sector.”

Chair Ure noted that there is new legislation regarding the selection of a budget officer which could affect their charter. Mr. Thomas offered to review the legislation and propose any amendments that may be necessary. Council Member Hanrahan asked about changing the process for appointing a budget committee and noted that, if the Council does not consent to the Auditor’s recommendations, they need a way to resolve that. He believed the question is whether the Auditor is the right person to appoint the budget committee. Mr. Thomas clarified that State law does not require the County to have a budget committee; that was the County’s invention. Mr. Jasper commented that he would not like to see this type of amendment go to the voters. Chair Ure stated that he would want another set of eyes looking at the budget to see where they can avoid cutting services but still be able to cut costs. Mr. Jasper offered to send the budget consultant’s report to the Council Members.

Mr. Jasper commented that the more they load up the ballot with these types of issues, the more complicated it will get and perhaps affect the chance of passage. Council Member Hanrahan suggested that those changes which do not need to go on the ballot could be adopted by an ordinance. Council Member Robinson suggested that, before they do anything, they hold a public hearing on all the proposed amendments.

Council Member Robinson asked if they would like to make a change to the Council Member at Large section of the Optional Form. Council Member Hanrahan stated that he was not interested in making a change, because he believed it could result in unintended consequences. Council Member McMullin recalled that a group worked on this form of government for years, and she did not believe they should just change it on a whim. She believed changing it would require more study and questioning, and they do not have time for that before November. Council Member Robinson reviewed several other sections of the Optional Form and requested clarification of various items.

- **Discussion regarding Echo Sewer; Bob Swensen, Environmental Health Director**

Chair Ure asked Environmental Health Director Bob Swensen if septic tanks will work in Echo and what direction he has given the Sewer Company about what will work in Echo. The Council Members asked if there are other options and if there is another type of government entity under which this could occur. Chair Ure noted that there is already a sewer district in eastern Summit County and asked if they need to form another district for Echo to receive money from the State or if they could use the existing district. Mr. Thomas noted that they proposed that to the Echo residents, and they were not in favor of using the existing special service district, because they wanted their own residents to be members of the control board.

Mr. Swensen reported that he spoke with the engineer and attorney who set up the boundaries, and they said they used the three sections for simplicity and would carve out what they need later. However, he was not sure it could be carved out so easily later. He believed they had already removed much of the proposed property from the district. He stated that there are 23 houses in the town, plus a 7-unit motel, and in addition to the 23 houses, there are 2 restaurants and a service station. As far as he was able to determine, approximately 7 or 8 might have enough room to use septic tanks, but he did not know about the soils or water table. That would leave 15 or 20 houses that need the sewer system, even if the others could opt out.

Mr. Jasper stated that people are coming to him and saying they cannot live in their homes because the systems are failing. One proposal, which he thought was run through the State, is that they form a special service district. He asked what the Health Department would like the Council to do. Mr. Swensen explained that one reason to form a special service district is to be able to get money from the State to do the sewer project. The State has a formula that, based on median income, determines how much people can afford to pay, and they deduct the service and maintenance on the system from that amount. What is left they put back into a loan, which is the amount they will borrow at a low interest rate. The State will provide a grant for any costs beyond that, so it will not cost the people in Echo any more than the amount determined by the State based on their income.

Council Member Elliott asked if the Health Department will throw people out of their houses. Mr. Swensen explained that they already have a notice of violation, and if they do not have any place for their waste water and are creating a pollution problem, they do not have a choice.

Council Member Hanrahan stated that all of this information needs to be presented to the public at the public hearing, because a lot of people do not understand what is going on, and they raised a lot of concerns the Council did not need to worry about.

Mr. Jasper confirmed with Mr. Thomas that this could be done through the existing special service district. Mr. Thomas explained that they could set up a special assessment area within the existing special service district. Mr. Swensen asked if they would qualify for a grant if they use the existing special service district or if they would only qualify for the loan. Mr. Thomas replied that he believed they would allow the grant, but they would have to research that. Mr. Swensen noted that, if they set up a special assessment district within the existing special service district, the people in Echo would not be in control.

Mr. Jasper recalled that one individual who gave public comment claimed that the residents could build mound systems. Mr. Swensen replied that there is not enough room on the lots for that. He suggested that they form a separate district for Echo so the people in Echo would have control, and in the future that could be absorbed into ESSAC if need be.

- **Discussion regarding Deer Meadows Rezone; Adryan Slaght, Principal Planner**

Principal Planner Adryan Slaght presented the staff report and noted that the fiscal analysis completed in September 2011 was inadvertently omitted from the staff report and would be provided prior to the next meeting. He reviewed the application for a Specially Planned Area (SPA) rezone. He noted that service provider comments are included in the staff report, and he briefly reviewed those comments. He indicated a 20-acre lot on the northwest corner and a 10-acre lot on the northeast corner of the property that would provide a buffer to adjacent property owners. The fees associated with the project include \$3,500 per lot contribution for road improvements prior to plat approval and \$1,500 per lot contribution to the North Summit Recreation District. The project would maintain 90% open space by designating limits of disturbance and provide a 10-foot trail easement that would be open to the public. There have been a number of work sessions and public hearings on this item since September 2011, and on January 18, 2012, the Eastern Summit County Planning Commission held a public hearing and forwarded a recommendation to the County Council by a vote of 3 to 3. Planner Slaght reviewed the process for SPA approval and explained that the main issues throughout the process include density, access to the area, and community benefits. He reviewed the sketch plan, density of the surrounding area, a map of septic systems in the area, and the topography of the property. He noted that an analysis of the Code criteria for a SPA rezone is included in the staff report. Staff recommended that the Council conduct a work session, gather input regarding the proposed development, and schedule a public hearing after the Council has had an opportunity to make a site visit.

Pete Gillwald, representing the applicant, explained that this SPA rezone process has been ongoing for a year and a half. He indicated the road through the property and noted that it is used to access about 76 parcels through the applicant's 117 acres. The current zoning of this property is agricultural, and since it is located in an area of high density, it is unrealistic to believe it would be conducive to an agricultural use. He explained that they have prepared a development agreement and submitted it to the County for review, and it is contained in the staff report. He reviewed the standards outlined in the proposed development agreement and explained that they would continue to contribute toward ongoing maintenance of roads and amenities. The development agreement includes a stewardship plan showing how the designated building envelopes will be defined and located. He reviewed other elements of the proposed development agreement and reviewed the site plan, indicating the designated building envelopes on the site and noting that all construction on the site would be confined to that area only. He

indicated the two wells that have been drilled for the development and explained that they have water rights to drill more wells if they need to. He explained that the only roads they would have to build would be a cul-de-sac and a clean-up of the Jeep trail. They have talked to the neighbors about the project and received letters in support from a number of people who own parcels in the area that would be affected by this development. He explained that the fiscal analysis, which is based on the assumption that 25% of the home sites would be full-time residences, showed a net gain in revenue to Summit County. Even if all the lots contained full-time residences, there would still be a net positive fiscal impact to the County. He discussed the difficulty of finding a way to provide community benefits in conjunction with the SPA and explained that they have discussed benefits with a number of entities without success. They are proposing a contribution toward road improvements of \$70,000 and an impact fee that would go toward mitigating impacts on the existing Tollgate Canyon Road, with a total benefit of about \$170,000. They have also explored how to create an open space, recreation, and education benefit, and one option would be to contribute \$30,000 at the time of development agreement approval to the North Summit School District youth recreation program. If there is an organization that is interested in the open space easements, that would also be an option. He reviewed measures they would take to address concerns about wildfire danger. He stated that they also propose as part of their HOA fees a maintenance fee to assure that roads are maintained both on site and off site and to assure that there is adequate snow plowing.

Council Member Robinson noted that those who have provided comment in favor of the proposed SPA rezone are owners of large parcels and asked what would prevent them from applying for a SPA with similar density. He acknowledged that Pine Meadow Ranch has a lot of density and was built at a time when a lot of density was available, but the argument that a development is next to high density could be used in many parts of the County to try to get a SPA approved. Lincoln Schurtz, representing the applicant, noted that the owner of one of the parcels is the LDS Church, and he believed their intent is to use it for recreational property. He acknowledged that, if the Church were to sell that property, the owner could make the same kind of application. He noted that a SPA application is entirely discretionary, and the County Council would make that determination. He acknowledged concerns about setting a precedent for other property owners, but in looking at the unique characteristics of the applicant's property and the access through it, it would be very difficult to use it for agricultural purposes. He believed because of limited access to other properties, it would be difficult for them to make the same claim that this property can.

Council Member Hanrahan asked if the roads are public easements to the other parcels or if there is a contractual arrangement. Mr. Schurtz replied that they are both public and prescriptive easements because of historical use. He explained that there is no way to fence off this property to use it for its intended underlying use without impacting the other 74 parcel owners who access their property through this property. He noted that the other owners are in a platted subdivision, and there is no plat associated with the applicant's property.

Council Member Robinson asked Mr. Schurtz to indicate the proposed TDR parcels that were turned down by the County Commission in 2008. He commented that one of the Council's challenges is to weigh this larger increase in density against the benefits, and he believed that, if the benefits are not good for the immediate community, it would be difficult to say there is a benefit to the entire community. He questioned how they could justify setting this precedent, stating that he did not believe the road and the inability to use it for an agricultural use are unique

enough to say that other parcels could not be converted to other ownership at any time and apply for a SPA to develop their property. He was not certain that the applicant could do anything for this community that would be of sufficient benefit to offset the increased density. He believed it is a slippery slope to start equating money with density, and he was not certain whether that translates into a community benefit. Mr. Schurtz explained that has been their nightmare for the last year and a half, and their dilemma has been the community benefits. That is why the Planning Commission had concerns about the project, but the process almost forces applicants in that direction, and that is the process on the books that can be used. The developer is supposed to come up with community benefits, but there are no guidelines based on the type of development proposed. The applicant must try to strike a balance between local and community-wide benefits, and this applicant's community benefit is approximately \$250,000. Of that, \$170,000 will be retained locally. The biggest concern regarding this project has been impact on the roads, and with \$170,000 to do immediate road improvements, there could be substantial improvement to the roads for the 640 platted lots adjacent to this proposal. He believed it would be helpful for the Council Members to see the area, and the applicant believes \$170,000 would be a benefit to the community to improve the infrastructure. Through the work session process, he believed they could work with the Council to determine how to strike the best balance for community benefits. Council Member Robinson commented that the road issue is a tricky one, because a large number of the platted lots have not yet been built on, and the road problem could be compounded significantly by setting this precedent. Many things were done when this area was created for recreational purposes without utilities or appropriate roads, and he believed this SPA proposal would add insult to injury. The money the applicant proposes is a drop in the bucket toward improvements and may actually be offset by the damage of the precedent. Council Member Robinson commented that, when someone enters the SPA process, they do so at their own risk, and they need to provide enough benefits that the public will want them, which is the question here. Mr. Schurtz explained that this would be about a 2% increase in density based on the associated uses in the area, and he anticipated they would add about four people on the road with the estimated four full-time residences. A big concern is whether the applicants could use this as agricultural land and what that would do to the watershed in the area with an intense agricultural use on 117 acres. The other property owners do not want the water supply for their parcels contaminated, which he believed would be an additional public benefit, as well as public access to the neighboring properties.

Council Member Elliott noted that the minutes which were to be included as an exhibit were not included. She stated that her recollection is not at all what was shown in the staff report and that she remembered clearly discussing this parcel and its land use and the fact that it was a platted lot of record. She wanted to know the land use history and ownership history of this parcel and what people's expectations were when they purchased lots surrounding this parcel. She recalled that Commissioner Richer said the plat is sacred and should not be changed unless everyone agrees that it needs to be changed and that it is in everyone's best interests. She recalled that she was persuaded to vote against this in 2008 because of the sanctity of the use of the land and that the people surrounding this property were not in favor of changing the land use or its density. She believed a site inspection would be a good thing. She recalled that they were targeting lots that were not desirable that had not yet been built upon, and they were creating more desirable lots in a different place, which was not deemed to be a significant benefit to the community. With regard to community benefits, she believed significant community benefits could be offered, such as bringing the road leading up to the property up to County standards, but she could see no benefit in what the applicant has offered. She recalled that in 2005 when she was

sworn in, one of the first things she asked for was an eastern Summit County trails master plan, and they still do not have it. It appears the trail proposed by the developer goes nowhere, and in the absence of a trails master plan for eastern Summit County, she did not believe anyone could suggest that a trail is a public benefit.

Mr. Jasper asked what the applicant meant when he said that if this does not go through it would be used for an extensive agricultural use. Mr. Schurtz replied that they have to put the property to its highest and best use, and under the current zoning, its highest and best use would be an agricultural production of some sort. Right now the property is being taxed based on the surrounding uses because that is what the survey said the highest and best use would be.

Council Member Hanrahan commented that the SPA is intended for development that significantly furthers the goals and objectives of the Eastern Summit County General Plan, and he did not see how this proposal does that. He does not see substantial tangible benefits to the public or how this would ever meet the definition of a SPA rezone. To him, a SPA rezone is intended for situations such as putting in commercial areas that attract jobs, not a 2,000% increase in residential homes on a large piece of land. Mr. Gillwald noted that the General Plan refers to utilization of wildlife best practices, and they have minimized disturbance to the site in order to do that. It also talks about small building envelopes, and they have done that as well. He explained that they are mimicking the development pattern of what has occurred in that area. Council Member Hanrahan noted that presumes that the development pattern was a good idea to start with, and it was not. It does not mean they should compound that mistake by subdividing all the adjacent property. If they were starting with the entire acreage of that area today, the plat would not look like that, because it has steep slopes and terrible road access. He believed the applicant's original presumption is inaccurate.

Council Member Robinson commented that it is easy to second guess what the County Commissioners did in 2008, but he believed there was more integrity in the TDR previously proposed, where they would keep the density the same but just move it around. His biggest concern is the justification for a 2,000% increase in density when there are a lot of other landowners who would love to do the same thing.

Mr. Schurtz commented that there are a lot of things the applicant is willing to consider in defining community benefits for this kind of density. If they have not hit the mark yet, they are willing to entertain any suggestions about what would be acceptable.

Chair Ure asked how many of the lots in Pine Meadow/Forest Meadow Ranch are still undeveloped. Cheryl Hardcastle Groot provided statistics which she sent to the County on January 12 showing that 144 of the lots in Pine Meadow/Forest Meadow Ranch have full-time residents with children. There are 302 lots with part-time residents; i.e., cabins, and 400 lots are still undeveloped. Chair Ure commented that, if they improve the road, there will be 400 people wanting to build new homes in the area. If they do not do anything, the question is what the applicant can do with the property and whether they will try to raise cattle or sheep on it and have to cross other people's property to get the livestock up there. He believed the community benefit should be within the Pine Meadow/Forest Meadow community. He thought that early in this process the HOA was in favor of improving the road and then changed their minds for some reason. Even without the 21 homes, there is terrible access to this area. If they improve the road, even more people will want to build in the area, and he was unsure how to balance things

out to protect the land owner's rights and have a safe road and provide a community benefit. He questioned whether they have the latitude to say that the community benefit is the applicant's road.

Council Member McMullin asked if a SPA application has ever been granted in eastern Summit County. Planner Slaght replied that a portion of Promontory was approved as a SPA. Council Member McMullin noted that the community benefit in Promontory was money, so there is a precedent for accepting money as a community benefit. She commented that the SPA process in eastern Summit County is awful, and she was sorry that the Council did not repeal it when it came before them. She stated that there is no point in having a SPA process that calls for community benefits without defining what the community feels is a benefit. She believed the impact benefits should be felt locally before being felt in the broader eastern Summit County.

Mr. Schurtz explained that they did not have any benchmarks to meet with the Planning Commission, and he hoped there would be a way to work out what the community benefits should be. What they have proposed is not the only thing they could do, and he asked the Council Members to give the applicant some direction regarding what they would like to see. He stated that they would be comfortable including the Pine Meadow HOA in the discussion.

Council Member Robinson asked to see the main road that has been the subject of special service district discussions.

Keith Trickett explained that the road goes through his property, and it would be fine with him if it remains a dirt road. In conjunction with the HOA, they spent \$30,000 to improve just one mile of road, and it was a waste, because within 18 months it was destroyed by full cement trucks driving over it to build houses. He explained that there is no sub-structure to the road, and it is not just a matter of putting a surface on top of it. He stated that they received a bid of \$300,000 to properly build the first mile and a half of the road. It is approximately 8 miles to the entrance of the applicant's property, so \$170,000 would not get very far with improving the road. It would take at least \$1,700,000 if they really want to construct the roads properly. He stated that no one has talked to the property owners regarding this, and anyone who is going to put money into the road that bisects his property needs his approval. The only way any work has been done on the road where it crosses his property has been through a signed agreement with the HOA.

Paul Sharwell recalled that the applicant asserted that the thing that would keep other property owners in the area from going through the same SPA process is that the applicant's property is unique. Mr. Sharwell noted that he has a 40-acre parcel, and when he purchased his property, he inquired at the Planning Department about what he could build on the property, because he wanted to build two homes. He was told that he could build one residence and a second one if it were less than 1,000 square feet of living space. He has lived for 10 years on a 40-acre lot in a home that is 960 square feet because he was following the Code. If he wanted to, there are plenty of reasons to apply for a SPA. He claimed that his property is even more uniquely appropriate than the applicant's, because he is only a mile off the highway, and it would be a great property to develop. However, he stuck to his one unit of density.

Mr. Schurtz noted that there is a sub-category addressing the road issue in the proposed development agreement which states that they would contribute to a mitigation fund in addition to the \$170,000 contribution in an effort to address concerns about the road. It would be helpful for him to get individual contact information from other property owners so he could contact them directly rather than just through the HOA.

Council Member Robinson commented that he believed the applicant would have a hard time creating density in exchange for road improvements or money. He believed the applicant would have to encumber lots in the existing HOA and become a member of the HOA so there would be no net increase in the number of lots or loss of revenue to the HOA. If they were to do that, they would not be setting a precedent they could not live with.

The Council Members took a break from 6:00 p.m. to 6:20 p.m.

REGULAR MEETING

Chair Ure called the regular meeting to order at 6:20 p.m.

- **Pledge of Allegiance**

PUBLIC INPUT

Chair Ure opened the public input.

Chris Hague expressed concern about the Stone Ridge project and stated that he has previously been given assurances by Council Member Elliott and other Council Members that there would not be any back-door, out-of-court settlement. He stated that the community is concerned that there could be an out-of-court settlement if the Council denies the Stone Ridge development. He had anticipated that by this time the Council would have passed a resolution dealing with the County Manager's authority, but that could go on for some time. He presented a resolution he had prepared for the Council to take action on to give the community a level of comfort.

Council Member Hanrahan commented that he did not believe what Mr. Hague has presented is legal, and he did not see the rationale for it.

Council Member Elliott stated that she would not sign the resolution or ask that it be put on the agenda. She explained that the Council's relationship with the County Manager is dependent upon mutual consent, and she would not want to do something like this. She asked the community to trust that the Council will not do something behind closed doors. Mr. Hague explained that they are just trying to close the loopholes, and he would have to rely on the Council's assurances.

Council Member Robinson asked what Mr. Hague believes his resolution purports to do. He noted that, in the Optional Form of Government, the settlement of litigation rests with the County Manager, and that is one of the authorities they are seeking to change. He noted that settlement of litigation is not retained by the Council, so he did not see the relevance of Mr. Hague's proposed resolution. Mr. Hague claimed that it can be retained by the Council according to the Code, and the Council can take back any responsibilities that have been given to

the County Manager under the plan. He stated that this resolution suggests that they take back the responsibility for settlement of litigation.

Mr. Thomas noted that, unless Mr. Hague has given notice to the other side, the Council is discussing a pending application without the other side having any notice, which is a violation of due process. These kinds of issue relating to a pending application are not appropriate for public input but are appropriate for the normal process. If Mr. Hague wants to bring this to the public hearing, that would be perfectly legitimate.

Chair Ure closed the public input

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

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

The meeting of the Summit County Board of Equalization was called to order at 6:26 p.m.

CONSIDERATION OF APPROVAL OF 2011 STIPULATIONS

Board Member Elliott made a motion to approve the stipulations as shown in the packet. The motion was seconded by Board Member Hanrahan and passed unanimously, 5 to 0.

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

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

The meeting of the Summit County Board of Equalization adjourned at 6:27 p.m.

ADVICE AND CONSENT OF COUNTY MANAGER TO APPOINT MEMBERS TO FILL THREE VACANCIES ON THE SNYDERVILLE BASIN OPEN SPACE ADVISORY COMMITTEE (BOSAC)

Council Member Elliott made a motion to consent to the County Manager's recommendation to appoint Tom Brennan to the Snyderville Basin Open Space Advisory Committee (BOSAC) to fill the unexpired term of Chris Donaldson, with his term to expire in March 2013, and to appoint Jim Magruder and Ramon Gomez, Jr., to BOSAC as members recommended by the Snyderville Basin Special Recreation District, with terms to expire in March 2015. The motion was seconded by Council Member Robinson and passed unanimously.

APPOINTMENT OF MEMBERS TO FILL THREE VACANCIES ON THE SUMMIT COUNTY MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES

Council Member Elliott made a motion to appoint Nathan Brooks, Sue Pollard, and Tal Adair to the Summit County Mosquito Abatement District Board of Trustees, with their terms to expire December 31, 2015. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.

CONSIDERATION AND ADOPTION OF RESOLUTION NO. 2008-22-A CORRECTING AN ERROR IN THE NORTH SUMMIT RECREATION SPECIAL SERVICE DISTRICT BOUNDARIES

Council Member Elliott made a motion to adopt Resolution No. 2008-22-A correcting an error in the North Summit Recreation Special District Boundaries as shown in the packet. The motion was seconded by Council Member Hanrahan and passed unanimously, 5 to 0.

PUBLIC HEARING TO RECEIVE INPUT ON THE ISSUANCE OF THE SERIES 2011B NON-VOTED REVENUE BONDS; AND ANY POTENTIAL ECONOMIC IMPACT THAT THE BONDS OR THE PROJECTS FUNDED BY THESE BONDS MAY HAVE ON RATE PAYERS AND THE PRIVATE SECTOR; SCOTT GREEN, CHIEF FINANCIAL OFFICER, MOUNTAIN REGIONAL WATER

Council Member Elliott disclosed that she had received an e-mail from Wells Fargo Bank indicating that they want to be certain to have an opportunity to bid on these bonds. Chair Ure noted that there are other parties who also want to bid on the bonds. Scott Green, Chief Financial Officer of Mountain Regional Water Special Service District, explained that they will go through a process on the record of how they will select bidders.

Chair Ure asked how this bond may decrease Mountain Regional's rates rather than increase them. Andy Armstrong, General Manager of Mountain Regional Water, explained that this hearing is for a grant Mountain Regional received from the State for an energy project they are putting together and has nothing to do with their large bond. This is a \$1.2 million grant from the State, 0% interest, amortized over 20 years, to implement improvements that will save approximately \$80,000 in energy costs. The purpose of this hearing is to see if there are any comments to give to the State Drinking Water Board for a green energy project that will be funded by the State.

Chair Ure opened the public hearing.

There was no public comment.

Chair Ure closed the public hearing.

Mr. Jasper commented that he was pleased that Mountain Regional Water went through a process to look at and select a financial advisor and ended up with the same one as the County and the Recreation District. At some point, they will all go through the selection process again.

PUBLIC HEARING/POSSIBLE APPROVAL OF REZONE TO RESORT CENTER, CREATION OF SPECIALLY PLANNED AREA, AND DEVELOPMENT AGREEMENT FOR THE UTAH OLYMPIC PARK, VICINITY OF 3419 OLYMPIC PARKWAY; UTAH ATHLETIC FOUNDATION, APPLICANT – ADRYAN SLAGHT, PRINCIPAL PLANNER

Planner Slaght presented the staff report and reviewed the current use on the land and the proposed expansion. He explained that the purpose of the SPA rezone is to provide a 30-year master plan for the Utah Olympic Park that would allow an increase in density and recognize what currently exists on the ground. He reviewed the background of the SPA process for this application, including the work sessions and public hearing with the Snyderville Basin Planning Commission, noting that the Planning Commission forwarded a positive recommendation to the County Council with conditions as outlined in the staff report. He reviewed the concerns raised by the Planning Commission during their review of the application and stated that the applicant has provided responses to all of the questions. The applicants held an open house for the neighbors on November 9, 2011, and the comments were all positive. Staff has received a call regarding ADA compliance at the Olympic Park. Will-serve letters have been provided by the service providers, which are included in the staff report. Planner Slaght noted that the County Engineer had some concerns regarding traffic and suggested that the application be forwarded with a negative recommendation or with a positive recommendation with the condition that all buildings be approved on an individual basis or delayed until capacity has been increased on Highway 224. The Planning Commission forwarded its recommendation with the condition that the buildings be approved on a piece-by-piece basis to comply with the County Engineer's recommendation. Planner Slaght noted that the commercial square footage of the project would require slightly more than 50 workforce housing units, and the applicant is proposing 75 units. The applicant will be required to enter into a housing agreement with the County to deed restrict the units. The applicant has proposed a component that would allow short-term or nightly rentals for athletes, which is acceptable so long as they meet the affordable housing requirements. They have gone through the SPA process, which includes sketch plan, pre-application conference, work sessions, SPA designation preliminary plan, public hearing, and recommendation of the Planning Commission. The final SPA plan and development agreement will be subsequent to this and will carry out the final details of the SPA process. Planner Slaght explained that this application is included in three neighborhood planning areas, and Staff feels that it best meets the goals of the Kimball Junction Neighborhood Planning Area.

Council Member Robinson stated that it was never contemplated that this use would meet the objectives of the Kimball Junction Neighborhood, and he wanted to be sure they follow the rules and not stretch beyond the intent of the neighborhood areas. He suggested that they just acknowledge that it is outside of the Kimball Junction neighborhood.

Planner Slaght presented photographs of the site and the proposed master plan.

Mr. Jasper noted that the County owns much of the property being discussed, and there is a letter of intent that makes it clear that the County intends to transfer ownership and financial responsibility. However, he believed that transfer of ownership should have been taken care of first. Council Member Elliott recalled that it was discussed and agreed upon that the Utah Athletic Foundation would first propose what they wanted and needed and take it through the planning process and select their favorite site. With the joint agreement, the County would then

donate that land after they knew what they wanted and where they wanted it. Mr. Jasper noted that the letter does not state that the County will donate, only that they hope the land will be donated. Colin Hilton, representing the Utah Athletic Foundation, clarified that the majority of the development is not proposed on the 3 acres owned by the County. All of the 401.5 acres is owned by the Utah Athletic Foundation, and only a 3-acre parcel owned by the County would be desired land they would like to include in the master planned development. He proposed that the development agreement might be the right vehicle to address the transfer of the 3-acre parcel. He recalled that the Utah Olympic Park parcel came about as a result of the Sun Peak development. The developer donated land to the Summit County Municipal Building Authority, which transferred the land to the Utah Sports Authority, which was the precursor of the Utah Athletic Foundation. He explained that there are deed restrictions on the hillside near the Sun Peak neighborhood prohibiting any structures on the hillside that would impact Sun Peak.

Planner Slaght continued to review the phasing plan for the development and presented renderings of the proposed athlete housing. He reviewed the criteria for approval by the County Council. Staff recommended that the Summit County Council approve the proposed rezone with the findings of fact, conclusions of law, and conditions of approval outlined in the staff report.

Mr. Hilton explained that they are proposing this SPA to keep this Olympic venue viable for the long run so it does not turn into a facility that does not get used. He explained that Utah Athletic Foundation venues are busier than ever, which is in keeping with their vision for them. They want to add to the amount of activity, create a more dynamic venue, and complement what they already have with additional facilities and services that benefit the athletes and the community. He reviewed the proposed building uses and explained that this expansion will add much needed revenue streams. He noted that they lose approximately \$2.5 million per year operating the Olympic Park and subsidize operations with earnings from their endowment. If they continue to do that, they will not exist after 2030. He explained that they are trying to solve their financial problems in creative ways, and land development is only one strategy for increasing revenues while being smart about expenditures. They are also getting into the fund raising business. Growth of program revenues is another strategy, along with land development through land lease revenues. He explained that the Utah Athletic Foundation will master plan the land and seek third-party partners to finance the development.

Chair Ure commented that when he left the Utah Athletic Foundation four years ago, they had just started to talk about this and realized how they were eating into the basis of the Foundation. They have been eating into the seed corn, and he is glad to see this proposal coming forward. He believed Mr. Hilton had done an excellent job of putting this together, and he wanted the Council to understand the history of what has gone into this.

Council Member Hanrahan asked if the rezone to Resort Center would allow the Olympic Park to qualify for a resort tax. Council Member Robinson explained that the resort tax is only available to municipalities or other entities created by the legislature to look like municipalities.

Mr. Hilton stated that it is not a matter of if the Olympics come back, but when they come back. They have a great reputation for having hosted great games, they have a great legacy, and they have the infrastructure. It makes sense to host the games again. At the Olympic Park they are showing the world that they are committed to winter sport, and what they are trying to do is a great legacy.

Eric Langvardt, representing the applicant, reviewed the overall master plan and noted that the development would be clustered in the most developable portion of the site and in relation to existing and future elements at the Olympic Park. He indicated an area on the mountain where they might provide some housing for athletes who are doing high altitude training. He explained that the location of the athlete housing allows them to provide a secure location. He reviewed the additional training areas that would be added to the area.

Council Member Robinson stated that he was comfortable with the design and layout, but the big issue is traffic impacts and how to deal with light pollution. He requested that the applicant focus on the real issues.

Craig Elliott, also representing the applicant, explained that the sport lighting is controlled by a timer. They propose the use of LEED standards for building light by using a timing mechanism and keeping all direct lighting within the boundary of the buildings so it does not shine directly outside the building. He explained that they would have a lighting design for each building.

Chair Ure opened the public hearing.

There was no public comment.

Chair Ure closed the public hearing.

Council Member Robinson commented that none of the options for dealing with traffic is ideal, and the only solution seems to be to approve each building on a piecemeal basis. He asked about the applicant's proposal for dealing with traffic. Mr. Hilton commented that the Olympic Park's impacts are minimal compared with everything else going on around them. This became a big issue for the County's traffic engineer, and he questioned why they were all of a sudden the only project that has to check in on every phase of their project. Mr. Jasper explained that everyone who develops pays an impact fee based on the County's adopted model. He has heard from other developments that they do not have an impact, but the nature of the impact fee ordinance is that every development has to pay an impact fee. Mr. Hilton explained that they will be subject to the impact fees and are not seeking an exception to them. Their objection is that they have to check in with the County on every phase of the development and may be held up until an intersection is widened to add a left-hand turn lane.

Mr. Langvardt stated that he believed one of the biggest sticking points on the traffic analysis was the growth generation numbers used by the applicant's traffic engineer. He believed the impact this development will have on the highway compared to existing traffic is minuscule. The applicant is being asked to get approval building by building when their development is less than 300,000 square feet while a development of a million square feet adjacent to them will have a huge impact. The County Engineer seemed to be saying that this project pushes the traffic past the calculated threshold, and it will be very difficult for the applicant to do this through a piece by piece process.

Council Member Robinson stated that he did not know how to bridge the gap between what the traffic engineer has said and finding a reasonable solution to the traffic issue. Mr. Jasper noted that the County collects impact fees at the time of building permit and asked if the County

Engineer is requiring an additional exaction. Council Member Robinson felt the Council was in an awkward position if they ignore their traffic engineer's analysis and questioned whether they should send the applicant back until the applicant's traffic engineer and the County's traffic engineer reach an agreement. Mr. Hilton explained that he believes the County's traffic engineer wants them to check in at each phase of this project because he believes the Olympic Park might be the tipping point that would cause the intersection at Highway 224 to have to be widened. Planner Slaght confirmed that the analysis from the County's traffic engineer is that each phase of the project would be reviewed to see if it would cause the intersection to fail. He explained that the model assumes that the Park City Tech Center, the Village at Kimball Junction, and Newpark have been built out, and when the applicant's traffic engineers provided their report, it showed the intersection at a Level of Service (LOS) E, which falls below the Snyderville Basin Transportation Master Plan. Mr. Jasper acknowledged that they have some difficult issues related to traffic, and he did not believe they could approve a master plan saying they would change their mind later. If they approve it, it is approved. He noted that the issue is bigger than this project and will require a partnership with the State. Council Member Robinson explained that the County's traffic engineer has cited the Development Code, which states that no development application may be approved which causes a reduction in the Level of Service below the Level of Service set forth in the Plan. Although this may be a small percentage of the overall demand, the Code does not specify the percent impact. The question is whether the LOS is above the specified standard. The Fehr and Peers analysis shows that the capacity is not present for the full project development or the capacity needed in conjunction with the service provider, UDOT. It is not just a matter of collecting impact fees, but there is a provision in the Code which states they cannot approve this if the LOS falls below D. He did not see how they could approve this when there is a disconnect regarding traffic.

Mr. Hilton noted that the next step in the process is to work out a development agreement with Staff where they can address the land issue and traffic details. It seemed odd to him that a 1-million-square-foot project is shown at full buildout, and when the Olympic Park comes in with a little bit more, they are restricted on their development. Chair Ure stated that he believed they should work things out so the applicant can come back with appropriate parameters and adjust this so they can be successful. Council Member Robinson stated that he would be supportive of approving this tonight and asking the applicant to come back with a development agreement that addresses the traffic concerns. Mr. Jasper suggested that the Council hold a work session with Kent Wilkerson, the County's traffic engineer, to have him address their concerns and look at how road improvements are done. It did not make sense to him to approve several projects and then have to stop because of traffic impacts.

Planner Slaght requested that the Council approve the application with the same recommendation as the Planning Commission that the phases be approved on a case-by-case basis and give the applicant time to work out the development agreement to address the issues.

Council Member Elliott asked how the Planning Department allowed them to get into this situation and why they did not talk about these traffic issues in the context of the previous developments in this area. Planner Slaght explained that this is the first traffic report showing the LOS dropping below D. Council Member Elliott claimed that they knew it was going to happen. Mr. Jasper explained that they will work through this and acknowledged that they have problems with traffic, whether this development triggers it or another development triggers it, and they need to start looking at how to resolve it.

Council Member Robinson made a motion to approve the rezone and preliminary plan for the SPA for the Utah Olympic Park with the following findings of fact, conclusions of law, and conditions as outlined in the staff report with an additional Condition 4 as shown below and adding a caveat to Condition 2 as stated below:

Findings of Fact:

SPA approval requires a rezone as outlined in Section 10-7-4 of the Code, and a SPA plan as identified in Section 10-3-3 of the Code.

The application complies with Section 10-7-4 as follows:

- 1. The amendment complies with the goals, objectives, and policies of the General Plan and neighborhood plan.**
- 2. The amendment is compatible with adjacent land uses and will not be overly burdensome.**
- 3. The plan is required to be in accordance with Chapters 3 and 4 of the Code.**
- 4. The amendment does not adversely affect the public health, safety, and general welfare.**

The application complies with Section 10-3-3 as follows:

- 1. There are substantial tangible benefits in the form of workforce/affordable housing, trail connections, and tax base contributions that significantly outweigh those if the development occurred under the existing zone district.**
- 2. There are unique circumstances that justify the use of the SPA.**
- 3. The development furthers the goals, objectives, and policies of the General Plan and applicable sections of the Code.**
- 4. A SPA designation is to be implemented through a Development Agreement.**
- 5. The SPA designation will not adversely affect the public health, safety, and general welfare.**

Conclusions of Law:

- 1. The application meets the criteria of Section 10-7-4 of the Code (rezone), and Section 10-3-3 (SPA).**

Conditions:

- 1. The SPA and DA are required to be returned to the SBPC and SCC for finalization of the Final SPA Plan and Development Agreement, per Section 10-3-11(C)(4) of the Code.**
- 2. Approval is based on a condition that all buildings be approved on a case-by-case basis pending verification of adequate traffic capacity of Highway 224, with the caveat that, in the process of working on the Development Agreement, the applicant shall come to a meeting of the minds with the County's traffic engineer.**
- 3. The applicant shall make efforts to shield the proposed workforce housing from visibility to and from Kimball Junction, possibly including relocation of the building pads.**
- 4. The lighting shall be engineered so that it confines the spillover to within the buildings, including the residential buildings.**

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

CONTINUED PUBLIC HEARING AND POSSIBLE APPROVAL OF EASTERN SUMMIT COUNTY DEVELOPMENT CODE AMENDMENTS REGARDING LOTS OF RECORD/LEGALLY CREATED LOTS/AGRICULTURAL SUBDIVISIONS, BY ADOPTION OF ORDINANCE #768; DON SARGENT, COMMUNITY DEVELOPMENT DIRECTOR

Chair Ure opened the public hearing.

There was no public comment.

Chair Ure closed the public hearing.

Council Member Elliott made a motion to adopt the amendments to the Eastern Summit County Development Code regarding lots of record, legally created lots, and agricultural subdivisions by adoption of Ordinance 768. The motion was seconded by Council Member McMullin.

Community Development Director Don Sargent explained that he was pleased to have further clarification in the language and enhancements to the agricultural subdivision language.

Chair Ure noted that some major changes were made at the State legislature regarding agricultural subdivisions in the last few hours prior to adoption by the legislature.

Council Member Robinson verified with Mr. Thomas that the language as proposed is in compliance with the current legislation. He noted that there is no amnesty provision in the proposed language, and they have proposed four methods that may be used to correct parcels that may not have been properly created.

Chair Ure referred to the second paragraph under 11-4-2 of the proposed language and expressed concern that the commas seem to indicate that all of those circumstances must be included, not just one. He requested that the language be rewritten to end after “single family dwelling” and delete the remainder of the paragraph. Council Member Robinson explained that, when there is an “or” in the sentence, it means it could be any of the things in the paragraph. If the other language is removed, it means the only thing a lot of record would be good for is a single-family dwelling, but the lot of record is what gets the owner into the process of doing the types of development in Section 11-3-13. If they do not include the language as proposed, they would limit the use of a lot of record to a single-family dwelling. He noted that the density on a lot of record is subject to the underlying zone district, and a lot with a significant amount of acreage should not be limited to one dwelling. He believed what Chair Ure is proposing would be a step back and would limit the landowner’s options. Chair Ure stated that he wants to make it the same as State law that would allow a property owner to carve out a separate lot from a 100-acre parcel. Council Member Robinson explained that nothing in this language would prohibit a property owner from doing that. The proposed language simply allows the owner of a lot of record to begin the entitlement process. If they have lost their lot of record status, there is a way to get it back, but if they do not get it back, they cannot do anything. He explained that the change proposed by Chair Ure would limit property owners’ options. Chair Ure stated that he wanted to make this the same as it was in the past, and this expands on it. Council Member

Robinson assured him that it is the same as it has been in the past, and without the Lot of Record status, a person cannot get into the development process.

Council Member Robinson reviewed the second policy question shown in the staff report.

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

Chair Ure stated that he voted against the motion because of the issue he previously raised regarding the lot of record language.

MANAGER'S COMMENTS

Mr. Jasper explained that the Snyderville Basin Special Recreation District still has jurisdiction over property that has been annexed into Park City. Park City has expressed concern about that, and he has had some meetings with Park City to discuss it. It is too late to make a change in the assessed values for the Recreation District bonds. They are considering a request that the legislature consider allowing the operating rate portion of the property tax, not the debt portion, to be deannexed from the Snyderville Basin Special Recreation District. That is the only potential position they thought would be fair, and he took the position that it is not fair for people in Park City to pay taxes for both City and Snyderville Basin recreation programs. They all benefit from the bond for open space and trails, and it is not possible to undo that.

Mr. Jasper stated that they are losing the war on weeds, and he will meet with the Weed Department, Engineering Department, County Extension Office, and Soil Conservation people to take a new look at their weed control program.

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

Council Chair, David Ure

County Clerk, Kent Jones

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, MARCH 21, 2012
COUNCIL CHAMBERS
COALVILLE, UTAH

PRESENT:

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

Robert Jasper, Manager
Anita Lewis, Assistant Manager
Jami Brackin, Deputy Attorney
Kent Jones, Clerk
Annette Singleton, Office Manager
Karen McLaws, Secretary

- **Council Mail Review**

CLOSED SESSION

Council Member Robinson 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 3:20 p.m. to 3:50 p.m. to discuss litigation. Those in attendance were:

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

Robert Jasper, Manager
Anita Lewis, Assistant Manager
Jami Brackin, Deputy Attorney
Wendy Fisher, Summit Land Conservancy
Max Greenhalgh, BOSAC
Rena Jordan, Snyderville Basin Recreation District
Ashley Koehler, Sustainability Coordinator

Council Member McMullin made a motion to dismiss from closed session to discuss litigation and to convene in closed session for the purpose of discussing litigation. The motion was seconded by Council Member Robinson and passed unanimously, 4 to 0.

The Summit County Council met in closed session from 3:50 p.m. to 4:10 p.m. to discuss litigation. Those in attendance were:

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

Robert Jasper, Manager
Anita Lewis, Assistant Manager
Jami Brackin, Deputy Attorney

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

WORK SESSION

Chair Ure called the work session to order at 4:10 p.m.

- **Review and Discussion of Summit County Emergency Preparedness Assessment; Brian Bellamy, Director of Personnel Management**

Chris Crowley, a consultant working with the County on the emergency preparedness assessment presented his report. He noted that Summit County's emergency responders are well prepared and well trained in their responsibilities and ability to communicate, and they frequently have opportunities to respond to emergency situations. He discussed the importance of good communication between emergency responders and explained that communications in Summit County are excellent, and the agencies continue to seek to increase communications.

Mr. Crowley explained that his role is not to fix things but to get people to understand their roles and responsibilities and the challenges that need to be addressed. He made five suggestions for improving emergency preparedness in Summit County. The first is training, and he noted that there is a deficit in training among Summit County employees and officials. He stated that Park City is far ahead of Summit County, and Hugh Daniels has implemented an extensive training program in Park City, where every employee attends the training and is assigned a specific role and responsibility they will carry out in an emergency. That training extends to their families as well.

Another area where improvement is needed is planning. The level of planning inside the first responder agencies is excellent, but there are different levels of planning and understanding in rural areas and towns. That affects the next concern, which is inclusion. Clear and effective communications are the primary challenge, and they must be concise and consistent.

Council Member Elliott stated that she believed they would have to go to the city councils in order to get the kind of cooperation they are looking for. She did not believe the communities would show up or participate unless they do that.

Mr. Crowley explained that a key issue which came up at their meetings is that there must be inclusion and a benefit to the communities. They are talking about providing tools and instant messaging opportunities for those communities. He agreed that approaching the communities individually and providing those opportunities would have a positive and lasting effect on the community, especially if there is an emergency situation and they all know what to do. Health Director Rich Bullough explained that there are already agreements for certain things within

some of the communities. The Health Department has run exercises with them, and the communities have been engaged and supportive.

Mr. Crowley emphasized that all County employees are required to have some level of training, and they can do better. Brian Bellamy, Director of Personnel Management, explained that trainers will train and educate all of the management staff on April 2, and they will work down from there. Council Member Elliott asked what needs to be done to catch up with what Hugh Daniels has done in Park City. Mr. Bellamy explained that they will do it step by step, training each group in turn. He has the plan in place, and they will follow it to reach their goals.

Council Member Robinson asked whether this will require money in the budget next year. He noted that it will be up to the committee to roll this out, because it will not be done by the Council, and he believed they should move forward with the plan. Mr. Bellamy explained that the purpose of this work session is to let the Council know where they are in the process.

Katie Mullaly, Public Information Officer for the Summit County Health Department, explained that they have had good success in the Health Department. Part of last year's grant requirement was to start training County staff regarding public health emergencies with the mass dispensing of medications, and they are in the process of training the departments.

Chair Ure commented that they may be in better shape than they think they are in working with rural areas. He noted that only one-third of registered voters are in incorporated towns, and even if the municipalities do not get trained, the County will wrap itself around those municipalities and do the same thing they did last year with the flooding in Oakley. He believed they would get a good reception in Henefer, Oakley, and Kamas.

Ms. Mullaly provided a packet showing the role of public officials during emergencies and a summary of what the Health Department will do in various emergencies.

- **Discussion of the Village at Kimball Junction SPA Development Agreement; Tiffanie Northrup-Robinson, Planner**

County Planner Tiffanie Northrup-Robinson recalled that the Village at Kimball Junction was approved on February 29, and a condition of approval was that Staff would return with the development agreement. The purpose of this work session is to receive input and comments or further refine the development agreement before scheduling it on the regular agenda.

Chair Ure asked if the funding is in place to do the roundabouts this summer. Kent Wilkerson with the County Engineer's Office reviewed the total for completion of the 2012 portion of the roundabout project and stated that the County should be able to fund it. He explained that, if the impact fee waiver is granted for the affordable housing, they would be about \$192,000 short for completing the 2013 portion of the roundabout project. However, during phase 2 of the project, all of the developer's impact fees will be due according to the development agreement. If no waiver is granted, the figures would be better.

Council Member Robinson commented that the agreement is not as crisp as he would like it to be. He noted that some of the parties' commitments are contingent upon whether they elect to move forward. He believed that, when the agreement is signed and so they can proceed with the roundabouts, the County should get the impact fees and rights-of-way at that time, not if a party decides to proceed with their development. If parties decide to opt out, it is not clear where that leaves the County. One of party may delay their portion of the development, but the benefit of the bargain the County wants needs to be in place so they can move forward with the traffic mitigation improvements. Deputy County Attorney Jami Brackin explained that has been discussed, and the agreement was written with that intent in mind. If it is not clear, they need to do a better job of writing it. She explained that the land and impact fees for both roundabouts must be paid, regardless of whether the applicant constructs, with Ute Boulevard being paved this year and Newpark Boulevard being paid next year. Council Member Robinson stated that the agreement should give a date certain when the impact fees must be paid. Regardless of the time line in which the applicants chooses to develop, the community benefits need to be in place, because the County needs to build the roundabouts.

Chair Ure stated that, it is his opinion that all the parties are obligated, and if they are going to build, they are all going to build it together, and no one is going to opt out. He stated that he voted for this based on the project as a whole. The parties are locked in and need to make this project successful, and applicants should not be allowed to choose not to meet their obligations under the agreement and leave a hole in the development.

Bret Wahlen, representing the applicant, commented that it works both ways, and this needs to be a win-win situation. He explained that they could set up an agreement that does not allow them to move forward, and they want some flexibility. They anticipate that no one will sign or pay their money until all the permits are ready to go. Council Member Robinson explained that, whether or not the applicants elect to do that, the County wants its benefits. The applicants have a clear path to get Low Impact Permits and Building Permits for what they propose, and the County wants the applicants to comply with the financial obligations and dedication of the money, land, and affordable housing parcel regardless of what the applicants do.

Steve Sorenson with Smith's explained that the problem they have with their legal counsel is that they have never paid fees until they are ready to get permits, and they question whether something could come up when they apply for their building permits. Council Member Robinson noted that the County Engineer has a timeline for constructing the roundabouts, and this project was sold to the Council as needing to hurry and take advantage of the construction window this summer and next summer to do the roundabouts. He wants the agreement to state that the County will have that money and rights-of-way to allow the County to do that.

Chair Ure directed legal staff to address the concerns raised at this work session and perhaps hold another work session prior to approval of the development agreement. Council Member Robinson reviewed his concerns and suggested edits to the development agreement for Legal Staff to consider in making changes to the language. He noted that the sign requirements seem to have no correlation with the sign ordinance the County is in the process of amending. Ms. Brackin explained that the developer currently has a comprehensive sign plan, and this language is intended to amend that comprehensive sign plan. The Council Members agreed that they would not need another work session if Legal Staff would get the edits back to them prior to putting the development agreement on the agenda for approval.

- **Presentation of Peoa Recreation Special Service District annual report; Jonelle Fitzgerald**

Jonelle Fitzgerald recalled that at one time the residents voted to bond in order to fund the Recreation District, but at the time, the County Commission asked them to try operating without funding. The District has existed since 1998 completely unfunded. It has a volunteer board, and many of their personal resources go toward doing the work at the Peoa Park. Assistant Manager Anita Lewis recalled that the Crandalls had a commercial business that was opposed to bonding for the District.

Ms. Fitzgerald reviewed the budget and explained that they hope the Peoa Stampede will make a little bit of money. Last year it lost money, but they hope that eventually the Peoa Stampede will be able to fund the maintenance throughout the year. The only way they have existed up to this point is through grant money.

Council Member Elliott asked Ms. Fitzgerald to explain what happened with the lighting for the park. Ms. Fitzgerald explained that they checked with the Planning Department and were told there was no lighting ordinance in eastern Summit County. They wrote a grant for the lights and then received a letter from a neighbor threatening a lawsuit. The light manufacturer provided information that very little light would be seen 300 feet beyond the arena and that it would be less than moonlight. The Planning Commission and County Attorney did not believe there was a problem, but it was necessary to get a Conditional Use Permit (CUP) because of the height of the poles on which the lights would be mounted. They applied for a CUP, and it was denied by the Planning Commission. Because it was becoming an issue of neighbor against neighbor, they decided it was not worth the fight to try to get approval. Bradley Marchant with the Peoa Recreation District explained that they are pursuing options for selling the lights.

Chair Ure explained that they want to hold workshops with the special service districts to help them understand their rights. Because they are a public entity, they have governmental immunity when they are working in good faith.

Ms. Fitzgerald noted that the Public Works Department has been good to help them when they need some assistance with projects. She reviewed the events that occur at the park and explained that there is a use fee for those who book events, but it does not cover all of the expenses. She explained that they were able to get a grant this year to do some landscaping and hope to be able to put in a sprinkling system. They also need to replace the fencing and have applied for a RAP Recreation grant to help with those needs.

REGULAR MEETING

Chair Ure called the regular meeting to order at 6:05 p.m.

- **Pledge of Allegiance**

PUBLIC INPUT

Chair Ure opened the public input.

There was no public input.

Chair Ure closed the public input.

ASSESSOR'S OFFICE 2011 ERRORS AND OMISSIONS; STEVE MARTIN, ASSESSOR

County Assessor Steve Martin reviewed the errors and omissions report for the Chris Brown property, noting that an error was made by the Assessor's Office, and the property should have received the primary residency exemption for 2011.

Council Member Robinson made a motion to approve the errors and omissions for the Chris Brown Property, SUN-SR-18 and grant the primary residency exemption for 2011. The motion was seconded by Council Member McMullin and passed unanimously, 4 to 0.

Deputy County Attorney Jami Brackin explained that the next set of parcels is the Canyons golf parcels held by the Canyons Golf Holdings. The County currently owns the Canyons Golf Holdings until the property can be transferred to the Canyons Golf Company. Chair Robinson asked if the Canyons Golf Company is a taxpaying entity. Ms. Brackin replied that it is, and the property would be transferred as soon as she could get them to agree to an open space easement. Chair Robinson stated that he believed the tax should continue to accrue, and the Golf Company would pay the taxes when the property is transferred. He commented that they seem to be getting a tax holiday. Ms. Brackin explained that the agreement states that they are not subject to these taxes.

Council Member Robinson made a motion to waive the property taxes for 2011 for the parcels outlined in the staff report which represent the Canyons golf parcels. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

Mr. Martin reported on Lot 2 in the Morningstar Subdivision and explained that a portion of that parcel was owned by Park City Municipal Corporation. The error was found last year, and he requested that the tax amount for 2011 be adjusted based on the corrected acreage.

Council Member Robinson made a motion to approve the correction to the 2011 taxes due on Parcel MSTE-2 as proposed in the staff report. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

PROPOSED PROPERTY TAX PRIMARY RESIDENCY EXEMPTION – BRIDGER AND SHELBY MILES

Mr. Martin reported that a single-family home was constructed by the applicant in Oakley in 2010. The affidavit for primary exemption was received by the County in January 2012, and the applicant discovered the problem in December 2011. When they closed on their loan, they believed the HUD statements were sufficient to notify the County of their request for a primary exemption. When the error was discovered, they learned that they had to file an affidavit for primary exemption.

Shelby Miles explained that when she received her tax notice, she did not pay much attention, because she had an escrow with the mortgage company. The previous year the home was considered new construction and was taxed at that rate. She did not realize there was a problem until her mortgage company told her the escrow account needed another \$1,600 to cover property taxes for the year. She did not believe the County had notified her, and she did not understand that they had to complete a County affidavit for a primary residence. When she filled out the paperwork with the mortgage company, she thought it would come to the County.

Chair Ure confirmed with Mr. Martin that each County has the ability to set its own policy regarding the discount for a primary residence. Mr. Martin explained that other counties have policies that are different from Summit County's, and Summit County's policy would be considered fairly strict. Chair Ure noted that he recently transferred a property and received an affidavit in the mail without a cover letter. If he had not been on the Council and recognized what it was, he would have thought it was junk mail and thrown it in the garbage. Mr. Martin explained that they do not send a cover letter with the affidavit. Council Member Elliott stated that the Assessor's Office has been asked numerous times to include a cover letter. Mr. Martin explained that is part of his ongoing effort to upgrade the processes in his office.

Council Member Robinson commented that this is an unfortunate pattern where all homes are deemed secondary until someone files for a primary residence. The County cannot file it for the taxpayer, and there are a lot of reasons why the information did not come together for this property owner. However, based on the rule of law and precedent, it is difficult to grant this request when many other people also have excuses for not filing an affidavit. Council Member Robinson explained that it is not uncommon for a mortgage company to ask that the buyer sign documents stating that this is their primary residency, but that is because they are offering an interest rate based on the home being a primary residence, not so they can notify the County. There is no connection between those documents and the affidavit required by the County to request a primary residency exemption.

Council Member Elliott stated that she would like to be able to give back the money for 2010, but if they do it for this applicant, they would have to do it for everyone who fails to file. She wished they could do a better job of notifying people, and they have done everything they can think of to notify them. She requested that Mr. Martin return with a plan for better notifying people of the need for a primary residency affidavit.

Council Member Robinson made a motion to deny the application for a primary residency exemption for the home on Parcel SHADAC-3 owned by Bridger and Shelby Miles. The motion was seconded by Council Member McMullin and passed unanimously, 3 to 0. Council Member Ure recused himself from voting on this item due to his friendship with the applicant.

MANAGER COMMENTS

Mr. Jasper distributed a memorandum from Sustainability Coordinator Ashley Koehler regarding the County soils repository. He recalled that contaminated soils in the Park City area are being removed, and much of that material has gone to Richardson Flat. At a certain point, the EPA notified Park City that they could no longer use Richardson Flat for contaminated soils and discussed the possibility of opening a second repository. The City and the EPA have looked at

the Pace property near the Promontory Development that contains contaminated soils as a potential second repository. The County is concerned, because the EPA has ultimate authority to decide on a site, and the County was not part of those discussions and negotiations. County staff members have met with the EPA to express those concerns, and the EPA has agreed to work with the County. The County has worked with Park City to see if there are alternative sites, although Park City has indicated that the Pace property is their preferred site. The County believes it would make more sense to expand in the Richardson Flat area, which is already an industrial area, and they are looking at good land use decisions. They have discussed using the jointly-owned triangle parcel, but it is very valuable property.

Council Member Robinson stated that he did not believe he knows enough to categorically state that a future repository could not be built in some of the areas that are closer to residential areas if they are carefully designed and taken care of. He suggested that the County work closely with the City to find win-win solutions and keep an open mind regarding all potential areas and look at the facts and circumstances specific to them.

Council Member Elliott stated that she did not believe they have identified a need that meets both the County's and City's goals for doing anything on the triangle parcel. There is still plenty of space in the City's and County's public works facilities, and she did not want them to consider doing anything with the triangle parcel, including a repository, until they have a better indication of what the joint use needs to be on the land. That parcel is a unique commodity and one that they need to be very careful about disposing of in any way. She was not opposed to using the Pace property as a very short-term repository. She commented that there are those who think it is not possible to live on top of a mine dump, but it is possible to live and grow and prosper on one. She agreed that Richardson Flat is the ideal situation, but not if it is terribly expensive for Park City. Council Member Elliott commented that she has discussed with Mr. Jasper that it would be nice to have printed County Manager reports, because it would be good for the public to have a written record online and in the packet of what they do, and she believed this report is a step in that direction.

Chair Ure commented that it is important that they start to discuss this information with the City and the public. He stated that the County is opening the door for transparency, and they will be discussing this at great length. He believed they need to inform and protect people, and this should open up a good discussion that needs to be addressed in a public forum.

Council Member McMullin stated that she wished she had known they were going to talk about this topic tonight. She felt this was a big topic to just spring on the Council in the Manager's Comments. She stated that a lot of people will be concerned about this topic who do not know about it yet, and she would like to have had a heads up that this was coming.

COUNCIL COMMENTS

There were no Council comments.

CONTINUED PUBLIC HEARING REGARDING A PROPOSAL TO ESTABLISH THE ECHO SEWER SPECIAL SERVICE DISTRICT; LANE PEIRCE, ENGINEER

Eric Johnson, representing the Echo Sewer Company, recalled that the two primary issues at the last meeting were to address the need for the system and comments about potential septic systems for the area. There was also discussion about the initial proposed boundaries being very broad and possibly shrinking those boundaries. He presented the boundaries as currently proposed. He recalled that tonight's meeting is a continuation of the public hearing and explained that the public comment period will continue for another 15 days after the close of the public hearing. No action is required this evening.

Chair Ure asked the Summit County Health Department and representatives from the State Division of Water Quality whether this upgrade to the sewer system is needed or if it would be possible to install individual septic systems for each home. He noted that the applicant will be receiving a CDBG grant for \$150,000, but one question asked when that request was granted was why not give the people the \$900,000 it would cost to upgrade the sewer system and let the residents build homes elsewhere.

David Snyder from the Division of Water Quality reported that he spoke with Bob Swensen and asked how many homes inside the city limits would have enough land area for a septic system. Mr. Swensen indicated there are only five. The other homes have small lots, and there are water table issues, which would make it difficult to install on-site systems that would be compliant.

Lane Peirce with Sunrise Engineering distributed a new map showing the number of connections to the sewer system.

Mr. Snyder explained that the drainfield is failing, and that is what the homes are connected to. He noted that, if you have a failing septic system, you would not go into the same area and try to rejuvenate it. He explained that someone did some creative modifications to the existing drainfield by digging a mote around it. Where they would normally have 2,550 lineal feet, they now have only 850 lineal feet. Current regulations would require a primary drainfield, a redundant drainfield, and a reserve. What currently exists is about 20% of a system and an overflow pipe that discharges into a ditch, surfacing sewage.

Council Member Robinson verified that 24 homes are connected to the sewer system and asked what infrastructure would be built to treat the wastewater for those 24 homes. Mr. Peirce explained that he has done some preliminary work, but no specific project is proposed yet, because they need to form a district first. One plan would be to use the existing drainfield for homes on the west side of the tracks and build another drainfield for the homes on the east side of the tracks.

Mr. Jasper referred to a group of trailers in the town and asked if they know what type of sewer system they have. Brent Ovard with the County Health Department stated that they assume they have septic tanks, but the County has no record of any septic systems in that area. Mr. Jasper asked if the trailers are part of the Carlson property and if that is why they were left in the proposed district boundaries. Mr. Peirce replied that they left them in for two reasons, because they are close to town and because, if there were development in Echo, it seems that parcel would be one of the primary locations. Council Member Robinson asked if there is an estimate

of what the two drainfields would cost and how they would be paid for. Mr. Peirce replied that the total cost would be between \$800,000 and \$900,000.

Ed Macauley with the Division of Water Quality explained that this project has not gone before the Water Quality Board, which would likely be the funding agency, because the Water Quality Board is waiting for a sewer entity to be formed so they have an entity to deal with. Once that entity is established and has accepted the facilities from the existing sewer company, that entity could petition the Water Quality Board for the money. The Water Quality Board uses what they consider to be an affordable sewer bill of 1.4% of Median Adjusted Gross Income (MAGI) for the community, and in Echo that is \$48.80. They try to keep the bill affordable by putting in grant money if needed to make the project viable. They also require that the project they fund is the most cost-effective solution. At this stage the engineer has done some preliminary work, but it is not final, and they will still need to see that it is the most cost-effective solution. Once the sewer authority is formed, they will hold public meetings, look at alternatives and the costs for those alternatives, and make a determination regarding the most cost effective solution.

Council Member Robinson noted that \$50 per month is not much, and they would pay for a long time to pay off \$900,000. Mr. Macauley explained that the borrowing capacity of Echo community would be approximately \$200,000 based on a 0% loan over 20 years, so the State would put more grant money into it and bring the costs down. Initially, they want the costs to be on the high end so no one is deceived. It is better to include a safety factor of about 30% during planning so as much factual data can be given to the Water Quality Board and the public up front rather than trying to disguise the true costs. They hope this will not cost \$900,000, because it would almost be cheaper to buy everyone's home and move them. Council Member Robinson asked how much the average homeowner currently pays for sewer. Mr. Macauley replied that they pay \$5 per month, which is not a correct sewer fee. That fee has never been raised, and very little if any maintenance has been done on the system.

Chair Ure asked if it is better to form an independent district or a subsidiary of the Eastern Summit Sewer Advisory Committee (ESSAC). Mr. Johnson stated that the Water Quality Board just needs a public body. This district was proposed because meetings were held in Echo, and the participants discussed how they would like move forward with this project. They preferred something that would give them some autonomy rather than being part of a larger entity. Chair Ure noted that Echo is already part of ESSAC, and he questioned whether they should form an entirely different entity. Mr. Jasper explained that, when Echo approached the County, he was reluctant to set up a separate district, especially one this small. He explained that they cannot do an assessment bond without knowing how much money they are talking about. Mr. Johnson explained that a special assessment area would just have boundaries like they are proposing and would impose a special assessment tax on those properties. Rather than having a user fee on the use of the system, a property tax would be imposed. One limitation of an assessment area is a maximum 20-year loan. With a sewer revenue bond, they could go up to a maximum of 40 years, and the special service district would provide more flexibility. If they create a special service district, it would isolate the liability and the benefits. A special assessment area would also isolate the liability and benefits, and the County itself could form a special assessment area.

Council Member Robinson stated that he believed it would be a mistake to not create a separate special service district and remove it from ESSAC. He believed it would be proper for Echo to have its own sewer district, maintain its autonomy to incur indebtedness, and expend funds for improvements on their own without being a small part on the north end of a much larger district where there would be no local representation. He believed they should hear from the public and let the clock run for 15 days.

Chair Ure opened the public hearing.

Michael Carlson, a property owner in Echo, stated that this is the first he has seen the drawing which was presented tonight, and it appears that it still includes his property. He was pleased to hear that the houses west of the road would use the existing facility. He stated that a number of the buildings shown within the district are derelict buildings that do not need sewer services. Council Member Elliott explained that does not mean they should not have a sewer connection in the event someone chose to rehabilitate them. Mr. Carlson clarified that, if someone has to pay \$50 or \$100 per month, they are not going to want to do that for a derelict building. He claimed that only about seven houses are actively hooked up and using the sewer system and that this project would not be feasible to rehabilitate the sewer system, even if they were to amortize it over 100 years.

Council Member Robinson asked how many acres of Mr. Carlson's land are included in the district boundaries. Mr. Carlson replied that it is about 500 acres. Council Member Robinson asked if it would be beneficial to Mr. Carlson to have a sewer system if he decided to develop his property and verified with Mr. Carlson that he is opposed to this project. Mr. Carlson stated that, if he decides to develop his property later, this system would not have the capacity to do anything for him. Chair Robinson asked how many homes the proposed system would have the capacity to treat. Mr. Peirce replied that it was preliminarily designed to handle about 34 systems, but they can make it larger. Mr. Carlson explained that his objection is that this seems like a lot of money to do so little. Council Member Robinson asked if the district would need some of Mr. Carlson's land for a drainfield or lift station. Mr. Peirce replied that has been talked about, but they know he is opposed to this, so they are considering using State lands.

Chair Ure noted that the deadline for spending the CDBG grant money is the end of December 2013.

Joe Scovel, an associate of Mr. Carlson's, stated that the only about eight homes would be served by this. The map includes abandoned gas stations, restaurants, and a shed. They are talking about a trailer that no one would live in if they were given free rent. He stated that eight of the homes shown on the map belong to the people who run the sewer company today, and this would serve one group of people. Mr. Carlson's property is out of the district, and there is nothing to prohibit completely excluding his property. He explained that there are not even buildings on lots 19 and 20 shown on the map. He stated that the railroad had four shares, and the number of shares is not representative of the actual sewer system needs. He believed the Sewer Company want to build up the numbers to justify the needs. Mr. Peirce agreed that there are no buildings on lots 19 and 20, but the railroad owns them, and people pay money for the opportunity to connect to the sewer system.

Mr. Snyder stated that he could understand why Mr. Carlson may not want to be connected to the sewer system, but when the County looked at the homes, they wanted to be certain they are not ignoring a property that has a failing system. If Mr. Carlson's property were to be removed from the district, Mr. Snyder asked whether he would be willing beforehand to supply information showing what kind of septic systems he has for the trailers, how they are sized, and if they are adequate. Council Member Elliott agreed that, before they set up the district, she would demand to know what kind of service the trailers have, as they generate income for Mr. Carlson.

Chair Ure expressed concern that they are stewards of the taxpayers' money, and he questioned whether they should spend \$900,000 on eight or ten homes or if there is another way to resolve the problem. He agreed that the problem needs to be resolved, but he questioned whether this is the only way to resolve it.

Noe Rodriguez, owner of the Cozy Motel, explained that he does not want to pay for seven shares in the district. When he purchased the motel, he was given four shares for the restaurant and three for the motel. He would pay for the four shares maximum, but the business is no longer there. He is not opposed to the district, but he would not pay for seven shares. Council Member Robinson asked whether Mr. Rodriguez's property would be weighted more heavily in terms of repaying the loan than a residential property. Mr. Peirce explained that he has not done a breakdown for each home and business, but they would have to size the seepage field for a certain amount of flow based on the flow from the business. He explained that participation in the district would have nothing to do with the shares.

Jane Parker, secretary of the Echo Sewer Company, explained that Mr. Carlson does have shares in the Echo Sewer Company and does have a home with one share on Temple Lane, which is shown as number 16 on the map. She recalled that, at the last meeting, he stated that he wanted to opt out of the special service district. She explained that the homes on lots 10 through 15 do not have adequate ground for a leach field, and because of the high ridges on both sides of the town, there is a high water table. She explained that the railroad had two homes on lots 19 and 20, which they tore down, and along with the depot, the Union Pacific Railroad has six shares. Each business also had four shares apiece. She explained that this does not just affect her home or her father's home; it affects the whole town and potential growth for the town.

County Clerk Kent Jones reported that three people have sent him letters protesting the district and wanting to opt out.

Ruth Richins stated that the property they have asked to buy is on the south side of the current drainfield, and she is not in the mood to sell any property. She explained that her property is very close to the river and is all gravel, and it would not meet the Sewer Company's needs to increase the drainfield. She noted that all her property is on the west side of the freeway, and her home is on the mountain a long way from the sewer, and that is her reason for opting out.

Frank Cattelan stated that he owns 15 shares of the Echo Sewer Company and currently has only two active shares, and he has been spending about \$900 a year for his shares. He stated that he does not see anything wrong with the sewer system, and he believed it could be fixed if they build a new line across the railroad track. He stated that the whole thing started when the State condemned their sewer system, and they all have septic tanks. He explained that the sewer line is gravity fed, so there is no cost associated with operating it. He commented that the population

of Echo is probably less than 50 people now, and he does not want to lose the town and appreciates what the County does for them.

Sherryl Carlson stated that she did not understand why they cannot clean up the existing drainfield and haul off everything there and form a new lagoon. Mr. Macauley explained that there are two items the State is concerned about. One is the collection line under the railroad tracks, and the engineer has estimated it would probably cost over \$100,000 to rebore that. The State does not believe the final solution will be \$900,000, but the first question is whether it is worth \$100,000 to rebore the line or if it would be better to relocate the leach field. The second issue is the deficiencies of the treatment system. Mr. Snyder explained that this is not a lagoon but a large underground wastewater system like a septic system. It is in violation, because it was treated like a lagoon, and raw sewage is on the surface where flies, mice, children, and dogs can run through it, and a lagoon would not be allowed at that site. Chair Ure asked whether there would be a problem if the individual septic tanks and large drainfield had been properly maintained. Mr. Snyder explained that someone cut off the ends of the pipe to the leach field and made it into a U-shape, and all the material is bleeding out to the surface. Then they put in a pipe that goes straight into the drainage ditch. When that happened, it cut off 40% of the drainfield. By today's standard, they need a drainfield three times the size of the current drainfield before it was cut off. Ms. Carlson stated that she did not understand why they cannot make it work.

Council Member Robinson asked if the Carlsons own Lot 16, and Ms. Carlson confirmed that it is currently hooked up to the sewer system. Council Member Robinson asked if they would like to have parcel 16 removed from the district. Ms. Carlson stated that they own enough land to have their own drainfield for that house. If they could do that, they would prefer it.

Chair Ure closed the public hearing.

Council Member Robinson asked if the County would be required to remove someone from the boundaries if they request to opt out. Mr. Johnson explained that, if there are protests like Mrs. Richins who are outside the boundaries, those protests would not be considered. The only protests considered would be those within the ultimate boundary. If someone wants to opt out, the Council could allow that, but they are not required to let them opt out. There is a two-part test for that. If one-third of the registered voters within the ultimate boundaries of the district protest, the district cannot be created, or if one-third of the property owners by taxable value within the boundaries of the district protest, the district cannot be created. Council Member Robinson verified with Mr. Johnson that the Council makes the ultimate decision and would adopt an ordinance if those two criteria are met. Mr. Jones explained that at some point the Sewer Company will have to submit to him the proposed district boundaries, because he cannot qualify the protests until he has the boundaries.

Mr. Carlson stated that he believed it was premature to start the 15-day protest period when they do not know what boundaries are proposed, and they have to know what the boundaries are in order to know whether to protest them or not. Mr. Peirce provided a copy of the proposed boundary map. Mr. Carlson noted that he only has 30 days to file a lawsuit if his property is included in the district. Mr. Johnson explained that the time to file a lawsuit would not begin to run until the district is actually created.

The County Council meeting adjourned at 8:00 p.m.

Council Chair, David Ure

County Clerk, Kent Jones



Staff Report

To: Summit County Council

Report Date: April 12, 2012

Meeting Date: April 18, 2012

Authors: Cliff Blonquist, County Waste Administrator

Title: RFP for Residential Refuse and Recycling Collection

Type of Item: Discussion

On February 22, 2012 the County released a RFP for Residential Refuse and Recycling Collection and on March 22, 2012 the County received four proposals from the following four waste management companies; Ace Recycling and Disposal, Allied Waste, Curb It Recycling and Waste, and Diamond K Waste Inc.

The proposals were evaluated by a committee on the criteria set forth in the RFP which included the proposer's ability to meet the County's service needs, cost effectiveness and value, conformance to the terms of the RFP, and the proposer's references, type of vehicle fuel, and background checks. The proposal evaluation team which consisted of County staff and the consultant determined that Allied Waste provided the best value proposal.

Currently the County pays \$9.89/month per household for single 96 gallon refuse container collection and \$3.89/ cubic yard per pickup for Frontload services. The County also pays \$5.45/month for a 65-gallon container (single stream) recycling to Allied Waste and \$7.33/month for some customers and, \$8.66 per month for other customers to County Curbside. All these costs are outlined in Table A below.

Table A. Current Refuse and Recycling Costs

SERVICE:	Refuse	Recycling	Frontload
Cost per household or pick-up per month	\$9.89*	\$5.45 \$7.33	\$3.89/yd ³ \$8.66

*Landfill tipping fees reimbursed to hauler.

In comparison the Allied Waste standard RFP Forms response is \$6.80/month for single 65 gallon container and \$2.3/cubic yard per pickup for Frontload services and \$3.00/month for a 96-gallon container (single stream) recycling for a County wide program. The combined cost for curbside refuse collection and curbside recycling of the proposal (\$9.8/month) is less than what the County is currently paying for curbside residential refuse collection. The proposed Frontload service is also \$1.59 less than what the County is currently pays for similar services. In addition Allied Waste will be required to pay \$25.00/ton for landfill disposal without reimbursement. This comparison is shown in Table B below.

Table B. Current & Proposed Refuse and Recycling Costs

SERVICE:	Refuse	Recycling	Frontload Refuse	Frontload Residential Recycling
CURRENT Cost per household or pick-up per month	\$9.89* [±]	\$5.45 \$7.33 \$8.66	\$3.89/yd ³	
PROPOSED Cost per household or pick-up per month	\$6.80 [^]	\$3.00 [±] ¹	\$2.30/yd ³	\$1.45/yd ³

*Landfill tipping fees reimbursed to hauler.

[±] 96 gallon cart

[^]65 gallon cart

\ Bi-weekly collection

The Allied Waste alternative proposal also includes provision to avoid the cost of purchasing containers if the County enters into a 5-year contract with the option for a 5-year extension. A reduced monthly rate would be charged and the County will own all curbside containers for refuse and recycling collection at the end of the 10 years.

The curbside recycling service selected is to collect all curbside households County-wide on a bi-weekly basis and the Contractor keeps 100% of the proceeds. Frontload recycling service to remote residential areas and multi-family units has also been recommended for bi-weekly collection.

Members of the evaluation committee met for follow up questions with Allied Waste and Ace Recycling and Disposal, which provided the most competitive bid proposals. After careful consideration the evaluation committee recommends the County to enter a contract negotiation with Allied Waste. However, Staff would also like to keep Ace Recycling and Disposal's proposal under consideration until a service contract is finalized. The Committee is very pleased with the proposed rates and we feel that the County could now afford to provide more comprehensive and better services to its citizens without asking for additional funds.

The RFP process and County purchasing policy require that approval from the County Council be granted before a contract is signed. Staff recommends that the Council consider the bid proposal received from Allied Waste and direct staff to prepare a final contract.



STAFF REPORT

To: Summit County Council
Report Date: April 10, 2012
Meeting Date: April 18, 2012
From: Jennifer Strader, County Planner
Project Name & Type: Proposed Development Code Amendments Regarding Signs
Type of Item: Public Hearing / Possible Approval

Executive Summary

Staff is requesting that the Summit County Council (SCC) conduct a public hearing and vote to approve proposed amendments to the Snyderville Basin Development Code (Code) regarding signs, through the adoption of an ordinance.

A public hearing was held on March 7, 2012 before the SCC; the hearing was continued and the SCC requested that Staff return with additional options for consideration, specifically regarding the temporary sign requirements.

Staff has not amended the permanent sign provisions from those presented at the public hearing held on March 7, 2012; however, Staff has proposed different temporary sign language.

A. Community Review

This item has been noticed as a public hearing. At the time of this report, no public comment has been received.

B. Identification and Analysis of Issues

The language recommended by the Snyderville Basin Planning Commission (SBPC) and reviewed by the SCC in previous meetings separated temporary signs into three (3) categories and had a provision for residential signs as described below:

Class I Temporary Signs

- * **Class I signs would have the same restrictions as the residential signs described below (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, and other types of signs typical to residential lots.

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 construction site signs or development leasing signs that typically require a longer time frame than thirty (30) days.

Residential Signs

- * **Staff's proposal allowed 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.**

The SCC had concerns with the aforementioned provisions because of the number and types of signs that would be allowed with limited restrictions.

Upon further research, Staff found that Sandy City recently updated their sign code to be content neutral. Their language separates temporary signs into categories based on the use of the land, not the content of the sign. Two (2) of the categories include:

1. ***"Properties Subject to Development or Construction"***
2. ***"Properties Subject to Sale, Lease, Rent, or Auction"***

The language then identifies size, number, sign types, and time limits for signs located on those parcels, but it doesn't state what the signs can or can't say (**Exhibit B - Proposed Sign Code**).

C. **Proposed Code Amendments**

The language below is a summary of the temporary sign provisions. Please refer to Staff's comments in the margin to the right.

Temporary Signs Allowed Without a Permit in All Zones

Non-Commercial Opinion Signs: Non-commercial opinion signs are subject to all requirements and provisions of the Utah State Code Annotated and other laws as may be applicable. Such signs are regulated as follows:

- (a) **Residential Properties:** Residential properties are permitted nine (9) square feet of a sign area, not to exceed three feet (3') in height. The sign square footage may be split between two (2) or more signs, but the total square footage may not exceed nine (9) square feet.

Comment [JS1]: This language addresses campaign signs for both residential and non-residential uses. It also states "Non-Commercial", which removes the allowance for home occupation signs or other types of commercial advertisements, which was a concern of the SCC. This replaces the "Residential Sign" provisions.

- (b) Non-Residential Properties: Non-residential properties are permitted six (6) square feet of sign area, not to exceed three feet (3') in height. The sign square footage may be split between two (2) or more signs, but the total square footage may not exceed six (6) square feet.

Properties Subject to Development or Construction: Properties which have an approved subdivision plat, site plan, or other type of development permit are subject to the following:

- (a) Signs may not exceed a maximum of twenty (20) square feet.
- (b) 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 permitted.
- (c) Signs may not exceed six feet (6') in height, measured from the top of the sign to the grade directly below.
- (d) One (1) sign is allowed per street frontage. These signs must be located on the parcel that is subject to the approved development permit and may not encroach into the right-of-way, nor impede pedestrian traffic.
- (e) Such sign(s) shall be removed within one (1) year after the issuance of the final building permit for the development.

Comment [JS2]: This language addresses construction site signs, and development leasing; sales; rental signs for new developments. This replaces the Class III temporary sign provisions.

Properties Subject to Sale, Lease, Rent, or Auction: Properties subject to sale, lease, rent, or auction shall be allowed one (1) on-premise sign of one (1) of the following types, and associated off-premise signs according to the following regulations without obtaining a Low Impact Permit.

(a) On-Premise Signs:

- 1. One (1) "T"-shaped post sign, one (1) yard sign, or one (1) window sign subject to the following:
 - i. In the case of a "T"-shaped post sign, the sign hanging from the "T"-shaped post shall be a maximum of nine (9) square feet. Yard signs and window signs may not exceed nine (9) square feet in size.
 - ii. "T"-shaped post signs and yard signs may not exceed six feet (6') in height, measured from the top of the sign to the grade directly below, with the
 - iii. These signs must be located on the property that is subject to sale, lease, rent, or auction and out of the right-of-way.
 - iv. These signs are allowed for the duration of the property's sale, lease, rent, or auction.

Comment [JS3]: This language addresses real estate signs on both residential and non-residential properties. This replaces the "Residential Sign" provisions.

Comment [JS4]: This describes a typical real estate sign. Illustrations are provided in the actual Code language for "T"-shaped post signs, yard signs, and window signs.

(b) **Off-Premise Signs:**

Comment [JS5]: This allows "open house" off-premise signs which are currently allowed in the Code.

1. Such signs may be used to direct traffic to a property for sale, lease, rent, or auction, subject to the following:
 - i. These signs may be displayed thirty (30) minutes prior to a representative or property owner being at the property that is subject to sale, lease, rent, or auction.
 - ii. These signs may be displayed in the County right-of-way as long as they are not disruptive to the regular flow of traffic.
 - iii. These signs may not be displayed overnight.

Temporary Signs Requiring a Permit on Non-Residential Properties: A non-residential use may apply for one (1) temporary sign, subject to the following:

Comment [JS6]: This language addresses banners and other types of temporary signs that advertise special sales, grand openings, etc. for non-residential uses. This replaces the Class II temporary sign provisions.

- i. These signs may be displayed up to four (4) times per calendar year, for a period not to exceed seven (7) days in length. These periods may run consecutively.
- ii. Signs may not exceed a maximum size of twenty (20) square feet.
- iii. Freestanding temporary 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.
- iv. One (1) temporary sign is allowed for each non-residential use.
- v. 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.

D. **Recommendation(s)/Alternatives**

Staff recommends that the SCC conduct a public hearing and vote to approve the amendments to Section 10-8-2 of the Code as proposed in Exhibit B of this Staff Report, based upon the following findings and with the following condition, by the adoption of an Ordinance.

FINDINGS

1. The amendments are consistent with the goals, objectives, and policies of the General Plan.
2. The amendments do not permit the use of land that is not consistent with the use of properties nearby.
3. The amendments will not permit suitability of the properties affected by the proposed amendments for uses to which they have been restricted.
4. The amendments will not permit the removal of existing restrictions which will unduly affect nearby property.

5. The amendments will not grant special favors or circumstances solely for one property owner or developer.
6. The amendments will promote the public health, safety, and welfare better than the existing regulations for which the amendments are intended to change.

CONDITION

1. The SBPC shall review Section 10-8-2: Sign Regulations, one (1) year from the date of the adoption of the ordinance that amends the sign code. The purpose of the review is for Staff to provide an update as to what elements of the sign code appear to be working in the best interest of the community and what elements of the sign code appear to warrant further consideration for future amendments.

ATTACHMENTS

- Exhibit A: Amendments recommended by the SBPC
Exhibit B: Staff's Proposed Sign Code Amendments based on feedback from the SCC
Exhibit C: Ordinance amending the Code

THIS LANGUAGE WAS RECOMMENDED BY THE SBPC ON 12.20.11

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.

EXHIBIT A

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. Comprehensive Sign Plans: Uses that are subject to the provisions of a previously approved comprehensive sign plan may choose to continue the use of that sign plan, or if all parties to the comprehensive sign plan agree in writing to no longer utilize the comprehensive sign plan, they may comply with the provisions of this Section. In no case may a combination of a comprehensive sign plan and the provisions of this Section be used together.
- E. 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.
 - . Materials: Freestanding signs shall be constructed of wood, stone or other natural materials. Plastic, lexan or similar materials are allowed for individual letters only.
 - 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 setback at least fifteen feet (15') from the edge of the right-of-way.
- D. 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 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, lexan, or similar materials are allowed for individual letters only.
- E. 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 similar materials are allowed for individual letters only.

- F. 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 similar materials are allowed for individual letters only.
 - G. 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.
 - H. Residential Signs: Residential properties are permitted nine (9) 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 nine (9) 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.
4. 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.
 - . Materials: Freestanding signs shall be constructed of wood, stone or other natural materials. Plastic, lexan or similar materials are allowed for individual letters only.
 - 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.
- 5. Non-Residential Temporary Signs: Signs intended to be displayed for a limited time period and not permanently affixed to a building or the ground.
 - a. Non-Residential 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. Non-Residential 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. Non-Residential 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. Sign Illumination (see examples in Section L of this Chapter):

1. Exposed neon tubing and/or individual light bulbs forming the sign copy shall not be permitted on any sign, unless otherwise allowed in this Section.
2. Back lit full sign face illuminated signs are prohibited.
3. Light may be cast directly onto the face of the sign by an external light source. In such instances, the light must be focused on the sign face only, provided that such illumination does not adversely affect pedestrian and/or vehicular traffic.

4. Back lighting through individual routed letters/copy or through the material that comprises the letters/copy in the sign face is permitted as long as the light source is screened from public view.;
5. No interior light source shall be visible to the exterior.

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. Neon signs are considered window signs and may not exceed ten percent (10%) of the area of the window in which they are placed.

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. Signs conforming to the provisions of this Section may be erected on a parcel that contains a non-conforming sign(s); however, the new sign(s) must be a different type than the existing non-conforming sign(s) (i.e. if the non-conforming sign is a freestanding sign, a conforming freestanding sign may not be erected).
4. A non-conforming sign may be altered to decrease its non-conformity.
5. 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.
6. 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.
7. 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.

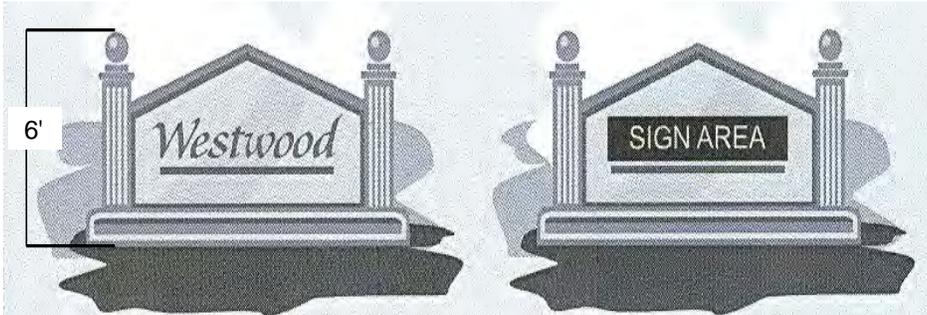
8. If the cost of the non-conforming sign is valued at less than one hundred dollars (\$100.00), the sign shall be removed. Sign value shall be determined based on an actual sales receipt for the sign or a cost estimate for the replacement cost provided by a qualified professional.
9. Nothing in this 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:

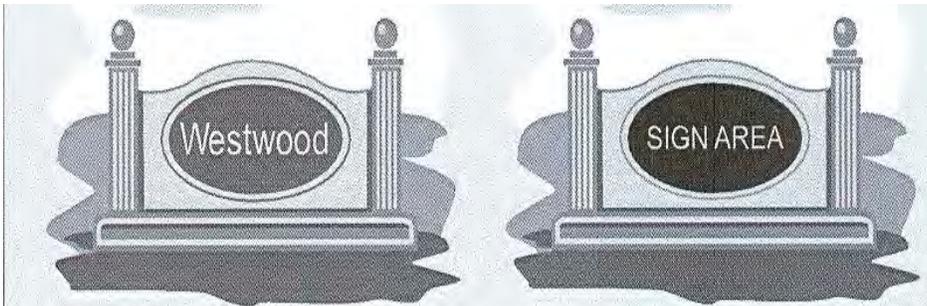
1. The CDD or designated planning staff member shall be responsible for enforcing the provisions of the sign regulations established herein.
2. Violation of the sign provisions established herein shall result in punishment in accordance with the provisions of this Title and State law. (Ord. 323, 3-9-1998)
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

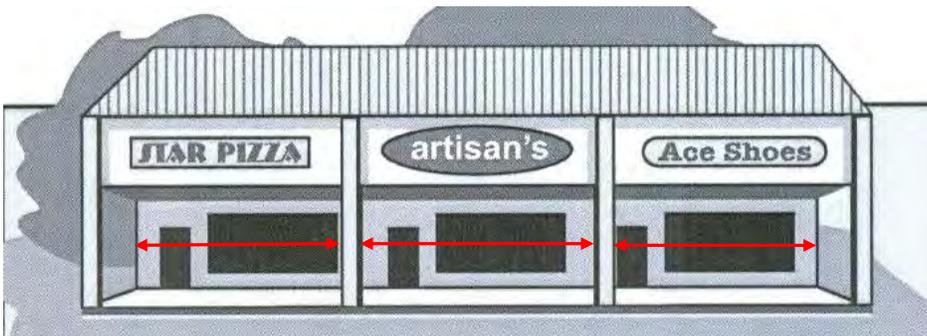


Calculate sign area by size of imaginary panel drawn around copy. Do not calculate embellishment or monument background



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.

K: Types of Signs
Freestanding Sign



Awning Sign



Wall Mounted Sign



Hanging Sign



Projecting Sign



L: Examples of Sign Illumination:

Exposed Neon Tubing Sign: NOT ALLOWED



Back Lit Full Sign Face Illumination: NOT ALLOWED



External Light Source Directed Towards the Face of the Sign: ALLOWED



Back Lit Channel Letters: ALLOWED



THIS LANGUAGE IS BEING RECOMMENDED FOR APPROVAL BY STAFF BASED ON PREVIOUS SCC COMMENTS AND DIRECTION

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.

EXHIBIT B

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. Comprehensive Sign Plans: Uses that are subject to the provisions of a previously approved comprehensive sign plan may choose to continue the use of that sign plan, or if all parties to the comprehensive sign plan agree in writing to no longer utilize the comprehensive sign plan, they may comply with the provisions of this Section. In no case may a combination of a comprehensive sign plan and the provisions of this Section be used together.

E. 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: 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:

(1) Number of Signs: 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.

(2) Location / Setbacks: 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. 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 setback at least fifteen feet (15') from the edge of the right-of-way.

- (3) Monument Base: All freestanding, on premises signs shall be constructed with a monument base. A base of stone or wood is preferable.
 - (4) 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.
 - (5) 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.
 - (6) Materials: Freestanding signs shall be constructed of wood, stone or other natural materials. Plastic, Lexan or similar materials are allowed for individual letters only.
 - (7) Landscaped Area: All freestanding, on premises signs shall be located within a landscaped area. Landscaping, including shrubs, perennials, trees, other appropriate vegetative materials, 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.
- 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 the five (5) types of signs, as described below. In no case may two (2) or more of the same types of signs be used per each use.
- (1) 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, other natural materials, or painted on the side of the building. Plastic, Lexan, or similar materials are allowed for individual letters only.
- (2) 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 similar materials are allowed for individual letters only.
 - (3) 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 similar materials are allowed for individual letters only.
 - (4) 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.
- c. 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.
 - (1) 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 are allowed for individual letters only.
 - 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.
- d. Temporary Signs: Temporary sign means any sign or advertising display constructed of cloth, wood, canvas, light fabric, paper or other materials with or without frames intended to be displayed for a limited time period and not permanently affixed to the ground.
- (1) General Provisions for All Temporary Signs: The following shall apply to all temporary signs as outlined herein:
 - i. Signs shall be removed as specific herein, unless otherwise indicated in this Section. There are no timeframes for non-commercial opinion signs.

- ii. Signs may only be located on private property and may not encroach into the right-of-way, nor impede pedestrian traffic.
 - iii. Signs shall not be attached to utility poles, fences, trees, or other similar objects.
 - iv. Illumination of temporary signs is prohibited.
 - v. All temporary signs must be subordinate to and be positioned in such a way so that any permanent signage on the same property remains visible.
 - vi. 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.
 - vii. A Low Impact Permit is required for a temporary sign prior to installation, unless otherwise exempted in this Section.
- (2) Temporary Signs Allowed Without a Permit in All Zones.
- i. Non-Commercial Opinion Signs: Non-commercial opinion signs are subject to all requirements and provisions of the Utah State Code Annotated and other laws as may be applicable. Such signs are regulated as follows:
 - (b) Residential Properties: Residential properties are permitted nine (9) square feet of a sign area, not to exceed three feet (3') in height. The sign square footage may be split between two (2) or more signs, but the total square footage may not exceed nine (9) square feet.
 - (b) Non-Residential Properties: Non-residential properties are permitted six (6) square feet of sign area, not to exceed three feet (3') in height. The sign square footage may be split between two (2) or more signs, but the total square footage may not exceed six (6) square feet.
 - ii. Properties Subject to Development or Construction: Properties which have an approved subdivision plat, site plan, or other type of development permit are subject to the following:
 - (f) Signs may not exceed a maximum of twenty (20) square feet.

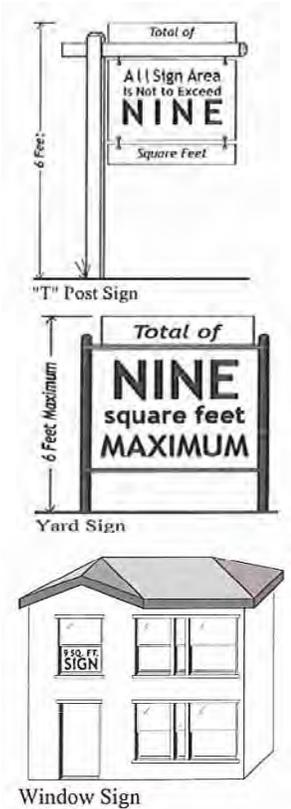
- (g) Signs may only be freestanding and must be made of a rigid material. Banners or other similar signs applied to cloth, paper, flexible plastic, or fabric of any kind are not permitted.
- (h) Signs may not exceed six feet (6') in height, measured from the top of the sign to the grade directly below.
- (i) One (1) sign is allowed per street frontage. These signs must be located on the parcel that is subject to the approved development permit and may not encroach into the right-of-way, nor impede pedestrian traffic.
- (j) Such sign(s) shall be removed within one (1) year after the issuance of the final building permit for the development.

iii. Properties Subject to Sale, Lease, Rent, or Auction: Properties subject to sale, lease, rent, or auction shall be allowed one (1) on-premise sign of one (1) of the following types, and associated off-premise signs according to the following regulations without obtaining a Low Impact Permit.

(b) On-Premise Signs:

2. One (1) "T"-shaped post sign, one (1) yard sign, or one (1) window sign subject to the following:

- i. In the case of a "T"-shaped post sign, the sign hanging from the "T-shaped post shall be a maximum of nine (9) square feet. Yard signs and window signs may not exceed nine (9) square feet in size.
- ii. "T"-shaped post signs and yard signs may not exceed six feet (6') in height, measured from the top of the sign to the grade directly below, with the
- iii. These signs must be located on the property that is subject to sale, lease, rent, or auction and out of the right-of-way.
- iv. These signs are allowed for the duration of the property's sale, lease, rent, or auction.



(b) Off-Premise Signs:

1. Such signs may be used to direct traffic to a property for sale, lease, rent, or auction, subject to the following:
 - i. These signs may be displayed thirty (30) minutes prior to a representative or property owner being at the property that is subject to sale, lease, rent, or auction.
 - ii. These signs may be displayed in the County right-of-way as long as they are not disruptive to the regular flow of traffic.
 - iii. These signs may not be displayed overnight.

(3) Temporary Signs Requiring a Permit on Non-Residential Properties: A non-residential use may apply for one (1) temporary sign, subject to the following:

- i. These signs may be displayed up to four (4) times per calendar year, for a period not to exceed seven (7) days in length. These periods may run consecutively.
- ii. Signs may not exceed a maximum size of twenty (20) square feet.
- iii. Freestanding temporary 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.
- iv. One (1) temporary sign is allowed for each non-residential use.
- v. 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.

E. Sign Illumination:

6. Exposed neon tubing and/or individual light bulbs forming the sign copy shall not be permitted on any sign, unless otherwise allowed in this Section.



7. Back lit full sign face illuminated signs are prohibited.



8. Light may be cast directly onto the face of the sign by an external light source. In such instances, the light must be focused on the sign face only, provided that such illumination does not adversely affect pedestrian and/or vehicular traffic.



9. Back lighting through individual routed letters/copy or through the material that comprises the letters/copy in the sign face is permitted as long as the light source is screened from public view.

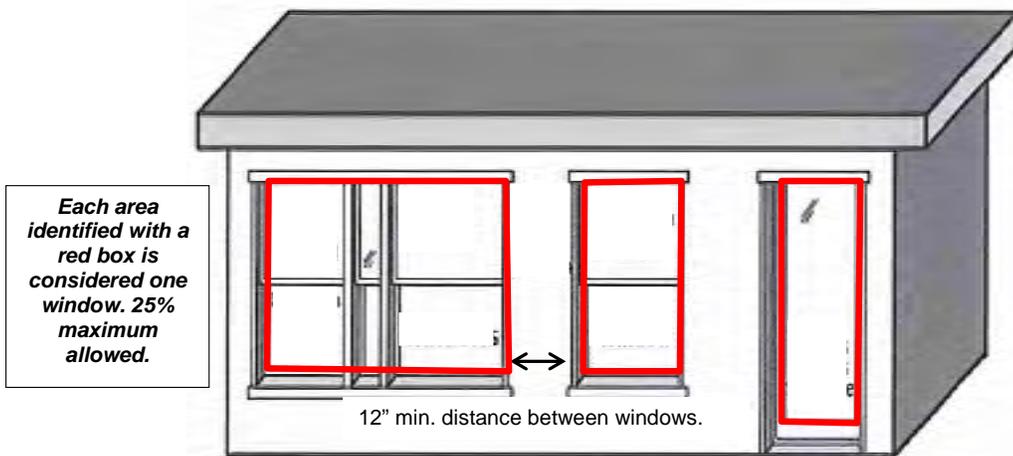


10. No interior light source shall be visible to the exterior.

- 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: Any illuminated sign on which the light is not maintained stationary or constant in intensity and color at all times when it is in use.
 3. Roof mounted signs: A sign that is mounted on the roof of a structure, or signs that project above the highest point of a roof line.
 4. Moving signs: Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement.
 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 twenty-five percent (25%) of the area of a single window in which it is placed. A single window is any window, or section of windows, that is separated from another window by twelve inches (12") or more. Any door with windows is always considered a separate window. 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. Neon signs are considered window signs and may not exceed ten percent (10%) of the area of the window in which they are placed.

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. Signs conforming to the provisions of this Section may be erected on a parcel that contains a non-conforming sign(s); however, the new sign(s) must be a different type than the existing non-conforming sign(s) (i.e. if the non-conforming sign is a freestanding sign, a conforming freestanding sign may not be erected).
4. A non-conforming sign may be altered to decrease its non-conformity.
5. 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, than 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.

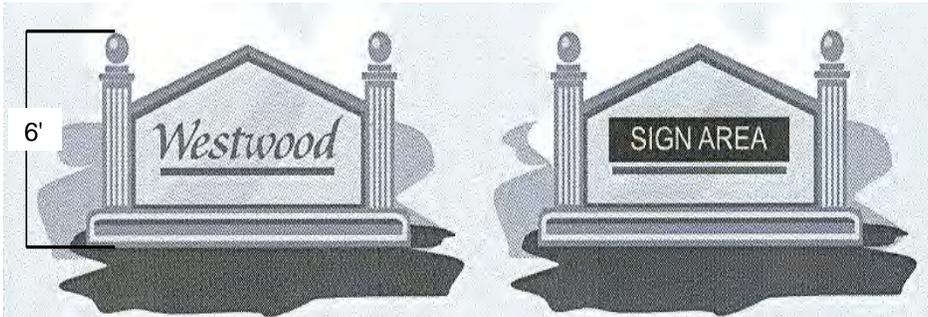
6. Removal of Non-Conforming Signs: If a non-conforming sign is demolished or removed at the will of the property owner, any subsequent sign shall thereafter be required to conform to the regulations specified in this Title for the zone district in which it is located.
7. If a non-conforming sign is 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.
8. 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.
9. 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:

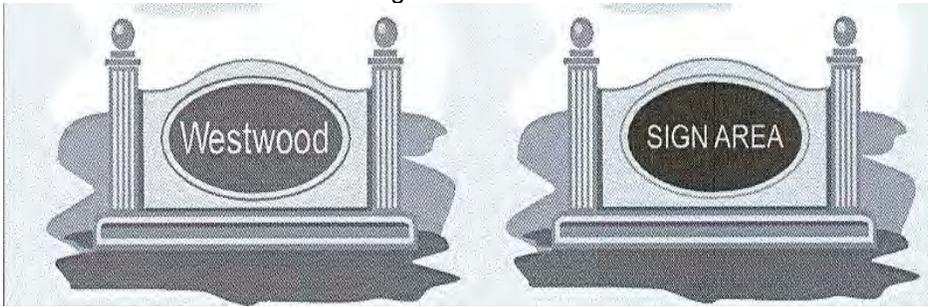
1. The CDD or designated planning staff member shall be responsible for enforcing the provisions of the sign regulations established herein.
4. Violation of the sign provisions established herein shall result in punishment in accordance with the provisions of this Title and State law. (Ord. 323, 3-9-1998)
5. 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:

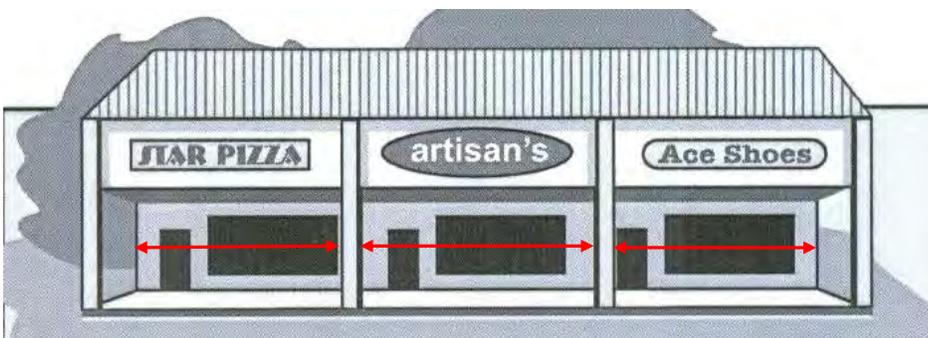
Freestanding Sign: Calculate sign area by size of imaginary panel drawn around copy. Do not calculate embellishment or monument background.



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



K: Types of Signs

Freestanding Sign



Awning Sign



Wall Mounted Sign



Hanging Sign



Projecting Sign



**SUMMIT COUNTY, UTAH
ORDINANCE NO. _____**

AMENDING THE SNYDERVILLE BASIN DEVELOPMENT CODE

WHEREAS, the current Snyderville Basin Development Code was adopted in 2004; and

WHEREAS, the County is amending Section 10-8-2, Sign Regulations; and

WHEREAS, the Snyderville Basin Planning Commission held a public hearing and recommended approval of the amendments to Section 10-8-2 of the Snyderville Basin Development Code on December 20, 2011; and

WHEREAS, the Summit County Council held public hearings on March 7, 2012 and April 18, 2012 .

NOW THEREFORE, the County Legislative Body of the County of Summit, the State of Utah, hereby ordains the following:

Section 1. SNYDERVILLE BASIN DEVELOPMENT CODE

The Snyderville Basin Development Code is amended as depicted in Exhibit A.

Section 2. Effective Date

This Ordinance shall take effect fifteen (15) days after the date of its publication.

APPROVED, ADOPTED, AND PASSED and ordered published by the Summit County Council, this 18th day of April, 2012.

**SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH**

By: _____
Council Chair

Councilor Elliott voted _____
Councilor Hanrahan voted _____
Councilor McMullin voted _____
Councilor Robinson voted _____
Councilor Ure voted _____

EXHIBIT C