



County Engineer

Derrick A. Radke, P.E.

MEMORANDUM

Date: October 24, 2012

To: Summit County Council
Bob Jasper, County Manager

From: Tiffanie Northrup-Robinson, County Trails Planner
Kent S. Wilkerson, P.E. Transportation Engineer

Re: County Wide Trails Plan / Mapping: Eastern Summit County Transportation Master Plan

Executive Summary:

With the implementation of the pending Eastern Summit County Transportation Master Plan (ETMP), County Wide Trails Planning is effectively complete. The Snyderville Basin area is well established for trails and trail planning. The Eastern Summit County vision is coming together to complete the County wide trail system. Recreation trails are an important component; however county wide connectivity is the general goal in all forms of transportation. The three maps attached illustrate existing, future trail and future multi modal (integration of roadways and cycling).

This work session will provide opportunity to discuss the sufficiency of the County wide trails vision and provide staff additional direction.

Background:

The request has been for a County Wide Trails Master Plan. The diversity of interests in the Communities and County makes a single map implementation interesting, but the comprehensive vision is needed. This vision is the intent of the discussion.

There are effectively two sub areas to consider in County wide trails: Snyderville Basin, Eastern Summit County. The Forest Service is a major related subdivision of the Eastern County. The attached mapping is as comprehensive as available currently. The maps will be discussed following the two sub areas identified herein.

Trails areas:

Snyderville Basin: The Snyderville Basin Recreation District (SBRD) has greatly promoted trails and connectivity in the Basin. They are well coordinated and seamless with the Park City Trail network. For purposes here in, Park City trails are considered under this heading. A highly effective trail network currently exists in the area. Trail development in the Basin was enabled following adoption of the Basin Recreation and Trails Master Plan in 1997, amended 2006, whereby trail connections were often required as a condition of development approval.

Eastern Summit County: The Eastern Summit County area requires coordination with each community: Henefer, Coalville, Oakley, Kamas, and Francis. Other unincorporated hamlets are

significant, but the connections between the communities are the County's. Staff has investigated each incorporated communities' transportation plans and determined the diversity of interests. These interests are compiled in the draft Eastern Summit County Transportation Master Plan (ETMP). As time allows, the staff of the County and Communities have been developing the ETMP. Though still in draft form, it has been reviewed at various levels by each of the Communities' Councils and Planning Commissions. The ETMP is multi modal and intended to be as comprehensive as practical in all things Transportation. A summary of the document is attached which contains a link to the full document, should the Council wish to provide immediate input at this session.

As a part of the County wide trails vision, the ETMP appears to provide the vital links. Currently only two trans-jurisdiction trails exist: The Rail Trail and the Marion trail, as discussed below. The ETMP defines and programs a trans-county trails network to the extent practical. Upon implementation, the ETMP intends to provide trail connections from Henefer to Francis, providing alternatives to the Wanship area that have been the most congested with events such as Ragnar and other events along the SR-32 corridor.

Community support has been slowly developing and each of the five communities are at very different states. Interests vary from: 'no trails' to fully developed plans. The ETMP works to coordinate trail and traffic improvements. The ETMP is supported by the County Travel Demand Model and each community's supporting documents such as zoning maps, general plans and transportation plans. The ETMP is intended to provide a cover / coordination and fill in the unknowns between as it is County jurisdiction.

UDOT is also a key player as most of the needed routes are in or near their right-of-way. The UDOT improvements are also programs via the ETMP.

Forest Service Area: Technically part of the ETMP, the Forest Service trail network is clearly the largest portion of the trails in the County. As a political subdivision of the Federal Government and providing independent recreation services, the future of this vital area is not programmed the same as with the Communities. These trails provided a different need – typically not 'transportation.' Recreation emphasis is therefore not comprehensively analyzed, though acknowledged in the ETMP.

Currently, additional demand for transportation services within the Forest areas has not been identified. Forest Service trails are typically accessed via vehicle, with parking provided at Trailheads. Some improvements are recommended in the ETMP to provide improvement Multi-modal access to the area. The two critical access routes are SR-150 and Weber Canyon.

Recreational trails on private ground may be desired but beyond the scope of the ETMP. Recreation Districts and other jurisdictional authorities are encouraged to future plan, coordinate and implement these services, with the support of the County.

Trails area Summary:

With the adoption of the ETMP, comprehensive vision is established. However administration of the vision will continue with respective areas as follows:

- Snyderville Basin / Park City: the City and Recreation District, their respective areas.
- Eastern County: Each community, North Summit Recreation District and Summit County for South Summit until a specific entity is created. The EMTP is intended to be the coordinating document and also a forum to program Forest service and UDOT trails as their respective jurisdictions require.

These two areas are intended to provide a comprehensive view of trails programming for Summit County, with pragmatic implementation and jurisdiction.

Mapping:

Three Maps are provided 1) Existing trails, 2) ETMP Future Trails, and 3) ETMP Future Multi Modal

Existing: As previously mentioned, the Snyderville Basin area is very well represented in trail connections in both existing and pending. Further the SBRD has advanced planning and staff facilitating the existing and future trails.

ETMP only two trails exist: Rail trail / Marion. Extensive Forest Service network previously mentioned. Though recreational, they are important and illustrated. Staff does not intend to minimize each communities internal connection herein. Each community is the most effective trailhead providing full services and capture of any economic opportunities. In community connections are also generally programmed though not illustrated at this map scale.

Future Trails: The Snyderville Basin Capital Facilities Plan for trails represent future connections, including East Canyon trail, Silver Creek connections etc. Therefore mapping focus herein is on the ETMP areas. Inter area connections are made where possible such as: the existing the Rail Trails and future via Promontory to Rockport / SR-32. The goal again is traversing comfortably to each significant point of the County. Two general connections are needed on the east side: 1) on to Henefer and 2) to and within the Kamas Valley. The ETMP projects list provides for these connections as follows:

Rail Trail to Henefer:

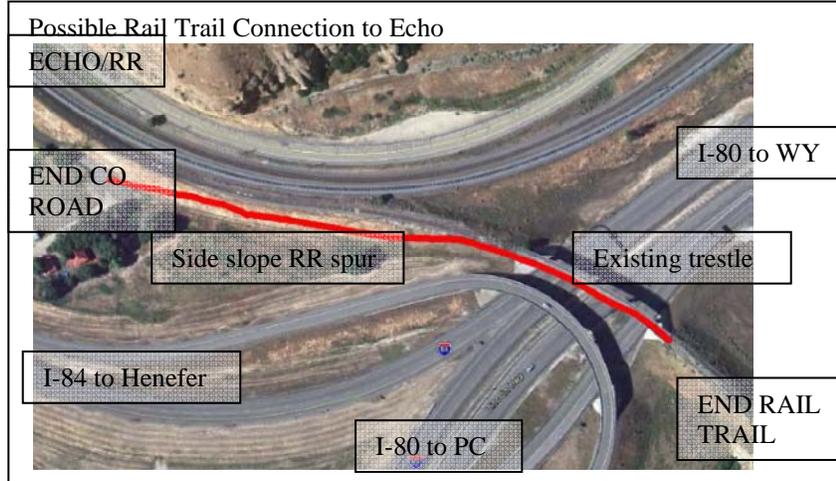
- This year the rail trail bridge over the County road was improved.
- Currently in process by Public Works forces, the Echo-Henefer Historic Loop Trail is provided in part by a State Parks grant and county match. Long term this gives a logical and inviting termini to the Rail trail.



An unwritten hope is renewal of Echo. Management is via the North Summit Recreation District.

- The critical connection remaining is crossing I-80 on the existing railroad trestle bridge. This will involve (in addition to local jurisdictions) State Parks, UDOT, possibly Federal Highways, and Union Pacific. The length is only 1,200 feet across I-80, a side slope of the railroad spur to the county road that appears as a driveway. Roughly as illustrated below.

- Future: Single Track to Henefer northeast side of Echo Road, and a multi-use corridor along the Henefer frontage road all connecting to the Henefer City improvements.

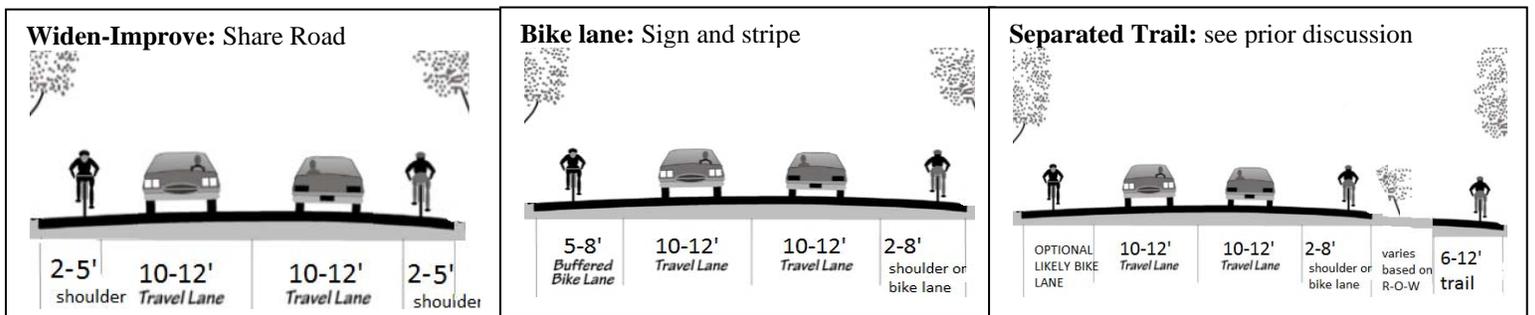


Rail trail to Kamas Valley : SR-32 Corridor: A UDOT corridor that is commonly an area of concern particularly during special events. Alternatives are offered in the ETMP as follows:

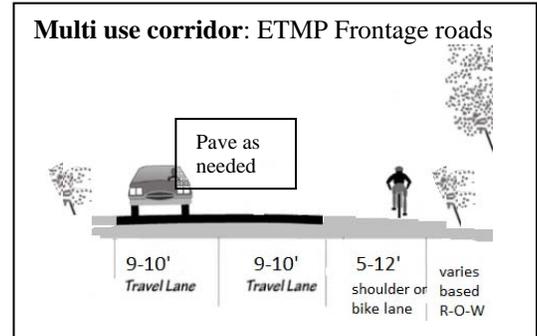
- State Park Trail, this would take non-motorized users across the dam, bridging the spillway and along the east side of the reservoir.
- The SR-32 right-of-way west of Rockport is wide enough to accommodate a separated trail. Terrain is the apparent challenge.
- From the south end of Rockport to Oakley: ether follow the State Route or divert to Woodenshoe, and enter Oakley from the west of town.
- Continuation / Completion of the Marion Trail from Oakley through Kamas to Francis with the critical community connections.

Other trails are proposed and input is being received such as a Hoytsville separated trail and each community's walkability as listed in more detail in the ETMP.

Future ETMP Multi-Modal: This map begins the science of when a separated trail, a bike lane or a true share the road is warranted. In many cases, a bike lane (additional painted strip and symbol, signage) is not warranted based on the minimal presence of vehicle traffic. Other factors to consider are available right-of-way, grades, community interest, over all cycling network, and so forth. The shoulder width is driven primarily by safe road standards which is the driver of the improvements. Multi modal is only part of the consideration. Possibilities include one or both side shoulders or bike lane improvements. Separated trails are discussed above and further illustrated below.



The Future Multi Modal map also includes a multi-use corridor, basically the frontage roads that are soft surface / gravel. As observed, these frequently see as many walkers (with or without dogs) and cyclists as vehicles. As additional traffic demand occur, paving may be warranted but a soft surface trail or other uses will be continued based on the specific area demand, as illustrated.



The ETMP programs these needed improvements and balances the Multi-modal interests with the projected travel demand. Final programming of the improvements is done as the projects are funded.

Recommended:

Possible discussion points:

- 1) the sufficiency of the County wide transportation trails planning as relegated to the respective areas.
- 2) Provide staff feedback as the ETMP as in process. Numerous points may be focused upon on a comprehensive County Trails discussion.

Extensive addition information and possibilities exist in this discussion. Additional individual and group work sessions are possible as well.

CC: Bob Jasper, County Manager
Don Sargent, Community Development Director
Derrick Radke, P.E., County Engineer
Kevin Callahan, Public Works Director
Sean Lewis, County Transportation Planner
Rena Jordan, SBRD, District Director
Bonne Park, SBRD, Public Affairs Mgr.
Senta Beyer, SBRD, Trails Mgr.
Nick, NSRD Administrator
Ashley Kohler, Sustainability

Eastern Summit County Transportation Master Plan



DRAFT Summary

Plan Summary:

- *The roadway system functions well currently*
- *This plan intends to keep it working well in context of community goals*

The Eastern Summit County network of roads are owned and maintained by several jurisdictions. These include State, County, City / Towns and private roads of many different widths, and functions. The Utah Department of Transportation (UDOT) operates most regionally significant roads. Summit County operates many inter jurisdictional roads as well as small-scale residential streets. The five rural communities inclusive of this plan are from north to south with their respective operations area listed in Table 1.1.

Unincorporated communities are frequently referenced and include: Wanship, Peoa, Woodland, Echo, Upton, Hoytsville, Samak and Marion. Service and access are also provided to significant additional areas such as Weber Canyon, the High Uintah's (US Forest Service), East Canyon, and Chalk Creek, among others.

Any comments return to:
Kent Wilkerson, PE Engineer II
Summit County, 435.336.3294
kwilkerson@summitcounty.org

Click here  for the full Document link

https://docs.google.com/open?id=0B_Sdy-8tVzIlojFRBvZkRkMkE1ODMwXkFVbm9yNHhPUQ

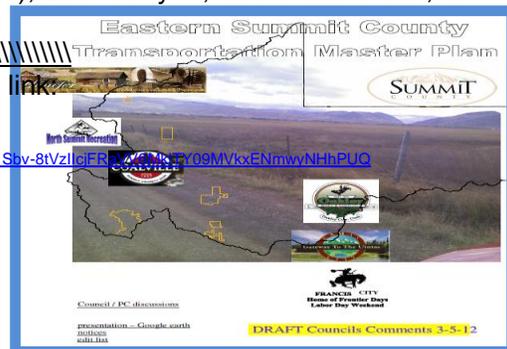


Table 1.1: General Road Miles and Population

Jurisdiction	Miles Paved	Total miles*	Population 2010**	Area (sq miles)	Year incorp.
Henefer	7.83	8.87	766	0.86	1859
Coalville	10.20	11.90	1,363	3.72	1858
Oakley	9.27	9.27	1,470	6.23	1868
Kamas	9.94	9.96	1,811	1.59	1857
Francis	9.02	9.26	1,077	1.79	1869
County	252.28	330.91		1880***	
Totals***	298.51	439.09	36,324 All County		

* - UDOT class B&C roads 2011 - excludes private streets and US Forest Service,

** - 2010 Census data

*** - Includes Park City

As a complete transportation plan, all types of users must be considered in addition to automobiles including: pedestrian, mobility impaired, equestrian, ATV, cyclists, agricultural support, rail, wildlife, etc.

According to the Eastern Summit County General plan (General Plan, page 3), there is an “AGREEMENT ON THE FUTURE.”

There is substantial agreement among the residents of Eastern Summit County on a vision for the future. While there are questions regarding the most appropriate means to achieve the vision, residents agree in a number of areas. In general, these are:

1. *Protect the rural, agricultural, and small town lifestyle.*
2. *Protect the natural resources.*
3. *Improve relationships between the County and incorporated municipalities.*

Transportation in all forms is a critical element to achieve this vision.

1. Plan Overview

Chapter 1 provides a basic background and summary of the Eastern Summit County and surrounding communities.

Chapter 2 describes the existing road network conditions. Elements of this chapter include the study area boundaries, level of service discussions, and design volumes on area roads. Roads are not typically designed to accommodate special events. A detailed analysis of the UDOT Coalville I-80 counter shows that a 40th highest hour may be closer to the design-hour volume for the Eastern Summit County area. The Highway Capacity Manual (2000), states that it is “customary practice in the US to base rural highway design on an hour between the 30th and the 100th-highest hour of the year”, and that it is often assumed that the optimal hour occurs at the 30th highest hour “which is often used as the basis for estimates of design-hour volume”. Using the 30th-highest hour rather than the 40th-highest hour is a more conservative estimate and provides for slightly less congestion on area roads; however there is an incrementally higher cost to developers and the public to maintain this higher level of service. Community input on this point specifically is requested as to which traffic standard should be established. The area has environmental constraints that limit potential transportation solutions. Area roads currently operate at acceptable levels of service. This chapter also provides background information for roadway classifications.

Chapter 3 evaluates the future impact of increased population and travel demands on the existing road network, based on currently platted and entitled land uses (vacant lots of record or within an existing platted subdivision). The year 2025 is the approximate year of this condition assuming a 3.4% annual growth rate as calculated. The 3.4% estimate comes from the Summit County Travel Demand model, by

taking the remaining entitlements dividing by the 13 years out and dividing by existing population. The rate is also reasonably consistent with historic growth rates. Actual traffic growth projections in the Plan were based on a detailed evaluation of the remaining development potential of undeveloped parcels within the area.

Chapter 4 addresses Build-out conditions and is similar to Chapter 3, but extends the evaluation period out to roughly 2040, again assuming a 3.4% annual population growth rate of this rural area. Build-out would be the complete development of all possible subdivisions, homes and businesses based on current zoning as illustrated in the respective community maps.

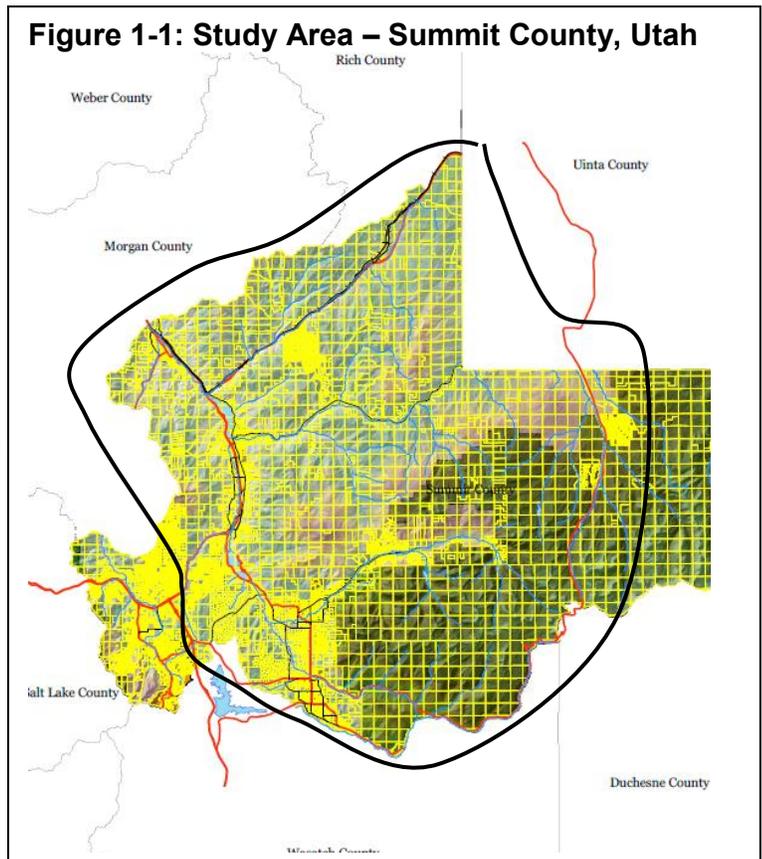
Chapter 5 contains County/Community-initiated goals, principles, and actions to enact the preferred alternative. It provides coordination of the communities, alternative modes, monitoring, and additional capacity.

Chapter 6 lists the projects required to maintain acceptable quality of life referred to as levels of service (LOS). It also reviews the alternatives evaluated. Projects are listed in three phases of the improvement plan current to 2040. A detailed list and map is provided. An element of this effort will include the emphasis on and development of various transportation forms: ATV, pedestrian, equestrian, transit, bicycle, and other non-standard transportation modes.

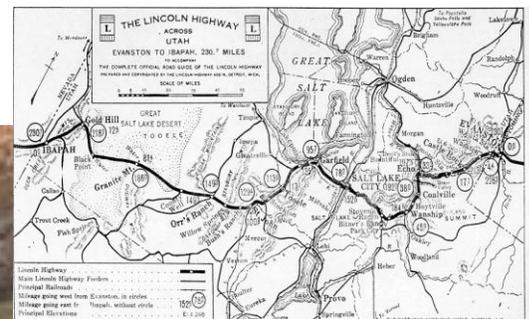
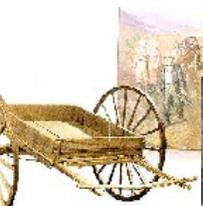
Chapter 7 addresses a recommended approach to plan implementation and working together as communities. These recommended improvements provide a basis for a future Capital Facilities Plan (CFP). A CFP provides funding recommendations and a basis for impact calculations. Final project designs, funding and implementation will be required during project development as approved by each body working together toward the goal of maintaining the quality of life.

2. Limits of Study / Travel History:

Eastern Summit County encompasses roughly 1,849 square miles in north-central Utah. The study area, as illustrated in Figure 1.1, contains the bulk of the County acreage, but excludes Park City, Snyderville Basin, Promontory, and Tollgate as traffic patterns exhibit a different recreational characteristic.



Summit County has a rich travel history from the native Americans / Pioneers to trains and the Olympics.



3. Analysis

Few issues exist based on LOS calculations. Special events are a factor, but generally these create specific period interruption. Recreational cyclists are a common concern addressed best by bringing roads to current engineering standards. As a rural agricultural, mountainous valley, environmental constraints are a significant factor.

The projected conditions are analyzed on the road network via a Quick Response System II (QRSII) travel demand model. Existing and future LOS / traffic volumes are determined. Thereby, future needs and alternatives are determined.

This Transportation Master Plan is intended to provide a complete infrastructure review at this master planning level. Individual improvements will require site specific design and review. Without improvements the LOS would fall below acceptable levels in some cases. Most needed improvements are basic road geometry that require improvement to current engineering standards. Typically, no addition traffic lanes are needed.

4. Purpose and Objectives:

The purpose of this Transportation Master Plan is to identify existing transportation issues and propose solutions in a manner that meets the travel requirements of existing and future residents in context of the Mission of the Eastern Summit County General Plan, 2010 and the plans of the five incorporated municipalities located in the Eastern Summit County. The solutions should be compatible with the characteristics identified in each area. Having a clear, complete vision will assist all concerned to work together to provide long term transportation success. Based on the existing and projected LOS, alternatives in most cases are not required. However, improvements to current engineered road standards are needed. The Kamas Valley long range alternatives are the exception. In summary, extensive new corridors are not required to provide needed community circulation. Working with UDOT is needed as decisions of the community greatly impact their essential services. The E-TMP project list (attached) and the goals, polices, and action of the plan are the critical elements of the text.

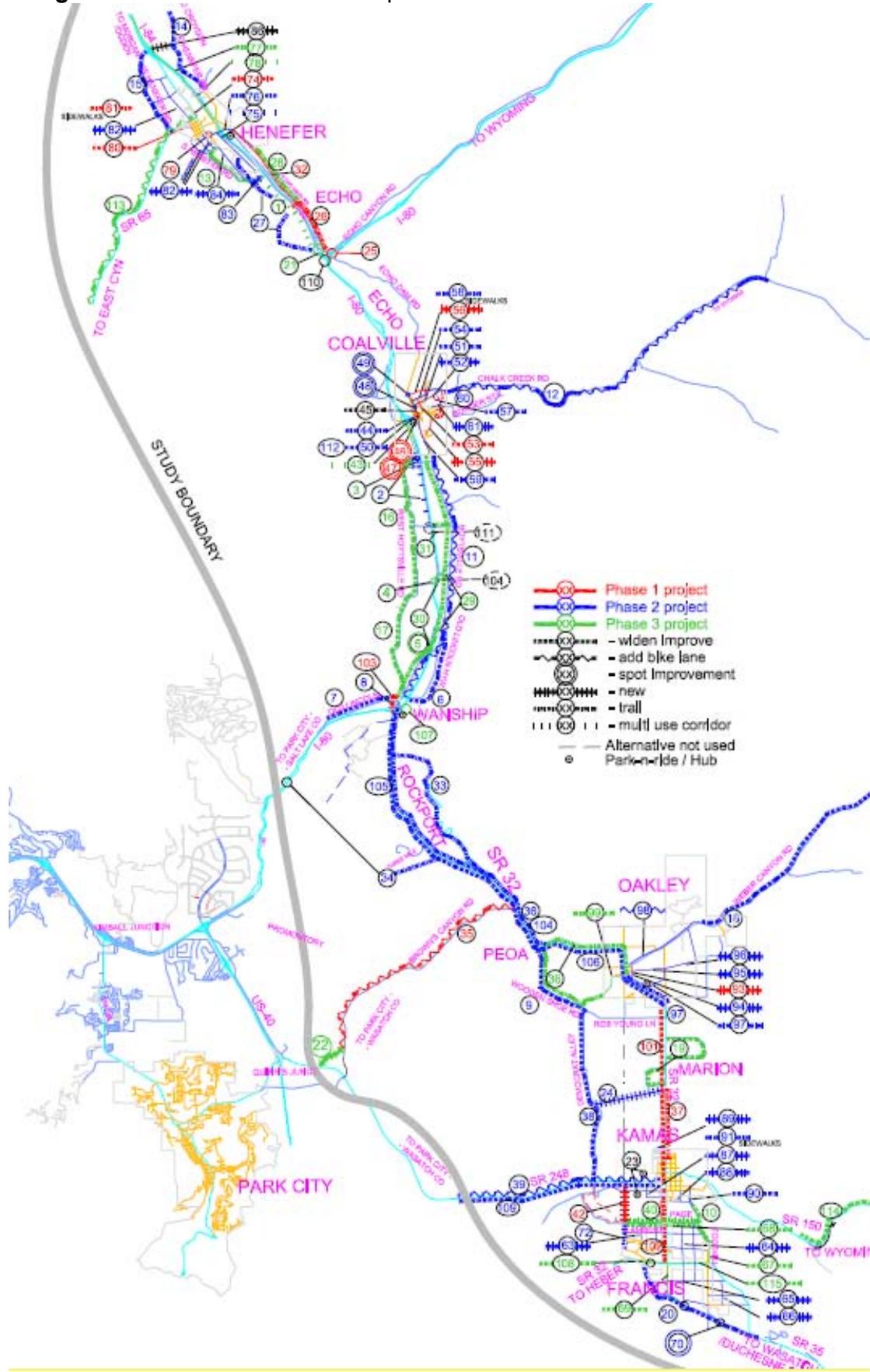
5. Conclusion

- Eastern Summit County transportation system is generally a free flowing network of rural streets operating at acceptable levels of service.
- Future road network performance is expected to be successful. Growth should be reasonable as provided in each communities existing entitlements (2025) and planned zoning (2040).
- Improvements, as listed in Table 1.2, are expected to maintain the goals, policies, and actions of the Eastern County General Plan.
- Annual reporting is expected.
- Continued support data for modeling is needed from each community to update Travel Analysis Zones as provided in the Summit County Travel Demand Model.
- Implementation is anticipated by each community by resolution and by ordinance following notice and public hearings. Each Community could adopt individual transportation plans. However a unified plan will be the most effective for achieving the community goals.

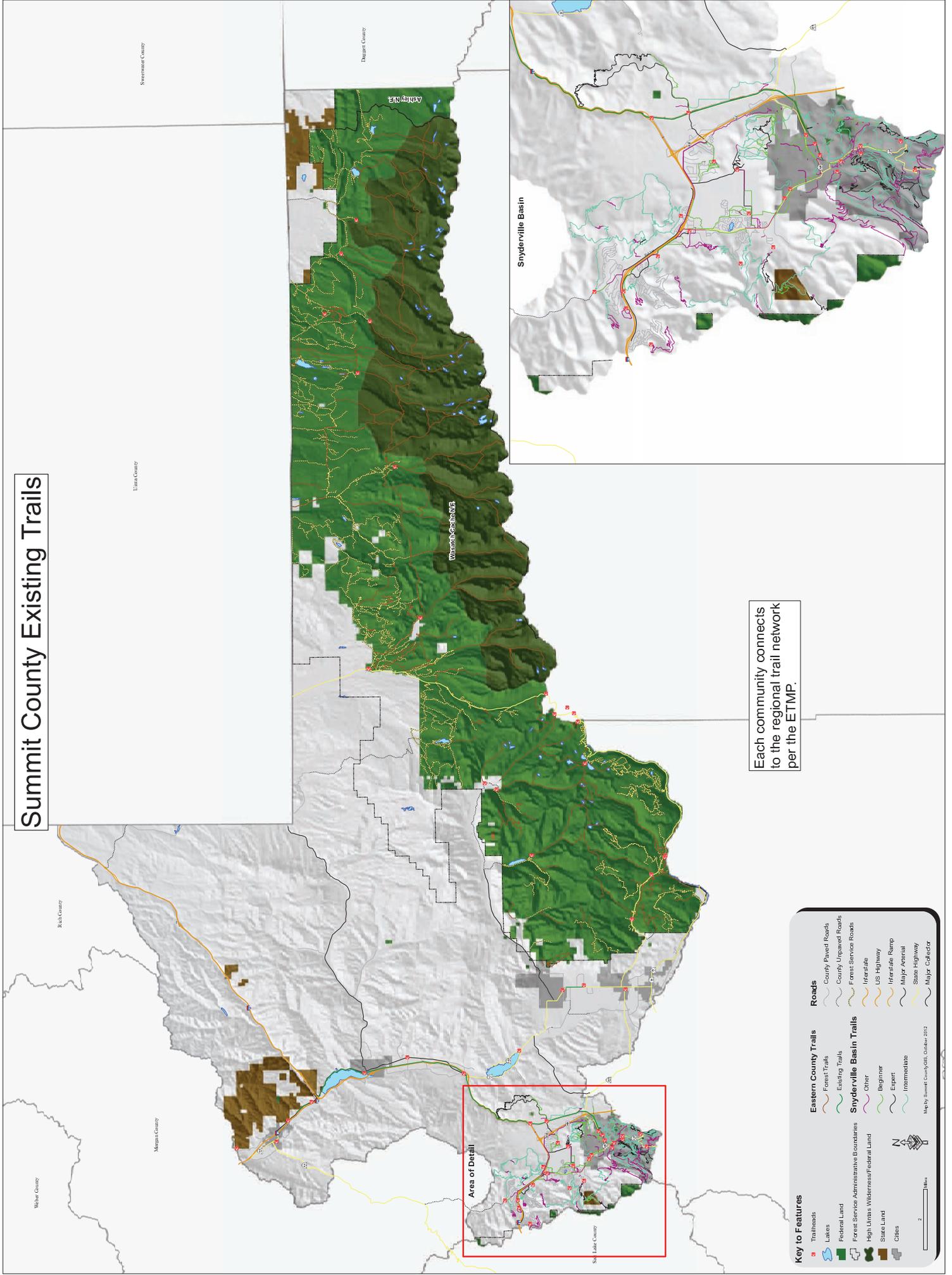
**Eastern Summit County
General Plan:
MISSION STATEMENT**

To enhance the quality of life in Eastern Summit County through responsible growth that fosters stewardship of the land and natural resources while balancing private property rights and respecting our rural and agricultural foundation.

Figure 6.6: All Recommended Improvements



Summit County Existing Trails



Each community connects to the regional trail network per the ETMP.

Key to Features

- Trailheads
- Lakes
- Federal Land
- Forest Service Administrative Boundaries
- High Uintas Wilderness/Federal Land
- State Land
- Cities

Eastern County Trails

- Forest Trails
- Existing Trails

Snyderville Basin Trails

- Other
- Beginner
- Expert
- Intermediate

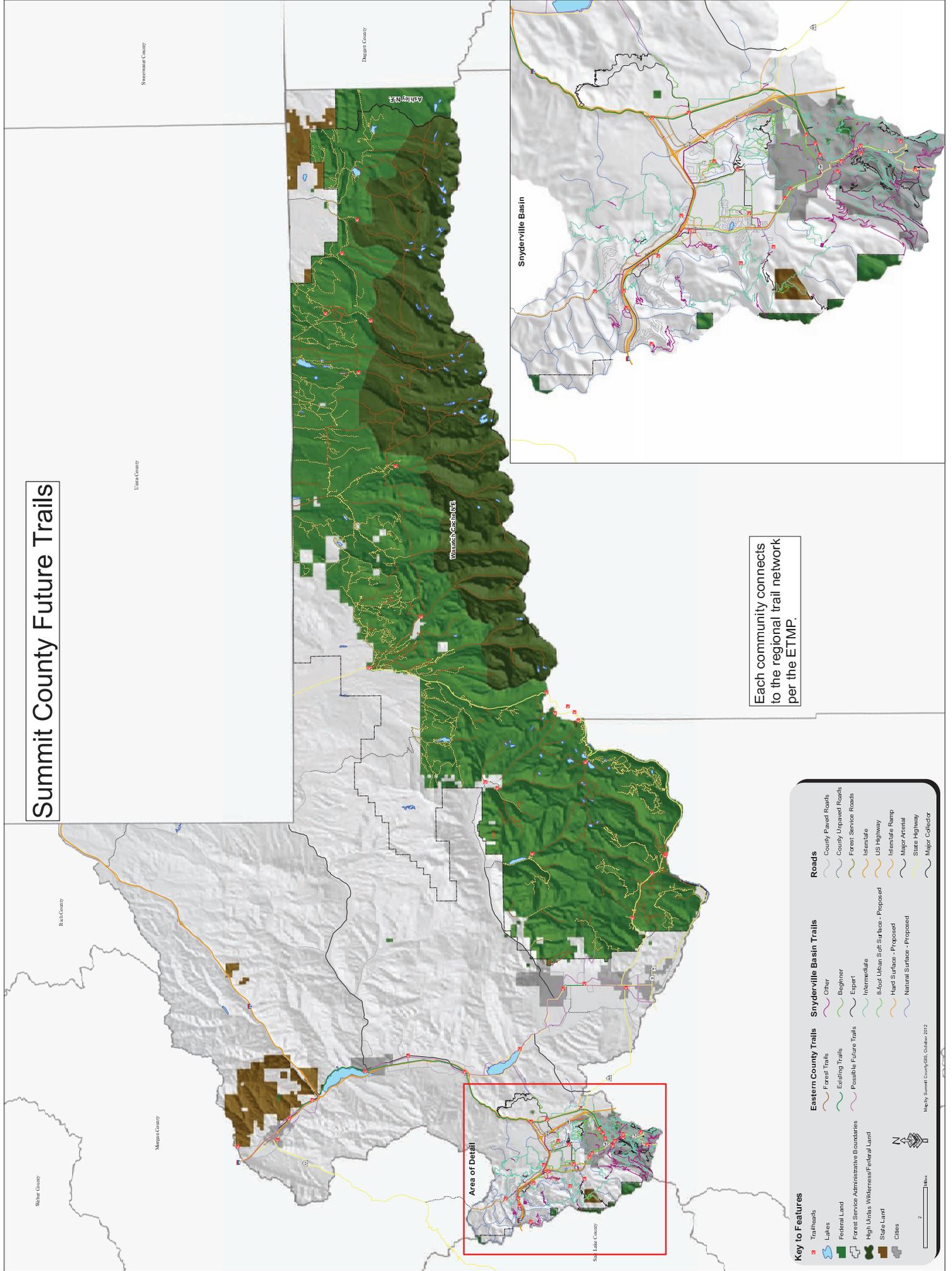
Roads

- County Paved Roads
- County Unpaved Roads
- Forest Service Roads
- Interstate
- US Highway
- Interstate Ramp
- Major Arterial
- State Highway
- Major Collector

Map by Summit County GIS, October 2012



Summit County Future Trails

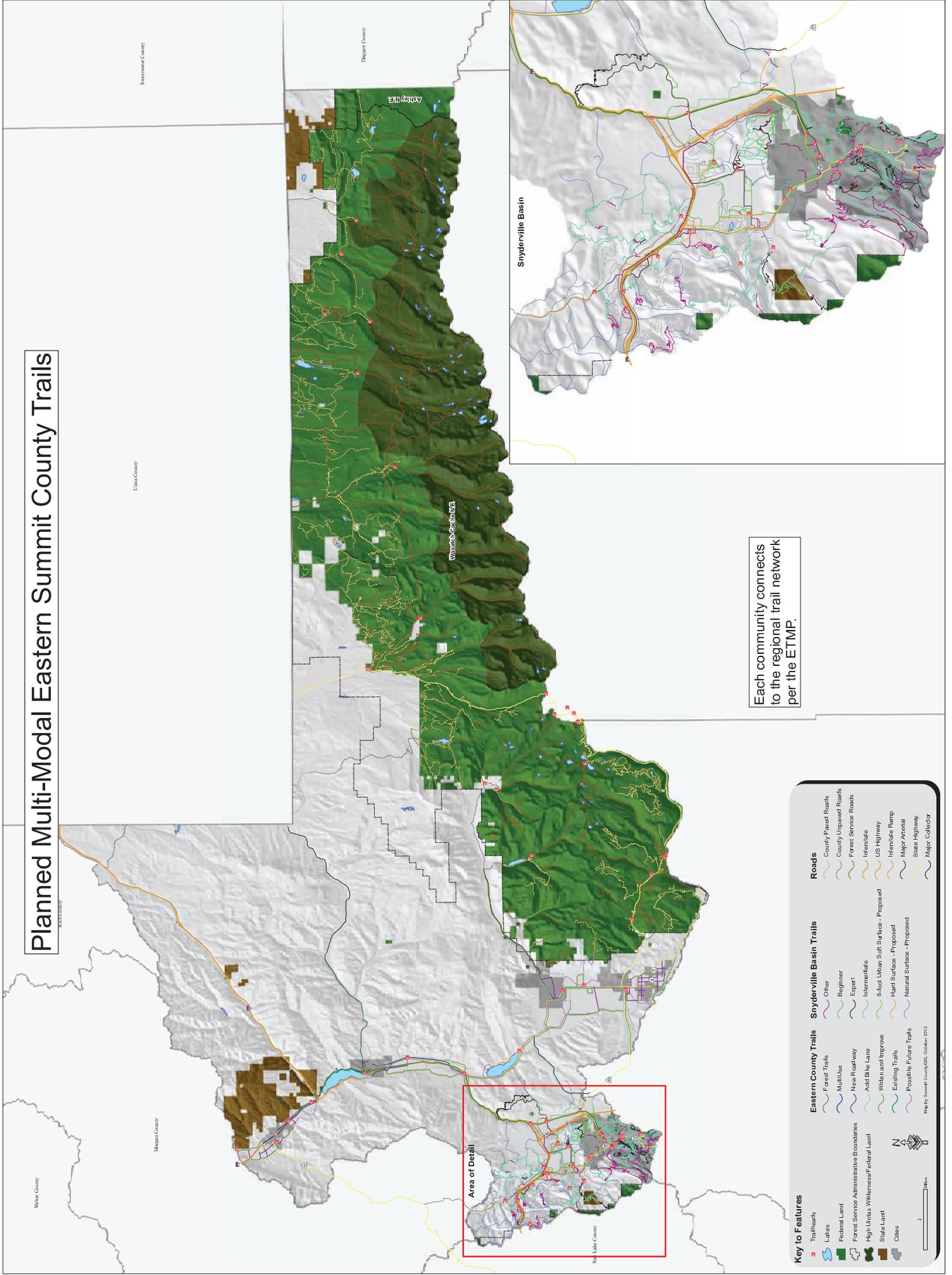


Each community connects to the regional trail network per the ETMP.

Key to Features	
	Trailheads
	Lakes
	Federal Land
	Forest Service Administrative Boundaries
	High Uintas Wilderness/Federal Land
	State Land
	Cities
Eastern County Trails	
	Forest Trails
	Existing Trails
	Possible Future Trails
Snyderville Basin Trails	
	Other
	Beginner
	Expert
	Intermediate
	8-foot Urban Soft Surface - Proposed
	Hard Surface - Proposed
	Natural Surface - Proposed
Roads	
	County Paved Roads
	County Unpaved Roads
	Forest Service Roads
	Interstate
	US Highway
	Interstate Ramp
	Major Arterial
	State Highway
	Major Collector

Map by Summit County GIS, October 2012

Planned Multi-Modal Eastern Summit County Trails



Each community connects to the regional trail network per the ETMP.

Key to Features

- Trailheads
- Lakes
- Federal Land
- Forest Service Administrative Boundaries
- High Uintas Wilderness/Federal Land
- State Land
- Cities

Eastern County Trails

- Forest Trails
- MultiUse
- New Roadway
- Add Bike Lane
- Widen and Improve
- Existing Trails
- Possible Future Trails

Snyderville Basin Trails

- Other
- Beginner
- Expert
- Intermediate
- 8-foot Urban Soft Surface - Proposed
- Hard Surface - Proposed
- Natural Surface - Proposed

Roads

- County Paved Roads
- County Unpaved Roads
- Forest Service Roads
- Interstate
- US Highway
- Interstate Ramp
- Major Arterial
- State Highway
- Major Collector

Map by Summit County GIS, October 2012

Summit County Waste Management Mission Statement: Summit County's mission is to serve its residents by working together and practicing environmentally and economically sound waste management practices that will keep Summit County a place everyone wants to call home.

Goals of Summit County recycling program

1. Increase diversion from the landfill through recycling.
2. Expand convenient curbside recycling to all residents.
3. Minimize our carbon footprint by picking up recycling on a bi-weekly basis.
4. Increase the size of the recycling container and decrease the size of the garbage container to incentivize greater recycling.
5. Evaluate waste and recycling volumes for better accounting and analysis.

Frequently Asked Questions

Why did the County change its waste management program?

The County has expanded its recycling service to all County residents. Before, only 5,500 residents had recycling service, and now all 14,500 residents have recycling service. The County is working towards the greater, greener good in order to encourage recycling and extend the life of the landfill. If we do not recycle, we might need to build another landfill which would result in increased costs of hauling and transportation. Plus, recycling is the right thing to do to conserve natural resources.

Why did the County move from a 90 gallon trash can to a 65 gallon can?

Moving to a smaller trash can encourages waste reduction, promotes recycling, and helps control costs. Less trash means less waste goes into the landfill. Bigger recycling cans give people more opportunity to recycle.

Why is recycling picked up every other week?

By recycling every other week, less fuel is being used and less carbon is emitted into the air from the trucks. Every other week is also currently more cost-effective for the County. Recycling could become weekly if volumes of recycling go up in the future and warrants a change.

Why isn't glass an item I can put in my recycling bin?

For safety reasons, glass needs to be collected separately from all other recycling so that it doesn't break in the recycling bin or in the recycling sorter. Glass can be taken to Recycle Utah (435) 649-9698 or visit www.recycleutah.org.

If you have any further questions on the recycling and waste management program, please contact Republic Services at 435.615.8311 or visit www.alliedwasteutah.com/SummitCounty.

Agriculture Award

Calvin Wilde is currently the owner of the Barn

Alf Stembridge was the original builder and owner of this 1924-26 milk and horse barn. This delightful old barn is in its entire original condition. The horse stalls and milk stanchions are still occupying the wooden structure being the atmosphere of what farming use to be.

The unique hay loft floor is made out of tongue and grove planks. Displaying that the building was meant to stay and survive the environment of what it was used for. The floor is cement.

Another barn which is smaller was also a milk barn and was built in the 1800's. Calvin was using this milk barn several years ago. He took the cream to the Brooklawn Creamery which is another historic building in Oakley. A chicken coop still remains on the two acres.

Mr. and Mrs. Emery Wilde became the owners in 1940. Mrs. Wilde was the City Clerk for Oakley for 45.5 years and Emery Wilde was one of the first contractors to haul milk for the Hi-Land Dairy Association.

The barn reflects the rich history of Summit County Agriculture. It is very good representative of the architecture and way of life from an earlier period. The two barns and the chicken coop are very important because of the farming events that occurred within their walls.

Commercial Award

40 South Main of Coalville

This delightful building was built in 1902. It is described as Victorian Eclectic and is made of regular brick.

Quote from C.B. Copley of Coalville:

"IT WAS ORIGINALLY ONE OF THE GOLDEN RULE CHAIN WHICH BECAME J.C. PENNY'S STORE, THE NUMBER ONE STORE IN THE NATION IS IN KEMMER, WYOMING AND THE MAN WHO RUNS THE GOLDEN RULE (THIS BUILDING) GOT HIS TRAINING AT THE J.C. PENNY'S STORE IN KEMMER. IT WAS KNOWN AS THE GOLDEN RULE AND IT STAYED THERE FOR A FEW DAYS OR ACTUALLY A FEW WEEKS OR MONTHS."

Elijah Swainson became its owner in 1879. Eventually it was bought by George Morby of Coalville who sold it to Tal and Eleanor Morby who had a wonderful toy store in it.

It housed several business throughout the years such as The Summit County Bee Office, and The Utah State Liquor store. Many owners have occupied this building and it has served them well.

Currently the second floor has become two rented apartments and Vic's fast food restaurant is on the lower floor of the building. Behind the building is a studio apartment.

Cody and Laura Bonham are now the owners of this building. We congratulate them on restoring this fine historic building which has been truly a labor of love. Summit County Heritage and Landmark Commission are proud to award Mr. and Mrs. Cody Bonham the Commercial award for their historical building.

Residential Award

Nanci Allison and Tim Mertens are the recipients of the residential Award

The Henefer Railroad Depot

What a history this residential home could tell. Can you imagine being a railroad depot in the beginning of time? 1914 is the estimated year of building for this structure. It is very characteristic of railroad depots built during this time period.

Initially owned by The Union Pacific Railroad.

It is pictured in Henefer alongside the railroad tracks. There are several railroad homes sitting adjacent.

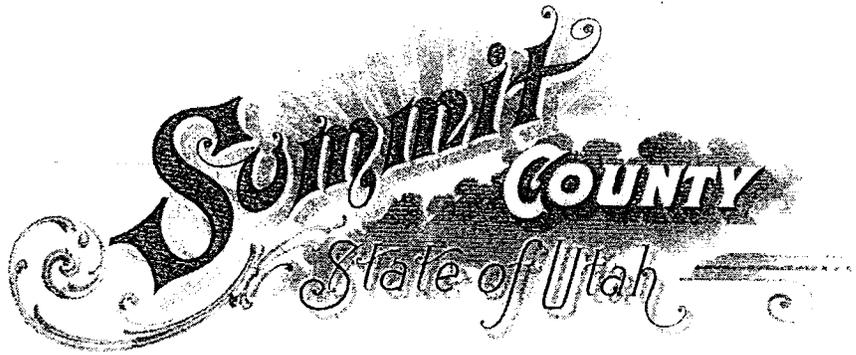
Mr. and Mrs. Hales purchased it from the railroad and had it moved to 40 East Temple Lane in the quaint little town of Echo, where they were from.

Steve and LuAnn F. Kearl were owners. Steve was the Fish and Game Warden. They did extensive remodeling on the building.

Nanci Allison and Tim Mertens are currently the proud owners of this charming historic home. While exploring the attic Nanci found a railroad sign which she is going to display in the yard. The Summit County Heritage and Landmark Commission would like to publicly say "Thank you for their considerable efforts in maintaining this historic building."

Auditor

Blake Frazier



October 10, 2012

County Council;

Please consider approving the BOE Stipulations on October 24th. They will be prepared for your review by Travis Lewis prior to that date.

Thank You,

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

Kathryn Rockhill

2012 BOE Adjustments

Serial #	New Market Value	Old Market Value	MV Difference	New Taxable Value	Old Taxable Value
AER-2-94	\$ 400,000.00	\$ 500,000.00	\$ (100,000.00)	\$ 400,000.00	\$ 500,000.00
AER-2-90	\$ 400,000.00	\$ 500,000.00	\$ (100,000.00)	\$ 400,000.00	\$ 500,000.00
AER-2-91	\$ 400,000.00	\$ 500,000.00	\$ (100,000.00)	\$ 400,000.00	\$ 500,000.00
AER-2-93	\$ 400,000.00	\$ 500,000.00	\$ (100,000.00)	\$ 400,000.00	\$ 500,000.00
AER-55	\$ 400,000.00	\$ 465,000.00	\$ (65,000.00)	\$ 400,000.00	\$ 465,000.00
AF-28	\$ 2,785,000.00	\$ 3,151,112.00	\$ (366,112.00)	\$ 2,785,000.00	\$ 3,151,112.00
AF-29	\$ 595,000.00	\$ 850,000.00	\$ (255,000.00)	\$ 595,000.00	\$ 850,000.00
AF-32	\$ 595,000.00	\$ 850,000.00	\$ (255,000.00)	\$ 595,000.00	\$ 850,000.00
AF-42	\$ 2,415,000.00	\$ 3,084,000.00	\$ (669,000.00)	\$ 2,415,000.00	\$ 3,084,000.00
AF-56	\$ 2,340,000.00	\$ 3,031,000.00	\$ (691,000.00)	\$ 1,287,000.00	\$ 3,031,000.00
AF-76	\$ 1,868,375.00	\$ 2,372,400.00	\$ (504,025.00)	\$ 1,868,375.00	\$ 2,372,400.00
AF-82	\$ 2,060,000.00	\$ 2,715,067.00	\$ (655,067.00)	\$ 2,060,000.00	\$ 2,715,067.00
BHVS-28	\$ 429,300.00	\$ 500,000.00	\$ (70,700.00)	\$ 236,115.00	\$ 500,000.00
BHVS-T15	\$ 370,000.00	\$ 370,000.00	\$ -	\$ 203,500.00	\$ 370,000.00
BMDV-2	\$ 2,400,000.00	\$ 2,400,000.00	\$ -	\$ 1,320,000.00	\$ 2,400,000.00
CHC-417	\$ 90,010.00	\$ 110,010.00	\$ (20,000.00)	\$ 90,010.00	\$ 110,010.00
CLJR-1-15	\$ 405,000.00	\$ 475,000.00	\$ (70,000.00)	\$ 405,000.00	\$ 475,000.00
CSLC-A-318-AM	\$ 1,008,000.00	\$ 2,000,000.00	\$ (992,000.00)	\$ 1,008,000.00	\$ 2,000,000.00
CWPC-3A-112	\$ 942,150.00	\$ 1,140,150.00	\$ (198,000.00)	\$ 942,150.00	\$ 1,140,150.00
CWPC-3A-81	\$ 2,063,339.00	\$ 3,093,733.00	\$ (1,030,394.00)	\$ 2,063,339.00	\$ 3,093,733.00
DC-103	\$ 1,560,624.00	\$ 2,274,048.00	\$ (713,424.00)	\$ 858,451.00	\$ 2,274,048.00
EP-I-1	\$ 400,000.00	\$ 600,000.00	\$ (200,000.00)	\$ 400,000.00	\$ 600,000.00
EP-I-14	\$ 425,000.00	\$ 1,000,000.00	\$ (575,000.00)	\$ 425,000.00	\$ 1,000,000.00
FHE-27	\$ 1,260,000.00	\$ 1,842,848.00	\$ (582,848.00)	\$ 1,260,000.00	\$ 1,842,848.00
FPRV-6-A	\$ 200,000.00	\$ 200,000.00	\$ -	\$ 110,000.00	\$ 200,000.00
FWO-1A	\$ 390,000.00	\$ 610,000.00	\$ (220,000.00)	\$ 390,000.00	\$ 610,000.00
FWO-2A	\$ 340,000.00	\$ 490,000.00	\$ (150,000.00)	\$ 340,000.00	\$ 490,000.00
GCS-A-8	\$ 272,674.00	\$ 272,674.00	\$ -	\$ 149,970.00	\$ 272,674.00
GCS-B-8	\$ 120,000.00	\$ 120,000.00	\$ -	\$ 120,000.00	\$ 120,000.00
GLDG-PH4	\$ 2,875,000.00	\$ 3,000,000.00	\$ (125,000.00)	\$ 2,875,000.00	\$ 3,000,000.00
GWE-3-AM	\$ 1,261,085.00	\$ 1,261,085.00	\$ -	\$ 693,596.00	\$ 1,261,085.00
GWLD-II-115-AM	\$ 344,000.00	\$ 430,000.00	\$ (86,000.00)	\$ 344,000.00	\$ 430,000.00
GWLD-II-117-AM	\$ 344,000.00	\$ 400,000.00	\$ (56,000.00)	\$ 344,000.00	\$ 400,000.00
HEARTH-12	\$ 300,000.00	\$ 795,740.00	\$ (495,740.00)	\$ 300,000.00	\$ 795,740.00
HM-1-20	\$ 535,000.00	\$ 750,000.00	\$ (215,000.00)	\$ 535,000.00	\$ 750,000.00

HM-1-29	\$	309,000.00	\$	450,000.00	\$	(141,000.00)	\$	309,000.00	\$	450,000.00
HM-1-34	\$	1,300,000.00	\$	1,488,500.00	\$	(188,500.00)	\$	1,300,000.00	\$	1,488,500.00
HODV-3-65	\$	380,000.00	\$	605,000.00	\$	(225,000.00)	\$	380,000.00	\$	605,000.00
HPCR-417-SP	\$	324,000.00	\$	390,000.00	\$	(66,000.00)	\$	324,000.00	\$	390,000.00
JR-16	\$	440,000.00	\$	561,354.00	\$	(121,354.00)	\$	242,000.00	\$	561,354.00
JR-3-339	\$	559,368.00	\$	559,368.00	\$	-	\$	307,652.00	\$	559,368.00
JR-4-4132	\$	657,592.00	\$	816,629.00	\$	(159,037.00)	\$	361,675.00	\$	816,629.00
JR-5-5113	\$	700,000.00	\$	705,855.00	\$	(5,855.00)	\$	385,000.00	\$	705,855.00
KT-41	\$	618,600.00	\$	700,000.00	\$	(81,400.00)	\$	618,600.00	\$	700,000.00
LDVC-1-B-111	\$	550,000.00	\$	550,000.00	\$	-	\$	550,000.00	\$	550,000.00
LDVC-2-E-223	\$	550,000.00	\$	580,000.00	\$	(30,000.00)	\$	550,000.00	\$	580,000.00
MC-10	\$	175,000.00	\$	275,000.00	\$	(100,000.00)	\$	96,250.00	\$	275,000.00
MC-6	\$	135,000.00	\$	275,000.00	\$	(140,000.00)	\$	74,250.00	\$	275,000.00
MC-8	\$	190,000.00	\$	275,000.00	\$	(85,000.00)	\$	190,000.00	\$	275,000.00
MRE-74	\$	265,000.00	\$	305,555.00	\$	(40,555.00)	\$	265,000.00	\$	305,555.00
OAKS-55	\$	500,000.00	\$	810,000.00	\$	(310,000.00)	\$	500,000.00	\$	810,000.00
PB-4-176	\$	322,500.00	\$	481,372.00	\$	(158,872.00)	\$	177,375.00	\$	481,372.00
PB-4-181	\$	525,000.00	\$	666,414.00	\$	(141,414.00)	\$	288,750.00	\$	666,414.00
PB-6-A-294	\$	540,597.00	\$	664,050.00	\$	(123,453.00)	\$	297,328.00	\$	664,050.00
PB-PR-19	\$	897,120.00	\$	1,103,922.00	\$	(206,802.00)	\$	493,416.00	\$	1,103,922.00
PB-PR-21	\$	50,300.00	\$	118,400.00	\$	(68,100.00)	\$	50,300.00	\$	118,400.00
PC-52-53-A	\$	345,068.00	\$	345,068.00	\$	-	\$	198,787.00	\$	345,068.00
PCTC-3	\$	8,240,530.00	\$	8,240,530.00	\$	-	\$	5,180,530.00	\$	8,240,530.00
PD-14-B	\$	450,000.00	\$	542,640.00	\$	(92,640.00)	\$	274,360.00	\$	542,640.00
PI-G-87	\$	400,000.00	\$	75,000.00	\$	325,000.00	\$	40,000.00	\$	75,000.00
PKM-13	\$	451,368.00	\$	451,368.00	\$	-	\$	248,252.00	\$	451,368.00
PP-87-21	\$	437,587.00	\$	621,387.00	\$	(183,800.00)	\$	437,587.00	\$	621,387.00
PRESRV-1-8	\$	370,000.00	\$	496,850.00	\$	(126,850.00)	\$	370,000.00	\$	496,850.00
PRESRV-3-77	\$	400,000.00	\$	591,500.00	\$	(191,500.00)	\$	400,000.00	\$	591,500.00
PRUN-B-31	\$	675,000.00	\$	675,000.00	\$	-	\$	675,000.00	\$	675,000.00
PSA-36	\$	700,000.00	\$	849,968.00	\$	(149,968.00)	\$	700,000.00	\$	849,968.00
RCC-1B-B-200	\$	446,800.00	\$	570,000.00	\$	(123,200.00)	\$	446,800.00	\$	570,000.00
RPL-II-96	\$	680,306.00	\$	721,000.00	\$	(40,694.00)	\$	374,168.00	\$	721,000.00
RRH-25	\$	325,000.00	\$	446,500.00	\$	(121,500.00)	\$	325,000.00	\$	446,500.00
RRH-36	\$	325,000.00	\$	418,700.00	\$	(93,700.00)	\$	325,000.00	\$	418,700.00
RT-3	\$	230,000.00	\$	230,000.00	\$	-	\$	126,500.00	\$	230,000.00
RV-T-2-A	\$	325,000.00	\$	450,000.00	\$	(125,000.00)	\$	325,000.00	\$	450,000.00
SL-A-53	\$	750,000.00	\$	870,194.00	\$	(120,194.00)	\$	469,117.00	\$	870,194.00
SL-A-93	\$	688,000.00	\$	811,326.00	\$	(123,326.00)	\$	432,540.00	\$	811,326.00
SL-A-9	\$	600,000.00	\$	862,955.00	\$	(262,955.00)	\$	385,039.00	\$	862,955.00

SL-F-334	\$	125,000.00	\$	155,745.00	\$	(30,745.00)	\$	125,000.00	\$	155,745.00
SLK-513	\$	510,000.00	\$	630,000.00	\$	(120,000.00)	\$	510,000.00	\$	630,000.00
SOL-61	\$	345,000.00	\$	600,000.00	\$	(255,000.00)	\$	345,000.00	\$	600,000.00
SS-78-11	\$	79,280.00	\$	157,272.00	\$	(77,992.00)	\$	79,280.00	\$	157,272.00
SS-78-2	\$	90,820.00	\$	184,968.00	\$	(94,148.00)	\$	90,820.00	\$	184,968.00
SU-A-105	\$	170,000.00	\$	293,344.00	\$	(123,344.00)	\$	93,500.00	\$	293,344.00
SU-A-18	\$	238,025.00	\$	238,025.00	\$	-	\$	238,025.00	\$	238,025.00
SU-A-49	\$	14,000.00	\$	31,850.00	\$	(17,850.00)	\$	14,000.00	\$	31,850.00
SU-I-95	\$	353,000.00	\$	353,000.00	\$	-	\$	194,150.00	\$	353,000.00
SU-M-52	\$	442,865.00	\$	442,865.00	\$	-	\$	243,575.00	\$	442,865.00
TM-A-11	\$	230,000.00	\$	300,000.00	\$	(70,000.00)	\$	230,000.00	\$	300,000.00
TM-A-2	\$	230,000.00	\$	300,000.00	\$	(70,000.00)	\$	230,000.00	\$	300,000.00
TM-A-24	\$	230,000.00	\$	300,000.00	\$	(70,000.00)	\$	230,000.00	\$	300,000.00
TM-C-52	\$	295,000.00	\$	320,000.00	\$	(25,000.00)	\$	295,000.00	\$	320,000.00
TMP-4-B	\$	440,000.00	\$	660,000.00	\$	(220,000.00)	\$	242,000.00	\$	660,000.00
WILD-1	\$	401,378.00	\$	404,581.00	\$	(3,203.00)	\$	242,344.00	\$	404,581.00
WPL-OP-1-AM	\$	559,180.00	\$	710,707.00	\$	(151,527.00)	\$	559,180.00	\$	710,707.00
2036-C	\$	293,700.00	\$	360,000.00	\$	(66,300.00)	\$	293,700.00	\$	360,000.00
AF-81	\$	1,450,000.00	\$	2,051,308.00	\$	(601,308.00)	\$	1,450,000.00	\$	2,051,308.00
ALLC-208	\$	1,232,400.00	\$	1,550,000.00	\$	(317,600.00)	\$	1,232,400.00	\$	1,550,000.00
ALLC-216-1AM	\$	1,210,000.00	\$	1,550,000.00	\$	(340,000.00)	\$	1,210,000.00	\$	1,550,000.00
ALLC-316-1AM	\$	1,475,000.00	\$	1,550,000.00	\$	(75,000.00)	\$	1,475,000.00	\$	1,550,000.00
BHVS-15	\$	414,200.00	\$	470,000.00	\$	(55,800.00)	\$	227,810.00	\$	470,000.00
BHVS-49	\$	465,000.00	\$	500,000.00	\$	(35,000.00)	\$	255,750.00	\$	500,000.00
BMDV-6	\$	2,100,000.00	\$	2,400,000.00	\$	(300,000.00)	\$	2,100,000.00	\$	2,400,000.00
CD-2123	\$	183,000.00	\$	200,000.00	\$	(17,000.00)	\$	100,650.00	\$	200,000.00
CSLC-B-B270-AM	\$	955,000.00	\$	1,100,000.00	\$	(145,000.00)	\$	955,000.00	\$	1,100,000.00
CSLC-A-302-AM	\$	1,008,000.00	\$	1,400,000.00	\$	(392,000.00)	\$	1,008,000.00	\$	1,400,000.00
CSLC-A-210-AM	\$	1,008,000.00	\$	1,500,000.00	\$	(492,000.00)	\$	1,008,000.00	\$	1,500,000.00
CSLC-B-B394-AM	\$	955,000.00	\$	1,100,000.00	\$	(145,000.00)	\$	955,000.00	\$	1,100,000.00
CSLC-A-409-AM	\$	1,100,000.00	\$	1,500,000.00	\$	(400,000.00)	\$	1,100,000.00	\$	1,500,000.00
CSLC-A-438-AM	\$	955,000.00	\$	1,100,000.00	\$	(145,000.00)	\$	955,000.00	\$	1,100,000.00
EKH-D-6	\$	1,266,303.00	\$	1,386,048.00	\$	(119,745.00)	\$	702,126.00	\$	1,386,048.00
EP-I-10	\$	675,000.00	\$	675,000.00	\$	-	\$	675,000.00	\$	675,000.00
EP-II-28	\$	650,000.00	\$	650,000.00	\$	-	\$	650,000.00	\$	650,000.00
ESCLAL-141-AM	\$	896,500.00	\$	910,000.00	\$	(13,500.00)	\$	896,500.00	\$	910,000.00
FGR-I-33	\$	330,000.00	\$	450,000.00	\$	(120,000.00)	\$	330,000.00	\$	450,000.00
FHE-II-52	\$	1,571,376.00	\$	1,571,376.00	\$	-	\$	933,240.00	\$	1,571,376.00
FT-1-A	\$	15,965.00	\$	63,465.00	\$	(47,500.00)	\$	15,965.00	\$	63,465.00
FT-67	\$	197,100.00	\$	326,000.00	\$	(128,900.00)	\$	197,100.00	\$	326,000.00

GDP-201	\$	169,975.00	\$	243,000.00	\$	(73,025.00)	\$	169,975.00	\$	243,000.00
GDP-202	\$	189,640.00	\$	271,000.00	\$	(81,360.00)	\$	189,640.00	\$	271,000.00
GDP-302	\$	189,640.00	\$	271,000.00	\$	(81,360.00)	\$	189,640.00	\$	271,000.00
GWLD-61	\$	294,500.00	\$	319,500.00	\$	(25,000.00)	\$	294,500.00	\$	319,500.00
GWLD-100	\$	255,000.00	\$	337,000.00	\$	(82,000.00)	\$	355,000.00	\$	337,000.00
GWLD-101	\$	376,000.00	\$	391,000.00	\$	(15,000.00)	\$	376,000.00	\$	391,000.00
GWLD-42	\$	370,000.00	\$	496,000.00	\$	(126,000.00)	\$	370,000.00	\$	496,000.00
GWLD-65	\$	307,800.00	\$	380,000.00	\$	(72,200.00)	\$	307,800.00	\$	380,000.00
GWLD-II-121-AM	\$	255,000.00	\$	357,000.00	\$	(102,000.00)	\$	255,000.00	\$	357,000.00
GWLD-II-150-AM	\$	347,000.00	\$	394,000.00	\$	(47,000.00)	\$	347,000.00	\$	394,000.00
GWLD-II-151-AM	\$	338,000.00	\$	376,000.00	\$	(38,000.00)	\$	338,000.00	\$	376,000.00
GWLD-III-189	\$	207,000.00	\$	312,500.00	\$	(105,500.00)	\$	207,000.00	\$	312,500.00
HMP-59	\$	570,819.00	\$	658,983.00	\$	(88,164.00)	\$	313,950.00	\$	658,983.00
KT-15	\$	249,181.00	\$	317,121.00	\$	(67,940.00)	\$	249,181.00	\$	317,121.00
KT-280	\$	179,070.00	\$	258,624.00	\$	(79,554.00)	\$	179,070.00	\$	258,624.00
LA-2	\$	67,340.00	\$	37,340.00	\$	30,000.00	\$	67,340.00	\$	37,340.00
LA-3	\$	78,810.00	\$	78,810.00	\$	-	\$	78,810.00	\$	78,810.00
LBHV-1-1101	\$	148,550.00	\$	193,310.00	\$	(44,760.00)	\$	148,550.00	\$	193,310.00
LDVC-2-E-220	\$	580,000.00	\$	580,000.00	\$	-	\$	580,000.00	\$	580,000.00
LKSD-9-D	\$	630,000.00	\$	675,000.00	\$	(45,000.00)	\$	630,000.00	\$	675,000.00
MOOSE-12-AM	\$	1,780,000.00	\$	1,970,152.00	\$	(190,152.00)	\$	992,725.00	\$	1,970,152.00
MOOSE-23-AM	\$	1,529,600.00	\$	2,010,437.00	\$	(480,837.00)	\$	883,136.00	\$	2,010,437.00
NPC-C-1	\$	830,000.00	\$	1,290,000.00	\$	(460,000.00)	\$	830,000.00	\$	1,290,000.00
NPC-C-2	\$	720,000.00	\$	1,240,000.00	\$	(520,000.00)	\$	720,000.00	\$	1,240,000.00
NPC-C-5	\$	1,220,000.00	\$	2,140,000.00	\$	(920,000.00)	\$	1,220,000.00	\$	2,140,000.00
NR-10	\$	988,000.00	\$	988,000.00	\$	-	\$	988,000.00	\$	988,000.00
NR-6	\$	1,140,000.00	\$	1,226,197.00	\$	(86,197.00)	\$	1,140,000.00	\$	1,226,197.00
NS-506-A	\$	350,000.00	\$	459,244.00	\$	(109,244.00)	\$	350,000.00	\$	459,244.00
NS-883-A	\$	42,366.00	\$	122,458.00	\$	(80,092.00)	\$	1,795.00	\$	122,458.00
PCTC-2	\$	1,414,175.00	\$	1,414,175.00	\$	-	\$	1,414,175.00	\$	1,414,175.00
PRESRV-2-41	\$	370,000.00	\$	523,850.00	\$	(153,850.00)	\$	370,000.00	\$	523,850.00
PRUN-B-21	\$	700,000.00	\$	880,000.00	\$	(180,000.00)	\$	700,000.00	\$	880,000.00
PSA-14-B	\$	600,000.00	\$	1,129,984.00	\$	(529,984.00)	\$	600,000.00	\$	1,129,984.00
PSKY-10	\$	226,360.00	\$	226,360.00	\$	-	\$	226,360.00	\$	226,360.00
RCC-1B-B-106	\$	146,600.00	\$	190,000.00	\$	(43,400.00)	\$	146,600.00	\$	190,000.00
RCC-1B-B-305	\$	598,000.00	\$	718,300.00	\$	(120,300.00)	\$	598,000.00	\$	718,300.00
RCLD-22	\$	7,900,000.00	\$	9,581,292.00	\$	(1,681,292.00)	\$	7,900,000.00	\$	9,581,292.00
RP-4-L-3	\$	120,000.00	\$	120,000.00	\$	-	\$	120,000.00	\$	120,000.00
RRH-14	\$	1,864,292.00	\$	2,072,347.00	\$	(208,055.00)	\$	1,099,852.00	\$	2,072,347.00
SG-B-51	\$	80,000.00	\$	115,000.00	\$	(35,000.00)	\$	80,000.00	\$	115,000.00

SG-B-52	\$	80,000.00	\$	115,000.00	\$	(35,000.00)	\$	80,000.00	\$	115,000.00
SG-B-63	\$	214,000.00	\$	219,828.00	\$	(5,828.00)	\$	214,000.00	\$	219,828.00
SG-D-19	\$	1,300,000.00	\$	1,638,843.00	\$	(338,843.00)	\$	1,300,000.00	\$	1,638,843.00
SG-D-20	\$	50,000.00	\$	90,000.00	\$	(40,000.00)	\$	50,000.00	\$	90,000.00
SL-A-49	\$	631,205.00	\$	682,286.00	\$	(51,081.00)	\$	390,046.00	\$	682,286.00
SL-C-154	\$	657,000.00	\$	793,193.00	\$	(136,193.00)	\$	424,616.00	\$	793,193.00
SL-C-156	\$	678,109.00	\$	783,005.00	\$	(104,896.00)	\$	469,491.00	\$	783,005.00
SL-D-203	\$	310,000.00	\$	407,677.00	\$	(97,677.00)	\$	187,091.00	\$	407,677.00
SL-F-340-AM	\$	685,572.00	\$	456,967.00	\$	228,605.00	\$	384,962.00	\$	456,967.00
SL-F-348	\$	304,110.00	\$	350,000.00	\$	(45,890.00)	\$	179,228.00	\$	350,000.00
SL-H-472	\$	376,984.00	\$	376,984.00	\$	-	\$	225,293.00	\$	376,984.00
SL-I-7-13	\$	75,000.00	\$	237,840.00	\$	(162,840.00)	\$	75,000.00	\$	237,840.00
SL-I-7-4	\$	75,000.00	\$	222,156.00	\$	(147,156.00)	\$	75,000.00	\$	222,156.00
SL-I-7-5	\$	75,000.00	\$	222,156.00	\$	(147,156.00)	\$	75,000.00	\$	222,156.00
SLTM-44	\$	213,400.00	\$	280,000.00	\$	(66,600.00)	\$	117,370.00	\$	280,000.00
SLTM-54	\$	250,000.00	\$	280,000.00	\$	(30,000.00)	\$	137,500.00	\$	280,000.00
SS-61-B-9	\$	100,000.00	\$	149,500.00	\$	(49,500.00)	\$	100,000.00	\$	149,500.00
SS-61-B-9-A	\$	100,000.00	\$	159,500.00	\$	(59,500.00)	\$	100,000.00	\$	159,500.00
SU-D-10	\$	256,681.00	\$	301,876.00	\$	(45,195.00)	\$	141,174.00	\$	301,876.00
TM-C-55	\$	295,000.00	\$	320,000.00	\$	(25,000.00)	\$	295,000.00	\$	320,000.00
VPJR-C-17	\$	316,250.00	\$	380,000.00	\$	(63,750.00)	\$	316,250.00	\$	380,000.00
WHLS-72	\$	1,279,964.00	\$	1,420,221.00	\$	(140,257.00)	\$	1,279,964.00	\$	1,420,221.00
Totals for 10-24-2012	\$	121,728,378.00	\$	149,002,842.00	\$	(27,274,464.00)	\$	103,844,981.00	\$	149,002,842.00
Totals for 10/10/2012	\$	86,042,006.00	\$	102,778,872.00	\$	(16,736,866.00)	\$	71,107,144.00	\$	102,778,872.00
Totals for 10-3-2012	\$	38,591,363.00	\$	47,578,853.00	\$	(8,987,490.00)	\$	28,377,158.00	\$	47,578,853.00
Totals for 9-26-2012	\$	59,278,729.00	\$	69,288,965.00	\$	(10,010,236.00)	\$	42,301,770.00	\$	69,288,965.00
Totals for 9/19/2012	\$	61,834,634.00	\$	58,697,816.00	\$	3,136,818.00	\$	52,024,580.00	\$	58,697,816.00
Totals For 9/12/2012	\$	85,543,866.00	\$	91,568,057.00	\$	(6,024,171.00)	\$	66,650,057.00	\$	91,568,057.00
Totals For 8/29/2012	\$	46,659,094.00	\$	48,620,199.00	\$	(1,961,105.00)	\$	37,170,923.00	\$	48,620,199.00
RunningTotal	\$	499,678,070.00	\$	567,535,604.00	\$	(67,857,514.00)	\$	401,476,613.00	\$	567,535,604.00

Annette,

So far this year(2012)the Market value decrease is (\$ 67,857,514) As of 10/24/2012

The total number of Appeals for 2012 is 1,841 we have sent 823 of those for your approval as of October 10, 2012. This is 45% of the Appeals.

Memo

Date: October 24, 2012
To: County Council
From: Kevin Callahan, Public Works Director
Subject: Appeal of Fire Recovery Cost for July 4 Echo Canyon Fire

Background

Wildland fire is identified as among the most significant natural hazards facing Summit County in the adopted Mountainlands Hazard Mitigation Plan. That assessment was especially true this year with over 120 wildland fires to date within the County. Recognizing this danger, Summit County was proactive in adopting Ordinance 773 in June prohibiting fireworks and open fires for the fire season (until October 31st). The County also updated its cost recovery procedure in Chapter 4 of the County code governing Emergency Services. The new procedure notes that where liability can be established the County Manager shall notify the responsible parties to recover the costs of suppressing the wildland fire.

On July 26th, the County Manager notified Mr. Robert Lund of his responsibility to repay the County \$3,000 incurred in fighting a fire. That letter and Mr. Lund's response as well as the reports from the County Sheriff and County Fire Warden are attached. The reports by two Sheriff Officers indicate that Mr. Lund's son had been responsible for starting the fire in violation of county ordinance prohibiting the use of fireworks. The County Fire Warden's report indicates that the fire consumed about 2.5 acres and cost an estimated \$3,800 to suppress.

In his letter of response, Mr. Lund asserts he is not responsible for repayment of the costs associated with fire suppression for the following reasons:

- Although his son admitted to lighting fireworks, other individuals in the area at the time could have also started the fire;
- He was unaware that his son possessed a firework or that he had the disposition or means to use it;
- He disputes the assertion that the fire took four hours to extinguish and cost \$3,000 because not everyone who was dispatched to the scene participated in the fire suppression effort; and
- Finally under common law he asserts that a parent cannot be held accountable for the negligence of their children.

The reports by Deputy Forman and Sergeant Hemingway note that in an interview between Tyler Lund and Sergeant Hemingway, Tyler Lund (Robert Lund's son) admitted to lighting fireworks and starting the fire. In that same report it is noted that Sergeant Hemingway noted that he recovered firework remnants where the Lund vehicle had been parked. In staff's view, this evidence eliminates Mr. Lund's first objection that his son started the fire.

Legal Analysis of Claim

Helen Strachan of the County Attorney's Office provided the following response to Mr. Lund's claim of non-responsibility:

Pursuant to Summit County Code Section 5-4-10, the County is empowered to recover expenses incurred by virtue of the County's response to an aggravated fire emergency. An aggravated fire emergency is defined as a fire proximately caused by the owner or occupier of property that presents a direct and immediate threat to public safety and requires immediate action to mitigate the fire and the fire is, among other things, a direct result of a deliberate act in violation of county ordinances or regulations. In June of this year, Summit County adopted Ordinance 773 which prohibited fireworks and open fires for the entire fire season. Hence, intentionally discharging the fireworks and the subsequent fire caused by Mr. Lund's minor son was a violation of county ordinance. Also, under Utah law, Section 78A-6-1113, a parent is liable for damages sustained to property not to exceed \$2,000 when the minor intentionally damages and defaces, destroys or takes the property of another.

Mr. Lund claims that he is not liable for the negligent actions of his son. However, Mr. Lund's own actions, of fleeing the fire and letting it spread, make *him* liable for the total suppression costs. Under Utah law, UCA 65A-3-4, a person who negligently, recklessly or intentionally causes or spreads a wildland fire shall be liable for the cost of suppressing that wildland fire. Likewise, UCA 76-6-104.5 assesses criminal liability to individuals who leave a fire without first completely extinguishing it and with the intent not to return to the fire and states that a person is liable for the suppression costs. The attached report states that a witness saw the occupants of Mr. Lund's vehicle discharge fireworks. Trooper Daems also observed smoke and flames in the grass and watched Mr. Lund reverse rapidly and attempt to flee the area. The evidence demonstrates that Mr. Lund's own actions, of fleeing the fire and letting it spread, is sufficient to make him liable for the suppression costs of the fire.

Fire Warden's Report

The attached report for the County Fire Warden tabulates that the direct cost of suppressing this fire was \$3,796. This dollar figure was an estimate prepared at the conclusion of the fire. The actual billings from agencies that responded (North Summit Fire District, Summit County Public Works, Uinta County Fire and the State of Utah) totaled \$3,036.88. Since this fire was outside of the jurisdiction of any structural fire district, these agencies are entitled to the full reimbursement of their expenses.

Staff Recommendation

Since the vast majority of the wildland fires in Summit County this last year have been human caused and many of these as a result of negligence, staff feels that it is imperative that we proceed with cost recovery of those fires which have occurred as a result of a violation of County ordinances and the responsible party can be determined.

Staff would therefore recommend that the Council uphold the County Manager's determination of responsibility and direct that Mr. Lund be assessed for the recoverable costs from the Echo Creek Fire.

Attachments

July 4 State Fire Report

July 9 Statement from Sergeant Hemingway

July 16 Sheriff's Incident Log

July 26 County Manager Letter

August 15 Letter from Robert Lund

September 25 letter from Helen Strachan

Summit County Ordinance 773

Summit County Code Chapter 4 Emergency Services

Utah Forestry, Fire and State Lands Fire Report

State ID: 59827-2012
 Fire Name: CASTLE ROCK 1
 County Fire #: SU-69-12
 Prepared By: DUSITN CLEGG
 Federal #1: PNGOSX
 Federal #2: UTNWS000426
 Incident Project #:
 # of Injuries: 0
 # of Fatalities: 0

Fire Reported Date: 07/04/2012
 Fire Reported Time: 1400
 Fire Out Date: 07/04/2012
 Fire Out Time: 1800
 Initial Attack: State
 Under Investigation:
 Overhead Team:
 Date of Takeover:

Township: 5.0 N
 Range: 6.0 E S (Base Meridian)
 Section of Origin: 31
 Other Sections:

County: SUMMIT

UTM Zone 12 GPS Coordinates:

Easting: 483960
 Northing: 4551894

General Cause: MISCELLANEOUS
 Person: VISITOR
 Fire Type: WILDLAND

Specific Cause: FIREWORKS
 Activity: RECREATION
 Fire Class: B

Acres Burned By Ownership

State & Private Acres		Federal Acres	
Pvt Burn	0	BIA	0
Other Burn ¹	0	BLM	0
State Sitla	0	DOD	0
State Udwr	0	NPS	0
State P&R	0	USFS	0
State Udot	2.5	Other Fed ²	0
State Sov	0	Total Fed	0
Total S&P	2.5	Grand Total	2.5

S&P Acres Burned By Fuel Model

- | | |
|----------------------------|---|
| 1 - Short Grass | 8 - Shallow Short Needle/Litter |
| 2 - Grass/Open Shrub Lands | 9 - Shallow Long Needle/Hardwood Litter |
| 3 - Tall Grass (rare) | 10 - Deep Litter |
| 4 - Tall Brush | 11 - Light Low Slash |
| 5 - Short Young Brush | 12 - Heavy Deep Slash |
| 6 - Short Older Brush | |

Fuel Model	Acres
6	2.50

Utah Forestry, Fire and State Lands Fire Report

State ID: 59827-2012 Fire Name: CASTLE ROCK 1

Cost Share Agreement:

Costs Recoverable: Yes

Air Cost	Supply Cost	³ Other Cost
\$0	\$0	\$0

Agency	Remarks	Person Rate	Person Hours	Equip Rate	Equip Hours
State	401+1	\$39.00	4	\$80.00	3.5
Fire Dept	m1	\$0.00	0	\$113.00	2.5
Fire Dept	m2	\$0.00	0	\$113.00	2.5
Fire Dept	eng8	\$0.00	0	\$210.00	2.5
Fire Dept	wt1	\$0.00	0	\$109.00	2.5
Fire Dept	b21	\$0.00	0	\$113.00	3
Fire Dept	b22	\$0.00	0	\$113.00	3
Fire Dept	r22	\$0.00	0	\$113.00	3
Fire Dept	w21	\$0.00	0	\$109.00	3
Fire Dept	w22	\$0.00	0	\$109.00	3
Fire Dept	wt401	\$0.00	0	\$109.00	3

State	County	Fire Dept	Other	BLM	USFS	Other Fed	Total Fire Cost
\$436	\$0	\$3,360	\$0	\$0	\$0	\$0	\$3,796

Resources Damaged

Type	Cost
FORAGE	\$2
TOTAL	\$2

Resources Saved

Type	Cost
FORAGE	\$4,000
TOTAL	\$4,000

DISPATCHED TO A BRUSH FIRE. UPON ARRIVAL PROVIDED INITIAL ATTACK. AFTER SUPPRESSION OF THE FIRE INVESTIGATION WAS STARTED. THERE WAS FIREWORKS FOUND BY UHP. AND UHP STATED THEY HAD A CAR ON VIDEO THAT DROVE AWAY ONCE THE FIRE WAS STARTED. THE FIRE IS STILL UNDER INVESTIGATION. ALL COSTS ARE AN ESTIMATE 41 07 05.4 111 11 27.9 CASE#3437



COOPERATORS USE INVOICE

Administrative Office:
 Utah Division of Forestry, Fire & State Lands
 1594 W North Temple, Ste 3520
 Salt Lake City, UT 84114-5703
 801-538-5555 (phone) · 801-533-4111 (fax)
 www.ffsl.utah.gov

1. Cooperator Name & Address State of Utah Warden 1775 South Hoytsville Road Coalville Utah, 84017				2. Area Office NEA			3. Area Phone # (435)671-5088		
				4. Incident Name / Land Ownership Castle Rock 1- Private and State UDOT					
				5. Incident Number / Resource Order Number PNG0SX					
6. EIN/SSN				7. Agreement Number					
8. Date of Hire 7/4/12		9. Date Released 7/4/12		10. Supplies furnished by: <input type="checkbox"/> Cooperator <input type="checkbox"/> Government			11. Operator furnished by: <input type="checkbox"/> Cooperator <input type="checkbox"/> Government		
12. Date MM-DD-YY	13. Description		14. FF/EQ	15. Day/ Hr/Mi	16. Units	17. Rate	18. Total Earned	19. Guarantee or one-time rate	20. Amount (greater of 18 or 19)
7/4/12	E-6401		EQ	Hr	3	79.00	\$237.00		\$237.00
7/4/12	3-A-401		FF	Hr	4	29.47	\$117.88		\$117.88
							\$0.00		
							\$0.00		
							\$0.00		
							\$0.00		
							\$0.00		
							\$0.00		
							\$0.00		
							\$0.00		
21. Revenue / Expenditure Codes Forestry, Fire and State Lands Use Only							22. Total Amount This Page		\$354.88
Org	Approp	Activity	Account	Project	Amount		23. Amount Forwarded (Total Due from Previous Page)		
							24. Running Total Amount (Carry over to continuing page)		
							25. Deductions (see attached) (Make entry on final page only)		
							26. Additions (see attached) (Make entry on final page only)		
27. Remarks							28. Net Amount Due (Make entry on final page only)		
							29. Audit Initials		
							Note: In consideration of receipt of payment in the amount shown on "Net Amount Due" line 28. Cooperator hereby releases the Government from any and all claims arising under this Agreement except as reserved in "Remarks" block 27.		
30. Cooperator Representative Name (Type or Print)					31. FFSL Representative Name (Print)				
32. Cooperator Representative Signature			33. Date		34. FFSL Representative Signature			35. Date	



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 Salt Lake City, UT 84114-5703
 801-538-5555 (phone) · 801-533-4111 (fax)
 www.ffsl.utah.gov

1. Cooperator Name & Address North Summit Fire District P.O. Box 187 Coalville Utah, 84017				2. Area Office NEA			3. Area Phone # (435) 671-9088		
				4. Incident Name / Land Ownership Castle Rock 1 Private and State UDOT					
				5. Incident Number / Resource Order Number PNG0SX					
870560589				7. Agreement Number					
8. Date of Hire 7/4/2012		9. Date Released 7/4/2012		10. Supplies furnished by: <input type="checkbox"/> Cooperator <input type="checkbox"/> Government			11. Operator furnished by: <input type="checkbox"/> Cooperator <input type="checkbox"/> Government		
12. Date MM-DD-YY	13. Description	14. FF/EQ	15. Day/ Hr/Mi	16. Units	17. Rate	18. Total Earned	19. Guarantee or one-time rate	20. Amount (greater of 18 or 19)	
7/4/12	WT-22	EQ	Hr	3	105.00	\$315.00		\$315.00	
7/4/14	R-22	EQ	Hr	3	113.00	\$339.00		\$339.00	
7/4/12	B-22	EQ	Hr	3	113.00	\$339.00		\$339.00	
7/4/12	WT-21	EQ	Hr	3	105.00	\$315.00		\$315.00	
7/4/12	B-21	EQ	Hr	3	113.00	\$339.00		\$339.00	
						\$0.00			
						\$0.00			
						\$0.00			
						\$0.00			
						\$0.00			
21. Revenue / Expenditure Codes Forestry, Fire and State Lands Use Only						22. Total Amount This Page		\$1,647.00	
Org	Approp	Activity	Account	Project	Amount	23. Amount Forwarded <i>(Total Due from Previous Page)</i>			
						24. Running Total Amount <i>(Carry over to continuing page)</i>			
						25. Deductions <i>(see attached)</i> <i>(Make entry on final page only)</i>			
						26. Additions <i>(see attached)</i> <i>(Make entry on final page only)</i>			
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32. Cooperator Representative Signature			33. Date		34. FFSL Representative Signature			35. Date	



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 Salt Lake City, UT 84114-5703
 801-538-5555 (phone) · 801-533-4111 (fax)
 www.ffsl.utah.gov

1. Cooperator Name & Address Summit County Public Works 1755 South Hoytsville Road Coalville Utah,84017				2. Area Office NEA			3. Area Phone # (435) 671-5088		
				4. Incident Name / Land Ownership Castle Rock 1					
				5. Incident Number / Resource Order Number PNG0SX- Private and State UDOT					
6. EIN/SSN				6. Agreement Number					
8. Date of Hire 7/4/12		9. Date Released 7/4/12		10. Supplies furnished by: <input type="checkbox"/> Cooperator <input type="checkbox"/> Government			11. Operator furnished by: <input type="checkbox"/> Cooperator <input type="checkbox"/> Government		
12. Date MM-DD-YY	13. Description		14. FF/EQ	15. Day/ Hr/Mi	16. Units	17. Rate	18. Total Earned	19. Guarantee or one-time rate	20. Amount (greater of 18 or 19)
7/4/12	WT-401		EQ	Hr	3	73.00	\$219.00		\$219.00
							\$0.00		
							\$0.00		
							\$0.00		
							\$0.00		
							\$0.00		
							\$0.00		
							\$0.00		
							\$0.00		
							\$0.00		
21. Revenue / Expenditure Codes Forestry, Fire and State Lands Use Only							22. Total Amount This Page		\$219.00
Org	Approp	Activity	Account	Project	Amount		23. Amount Forwarded (Total Due from Previous Page)		
							24. Running Total Amount (Carry over to continuing page)		
							25. Deductions (see attached) (Make entry on final page only)		
							26. Additions (see attached) (Make entry on final page only)		
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32. Cooperator Representative Signature			33. Date		34. FFSL Representative Signature			35. Date	



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 Salt Lake City, UT 84114-5703
 801-538-5555 (phone) · 801-533-4111 (fax)
 www.ffsl.utah.gov

1. Cooperator Name & Address Untia County Fire and Ambulance 236 9th Street Evanston WY. 82930				2. Area Office			3. Area Phone #		
				4. Incident Name / Land Ownership Castle Rock 1- Private and UDOT					
				5. Incident Number / Resource Order Number PNG0SX					
6. EIN/SSN				7. Agreement Number					
8. Date of Hire 7/4/12		9. Date Released 7/4/12		10. Supplies furnished by: <input type="checkbox"/> Cooperator <input type="checkbox"/> Government			11. Operator furnished by: <input type="checkbox"/> Cooperator <input type="checkbox"/> Government		
12. Date MM-DD-YY	13. Description	14. FF/EQ	15. Day/ Hr/Mi	16. Units	17. Rate	18. Total Earned	19. Guarantee or one-time rate	20. Amount (greater of 18 or 19)	
7/4/12	Mini 1	EQ	Hr	2	113.00	\$226.00		\$226.00	
7/4/12	Mini 2	EQ	Hr	2	113.00	\$226.00		\$226.00	
7/4/12	Engine 8	EQ	Hr	2	73.00	\$146.00		\$146.00	
7/4/12	WT-1	EQ	Hr	2	109.00	\$218.00		\$218.00	
						\$0.00			
						\$0.00			
						\$0.00			
						\$0.00			
						\$0.00			
						\$0.00			
21. Revenue / Expenditure Codes Forestry, Fire and State Lands Use Only						22. Total Amount This Page		\$816.00	
Org	Approp	Activity	Account	Project	Amount	23. Amount Forwarded <i>(Total Due from Previous Page)</i>			
						24. Running Total Amount <i>(Carry over to continuing page)</i>			
						25. Deductions <i>(see attached)</i> <i>(Make entry on final page only)</i>			
						26. Additions <i>(see attached)</i> <i>(Make entry on final page only)</i>			
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32. Cooperator Representative Signature			33. Date	34. FFSL Representative Signature			35. Date		

07/16/2012
10:38

Summit County Sheriff's Office
LAW Incident Table:

203
Page: 1

Incident Number: 12-L14751

Nature: Fireworks Case Number: Image:
Addr= 185 I80 EASTBOUND Area: 80WAS I80 WAHSATCH
City: Coalville ST: UT Zip: 84017 Contact:
Complainant& UHP401
Lst: Daems Fst: Jeffery Mid: Lynn
DOB: 06/26/1979 SSN: - - Adr: Section 7
Rac: Sx: M Tel: (435)615-3500 Cty: ST: Zip:

Offense Codes: FIRE Reported: FIRE Observed: FIRE

Circumstances:

Rspndg Officers: Daems J Richey R Forman J &
Rspnsbl Officer: Forman J Agency: SCSO CAD Call ID: C12-46107
Received By: Bischoff J Last RadLog: 10:04:48 07/06/2012 CMPLT
How Received: T Telephone Clearance: LF Long Form Report
When Reported: 14:19:12 07/04/2012 Disposition: CMP Disp Date: 07/09/2012
Occurrd between: 14:00:00 07/04/2012 Judicial Sts:
and: 14:19:00 07/04/2012 Misc Entry:

MO:

Narrative: (See below)
Supplement: (See below)

=====

INVOLVEMENTS:

Type	Record #	Date	Description	Relationship
NM	198255	07/05/2012	Lund, Robert Alan	Involved/Father
NM	198256	07/05/2012	Lund, Trevor	Involved/Witness
NM	198257	07/05/2012	LUND, Tyler	Juvenile Suspect
NM	198258	07/05/2012	Lund, Tessa	Involved/Witness
NM	198259	07/05/2012	Smith, Megan	Involved/Witness
NM	UHP401	07/04/2012	Daems, Jeffery Lynn	*Complainant
VH	25912	07/05/2012	WHI 1999 HOND ACCORD UT	Involved vehicle
CA	C12-46107	07/04/2012	14:19 07/04/2012 Brush Fire	*Initiating Call
PR	12-P02947	07/09/2012	BLK Fireworks \$0.01	Evidence
PR	12-P02948	07/09/2012	BLK Fireworks \$0.01	Evidence
DS	8938	07/16/2012		DCFS Referred

LAW Incident Offenses Detail:

Seq	Code	Offense Codes	Amount
1	FIRE	Fire	0.00

LAW Incident Responders Detail

Seq	Name	Unit
1	Daems J	401
2	Richey R	96
3	Forman J	K30

Responding Officers

Seq	Name	Unit
4	Middaugh L	376
5	Duke S	244
6	MacFarlane B	K49
7	Hemingway J R	K22

Main Radio Log Table:

Time/Date	Typ	Unit	Code	Zone	Agnc	Description
10:04:48	07/06/2012	l 401	CMPLT	UHP	UHP	incid#=12-U00710 Completed cal
10:04:17	07/06/2012	l 401	ASSGN	UHP	UHP	Assigned to a call call=541
10:04:10	07/06/2012	l		UHP	UHP	Call type 1 reopened and assig
16:24:02	07/04/2012	l K22	CMPLT	UHP	SCSO	incid#=12-L14751 Completed cal
16:24:02	07/04/2012	l K30	CMPLT	UHP	SCSO	incid#=12-L14751 Completed cal
16:20:09	07/04/2012	l 401	CMPLT	UHP	UHP	Completed call call=1731
15:56:01	07/04/2012	f 3A401	CMPLT	UCFD	USFW	incid#=12-F03438 Completed cal
15:54:42	07/04/2012	l 401	ENRT	UHP	UHP	Enroute to Castle Rock disp:CN
15:49:10	07/04/2012	l K30	ENRT	UHP	SCSO	incid#=12-L14751 Enroute to Ec
15:48:59	07/04/2012	l 401	ENRT	UHP	UHP	Enroute to Echo Port disp:CNA
15:48:48	07/04/2012	l K22	ENRT	UHP	SCSO	incid#=12-L14751 Enroute to Ec
15:48:34	07/04/2012	l K22	ARRVD	UHP	SCSO	incid#=12-L14751 Arrived on sc
15:48:20	07/04/2012	f K22	ENRT	UCFD	SCSO	incid#=12-F03439 Enroute to Ec
15:43:32	07/04/2012	f WT401	CMPLT	UCFD	USFW	incid#=12-F03438 Completed cal
15:36:40	07/04/2012	f WT21	CMPLT	UCFD	NSFD	incid#=12-F03437 Completed cal
15:33:49	07/04/2012	f UCFD	CMPLT	UCFD		incid#=12-F03440 Completed cal
15:32:00	07/04/2012	f B21	CMPLT	UCFD	NSFD	incid#=12-F03437 Completed cal
15:31:49	07/04/2012	f B22	CMPLT	UCFD	NSFD	incid#=12-F03437 Completed cal
15:31:49	07/04/2012	f R22	CMPLT	UCFD	NSFD	incid#=12-F03437 Completed cal
15:31:49	07/04/2012	f WT22	CMPLT	UCFD	NSFD	incid#=12-F03437 Completed cal
15:27:55	07/04/2012	l 376	CMPLT	UHP	UHP	Completed call call=1731
15:14:28	07/04/2012	f K22	ARRVD	UCFD	SCSO	incid#=12-F03439 Arrived on sc
15:14:16	07/04/2012	l K30	ARRVD	UHP	SCSO	incid#=12-L14751 Arrived on sc
15:03:07	07/04/2012	f WT21	ARRVD	UCFD	NSFD	incid#=12-F03437 Arrived on sc
14:59:15	07/04/2012	f WT21	ENRT	UCFD	NSFD	incid#=12-F03437 Enroute to a
14:57:19	07/04/2012	f WT21	CMPLT	UCFD	NSFD	incid#=12-F03437 Completed cal
14:52:52	07/04/2012	f WT401	ARRVD	UCFD	USFW	incid#=12-F03438 Arrived on sc
14:52:04	07/04/2012	f 3A401	ARRVD	UCFD	USFW	incid#=12-F03438 Arrived on sc
14:49:41	07/04/2012	f WT22	ARRVD	UCFD	NSFD	incid#=12-F03437 Arrived on sc
14:48:55	07/04/2012	f 3A400	CMPLT	UCFD	USFW	incid#=12-F03438 Completed cal
14:48:46	07/04/2012	f WT401	CMPLT	UCFD	USFW	incid#=12-F03438 Completed cal
14:45:18	07/04/2012	f B22	ARRVD	UCFD	NSFD	incid#=12-F03437 Arrived on sc
14:45:07	07/04/2012	f R22	ARRVD	UCFD	NSFD	incid#=12-F03437 Arrived on sc
14:42:46	07/04/2012	l 96	CMPLT	UHP	UHP	Completed call call=1731
14:42:39	07/04/2012	l 244	CMPLT	UHP	UHP	Completed call call=1731
14:41:55	07/04/2012	f B21	ARRVD	UCFD	NSFD	incid#=12-F03437 Arrived on sc
14:37:00	07/04/2012	f UCFD	ARRVD	UCFD		incid#=12-F03440 Arrived on sc
14:36:55	07/04/2012	f WT21	ENRT	UCFD	NSFD	incid#=12-F03437 Enroute to a
14:33:05	07/04/2012	l 244	ENRT	UHP	UHP	Enroute to a Call call=1731
14:29:36	07/04/2012	f WT22	ENRT	UCFD	NSFD	incid#=12-F03437 Enroute to a
14:29:15	07/04/2012	l 376	ARRVD	UHP	UHP	Arrived on scene call=1731
14:28:44	07/04/2012	l 401	DLINQ	UHP	UHP	MDC: dl=146975228 state=UT
14:28:43	07/04/2012	l 401	NMINQ	UHP	UHP	MDC: dl=146975228 state=UT
14:28:24	07/04/2012	f NSFD	CMPLT	UCFD	NSFD	incid#=12-F03437 Completed cal
14:27:54	07/04/2012	f WT401	ENRT	UCFD	USFW	incid#=12-F03438 Enroute to a

Time/Date	Typ	Unit	Code	Zone	Agnc	Description
14:26:53	07/04/2012	f	3A400	ENRT	UCFD	USFW incid#=12-F03438 Enroute to a
14:24:54	07/04/2012	f	B21	ENRT	UCFD	NSFD incid#=12-F03437 Enroute to a
14:24:54	07/04/2012	f	B22	ENRT	UCFD	NSFD incid#=12-F03437 Enroute to a
14:24:54	07/04/2012	f	R22	ENRT	UCFD	NSFD incid#=12-F03437 Enroute to a
14:23:52	07/04/2012	f	UCFD	ENRT	UCFD	incid#=12-F03437 Enroute to a
14:23:16	07/04/2012	f	K22	ENRT	UCFD	SCSO incid#=12-F03439 Enroute to a
14:23:07	07/04/2012	l	K30	ENRT	UHP	SCSO incid#=12-L14751 Enroute to a
14:23:03	07/04/2012	l	96	ENRT	UHP	UHP Enroute to a Call call=1731
14:23:03	07/04/2012	l	K30	ENRT	UHP	SCSO incid#=12-L14751 Enroute to a
14:21:06	07/04/2012	f	3A401	ENRT	UCFD	USFW incid#=12-F03438 Enroute to a
14:21:06	07/04/2012	f	NSFD	ENRT	UCFD	NSFD incid#=12-F03437 Enroute to a
14:21:05	07/04/2012	l	401	ARRVD	UHP	UHP Arrived on scene call=1731
14:20:44	07/04/2012	f	3A401	PAGED	UCFD	USFW incid#=12-F03438 Paged call=17
14:20:44	07/04/2012	f	NSFD	PAGED	UCFD	NSFD incid#=12-F03437 Paged call=17

Narrative:

Synopsis:

This is a fireworks case in which a juvenile male accidentally started a small brush fire by lighting fireworks near very dry grass and brush in the area of Castle Rock on I80 eastbound. The juvenile admitted to having started the fire with fireworks while his father was away from the vehicle. This case was screened with the County Attorney no arrests or referral were completed. The fire was quickly extinguished by Evanston and Uinta County Wyoming Fire personnel as well as North Summit Fire Department.

Narrative:

At approximately 14:10 on 07/04/2012 I responded to the area of Castle Rock on I80 eastbound located at approximately mile marker 186, for a report of a brush fire. Trooper Daems had observed a whit Honda Accord (UT 775WSB) parked on dirt frontage road on the south side of the off ramp just before the fire started. Trooper Daems reported that when he observed smoke and flames in the grass the white Honda reversed rapidly and attempted to leave the area. Trooper Daems then stopped the Honda and spoke to the driver identified as Robert Lund. (10/12/1965) Trooper Daems then called for fire personnel to respond to extinguish the fire. Fire personnel responded from Evanston and Uinta County Wyoming as well as from North Summit Fire Department. The fire was quickly extinguished by fire personnel and was contained to an area of approximately one (1) acre.

When I arrived Trooper Daems told me that he believed, based on his observations, that Robert had lit the fire and was trying to flee the area. Trooper Daems told me that Robert had denied having started the fire and stated that he did not have fireworks in his possession. Trooper Daems also told me that Robert was now refusing to speak with him and wanted to speak to a deputy. A witness, Kenneth LAIRD stated that he had seen a vehicle similar to Roberts in the area of Wahsatch Road near mile marker 191 on I80. LAIRD said the occupants of the vehicle he had seen at Whasatch had been lighting fireworks and seemed to flee the area when they saw him. I then approached Robert and asked him to explain what had happened. Robert told me that he had to stop in the area to use the restroom and had parked on the frontage road on the south side of I80 so he could walk a short distance from the vehicle and use the restroom. Robert said he later returned to his vehicle and began leaving the area when he was stopped by Trooper Daems. Robert said he had noticed the smoke from the fire, but had not used any fireworks and had not started the fire. Robert had several

children in his vehicle identified as Trevor Lund, (04/11/1995) Tyler Lund, (08/28/1998) Tessa Lund, (08/25/2001) and Megan SMITH. (10/17/2001

Sergeant Hemingway then began speaking with Robert and I approached Trevor in order to obtain a statement. Trevor refused to speak with me and told me Robert would handle the situation. Robert then asked that I not speak with the other children in the car. Trooper Daems then told Sergeant Hemingway and me that fire personnel had located several firework remnants on the frontage road near the area where Robert had parked his car and the fire had started. Fire personnel had gathered the firework remnants and Trooper Daems had placed them in plastic bags as evidence. Trooper Dames gave the firework remnants to Sergeant Hemingway to be placed in evidence. Sergeant Hemingway and I then accompanied Robert to the area where he had parked his car when he went to the restroom. Robert was unable to show us exactly where he had parked his car then stated that he believed the fire had travelled to the west after it started. However the wind was blowing from the west to the east making it highly unlikely that the fire travelled from east to west. When I explained this to Robert he stated he couldn't remember which way the fire had actually travelled.

Based on Robert's statements it became apparent that there was a possibility that one of his children had lit the fireworks accidentally causing the fire. However Robert refused to allow officers to speak with the children. Sergeant Hemingway the screened this case the County Attorney's Office and was advised to obtain a warrant for Robert's vehicle. Because the children in Robert's vehicle now needed to use the restroom it was decided that Robert would be escorted to the port of entry where a warrant would be drafted. When we arrived at the port of entry Tyler exited the vehicle and spoke with Sergeant Hemingway. Tyler then admitted that he had lit some fireworks which in turn started that grass and brush on fire. Trooper Daems responded to the area of Whasatch Road with LAIRD and obtained photographs of tire tracks matching the tread on Robert's tires. Trooper Daems also located firework remnants identical to those located at the scene of the fire. These firework remnants were also collected and given to Sergeant Hemingway to be placed in evidence. Sergeant Hemingway told me that he had spoken to County Attorney Brickey and had been advised to screen the case. For further information concerning this case see supplemental reports by Trooper Daems and Sergeant Hemingway.

Deputy Forman
Special Enforcement Unit
07/05/2012, 17:35

Investigation Narrative

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
1 Hemingway J R	18:46:34	07/09/2012

Supplement Report
12-L14751
Sergeant J. Hemingway

On 7/4/12 Summit County Dispatch advised of a brush fire at the Castle Rock off ramp near the frontage road. Trooper 401 (Daems) advised he had a vehicle stopped that was leaving the area where the fire started.

I responded to the area. When I arrived I found that Uintah County Fire and North Summit Fire were on scene dealing with the fire. The fire had been contained prior to my arrival and had burnt approximately an acre of grass.

Corporal Forman had also arrived on scene and was speaking with an older male LAIRD who had witnessed the suspect vehicle in the area. Near Corporal Forman was another white passenger vehicle that was parked. There was a male sitting outside the white passenger car and four more juveniles inside the white passenger vehicle.

Trooper Daems approached and advised that while he was sitting on the overpass, he observed the white passenger vehicle travel up the dirt frontage road and park. After a few minutes Trooper Daems observed a fire near where the white vehicle was. The white vehicle backed down the dirt frontage road past the fire and began coming across the over pass towards Trooper Daems. Trooper Daems stopped the vehicle.

The driver of the white passenger car who was sitting outside was identified by a Utah Driver License as Robert Lund. Inside the white passenger car were three of Robert's children and another family member.

After speaking with Trooper Daems I spoke with Robert Lund. Robert stated that he had recently been visiting family in Evanston, Wyoming. Robert left his relatives home in Evanston on 7/4/12 at an unknown time (Robert couldn't remember). Robert stated he did not stop anywhere between his family members home, and this location (Castle Rock exit #185 I-80 WB). Robert stated he pulled off at this exit to find a suitable place to go to the bathroom. Robert was unable to hold it any longer. Robert exited the interstate and turned left to the south. Robert then turned right, west, onto a dirt road. Robert went down the dirt road a ways and stopped the vehicle. Robert exited the car and walked until he couldn't be seen by anyone in the car he was driving. Robert then defecated on the side of the dirt road and began walking back to his vehicle. While walking back Robert noticed that the grass was on fire. Robert got into his vehicle and began backing out of the area and that is when the Trooper stopped him. Robert stated he had nothing to do with the fire.

Corporal Forman went to the front passenger in the white car who was the 16 year old son of Robert. Corporal Forman stated that the juvenile would not talk with him.

Robert desired to have us drive him to the area where he parked so he could show us where he was. Robert was placed into the rear seat of my patrol vehicle un-restrained and transported across the overpass. Robert showed us the area where he was parked and it was consistent with his story.

I told Robert that he may not have had anything to do with the fire, but what about the kids in his vehicle. I asked Robert if there were any fireworks inside his car. Robert stated "Not that I know of". I asked Robert if the kids had any fireworks. Robert stated again, "Not that I know of". I asked Robert if we could talk with his children about the incident. Robert stated that we already had. I advised Robert that his 16 year old son declined to speak with us. Robert stated he would go and talk with his kids.

After having time to speak with his kids, Robert returned and advised

that his children would not speak with him. Robert did say that his 13 year old son was shaking and obviously nervous. I asked Robert if we could search his vehicle and his children for fireworks. Robert responded that he didn't want that. Robert also stated if his kids did have fireworks he didn't want them to have a juvenile record. Robert stated his kids also needed to use the restroom. I advised we would follow Robert and his vehicle to the Port of Entry (five miles west) where they could use the restroom and I would contact the County Attorney's Office.

I called the on call County Attorney and explained the incident. I was advised to get a warrant for the vehicle to search it for fireworks. As we arrived at the Port of Entry Station, I met with Robert again. Robert stated that his 13 year old son, Tyler, had told him something that he needs to tell me. Robert asked if I would still need a warrant if Tyler spoke to me. I advised that I would not. Tyler came out of the vehicle and approached me. I asked Tyler what he wanted to tell me. Tyler stated that while Robert was out of the vehicle going to the bathroom, Tyler got out of the car and lit the fireworks that started the fire. Tyler stated that he got back into the car.

I contacted the on call County Attorney with this new information. A warrant was not sought for the search of the vehicle. Tyler was not referred to the Juvenile Court due to him being under 14 years of age. The information will be provided to the fire marshal for information and the cost recuperation of fighting the fire.

I received some spent fireworks that Trooper Daems recovered from the dirt roadway near where Robert's vehicle was parked. I booked those items into the evidence room at the Summit County Sheriff's Office.

Nothing further
Sergeant J. Hemingway K22
Mon Jul 09 19:08:07 MDT 2012
Charlie Platoon

COUNTY MANAGER



ROBERT JASPER

July 26, 2012

Mr. Robert Lund
14009 Timber Ridge Drive
Draper, Utah 84020

Dear Mr. Lund

My purpose in this correspondence is to obtain a recovery of a portion of the costs associated with the I-80 eastbound wildfire located at mile marker 186, which occurred on July 4, 2012.

The Summit County Code empowers the County to recover expenses incurred in response to an aggravated fire emergency from the individual who caused the emergency. An aggravated fire emergency is defined in part as "a fire which threatens public safety and occurs as a direct result of a deliberate act in violation of the ordinances and regulations of the county". Summit County Code §5-4-10.

Based upon the attached Summit County Sheriff's report and the associated fire report, it is evident that your minor son, Tyler Lund, set off fireworks on July 4, 2012 which resulted in a 2.5 acre wildfire. At the time, Summit County had a ban on the lighting of personal fireworks. Consequently, the fire occurred as a result of the direct violation of the attached county ordinance.

This wildfire required the response of multiple agencies, which took them approximately four hours of concerted effort to extinguish. As a result, Summit County incurred a cost of approximately \$3,000.00, which must be paid to these outside agencies from the County's fire suppression fund. As the responsible adult in the party that caused this fire in violation of a county ordinance, you are legally responsible for the repayment of these costs. If it is necessary, we may provide you with a repayment plan. Please contact the County Treasurer, Corrie Forsling at 435.336.3266 to work out the details of your repayment plan.

If you dispute your responsibility for this incident, you do have the option of appealing my determination to the Summit County Council. Your appeal must be in writing and directed to the County Manager's office and be received within 30 days of your receipt of this letter.

Sincerely,


Robert Jasper
County Manager

Enclosure: Ordinance No 773

c: Summit County Council
Corrie Forsling, Treasurer
Dave Thomas, Chief Civil Attorney

ROBERT A. LUND
14009 Timber Ridge Drive, Draper UT 84020

August 15, 2012

Mr. Robert Jasper
County Manager
Summit County
60 North Main
P.O. Box 128
Coalville, UT 84017

RE: Financial Recovery

Dear Mr. Jasper:

In response to your letter dated July 26, 2012, seeking financial recovery related to a fire which occurred in Summit County on July 4, 2012, I must very respectfully decline the request to cover costs associated with the fire suppression. My opposition relates to several factors which stem from my view of fundamental fairness.

As a matter of historical common law, absent their own negligence, parents have not traditionally been held financially liable for the negligent torts of their children. Our jurisprudence over many generations advanced the policy that individuals who bore no fault in a particular incident, including parents, should not be held accountable for the negligence of another. In the instant case, I did not cause the fire, I did not contribute in any way to the cause of the fire, I did not observe the cause of the fire, and I was not present when the fire started. Based on those facts, it seems inherently unfair that I should be held financially liable for an event over which I had no involvement and no control.

On the day in question, after spending a couple days in Wyoming for the holiday, I was traveling home on I-80 when I made a brief but emergent stop to use the restroom. While I was out of the area for a very short period of time, the fire occurred. Although my minor son admitted to lighting a firework while I was away, other individuals in the area at the time could also have started the fire. Therefore, the proximate cause of the fire remains unknown. As a non-resident of Summit County, I was unaware of the firework ban. I was also unaware that my son possessed a firework or that he had the disposition or means to use it. As I was not negligent in any way in my parental responsibilities, a recovery from me appears grossly misplaced.

Because I did not receive the attachments referenced in your letter, I have not reviewed any formal materials. However, it appears that significant errors may exist in the official reporting. As I was present during the entire time frame, I know that it did not take the responding agencies four hours to extinguish the fire. I also witnessed that many emergency personnel responded to the scene who did not participate at all in the suppression efforts. Some

responded after the fire was completely extinguished. Additionally, given the unique geographical area of the fire, the existing roads prevented it from spreading beyond a relatively small area. Based on the content of your letter, I conclude that the official reporting must necessarily also exaggerate that the size of the area affected by the fire. Those facts lead me to doubt the reliability of the cost estimate.

As a person who has worked in the law enforcement community for the past 20 years, I greatly respect the personnel who responded to the incident and I very much appreciate their competence and professionalism. While I am extremely sorry and deeply troubled that these individuals expended their time and resources to address this situation, I strongly feel that providing that service is one of the primary and fundamental responsibilities of government.

Finally, given unique circumstances occurring in my personal life, I simply do not have the funds to pay the requested restitution. Based on these various considerations, I very respectfully request that the County Manager's Office reconsider pursuing this issue against me.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. Lund", written in a cursive style.

Robert A. Lund

DAVID R. BRICKEY
COUNTY ATTORNEY

Criminal Division

JOY NATALE
Prosecuting Attorney

MATTHEW D. BATES
Prosecuting Attorney

RYAN P.C. STACK
Prosecuting Attorney

SUMMIT COUNTY
Summit County Courthouse • 60 N. Main • P.O. Box 128 • Coalville, Utah 84017
Telephone (435) 3363206 Facsimile (435) 3363287
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

Via Certified Mail

September 25, 2012

Robert Lund
14009 Timber Ridge Drive
Draper, UT 84020

Re: Fire Cost Recovery

Dear Mr. Lund:

My name is Helen Strachan and I am a Deputy County Attorney for Summit County. This letter is in response to your letter dated August 15, 2012 to the Summit County Manager, Bob Jasper. I understand that in response to his letter dated July 26, 2012, that you are asking Summit County to reconsider its attempt to recover costs related to our fire suppression efforts. Pursuant to our Summit County Code §5-4-10, I am treating your letter as an appeal of Mr. Jasper's determination. I have included a copy of the applicable code section for your reference. This appeal is to be heard by the Summit County Council and has been scheduled for **October 17, 2012**. I will notify you of an exact time on that date within the coming weeks. We have been unable to find a working telephone number for you, so please call me at (435) 336-3206 so that I may coordinate the time of that appeal. In the event the decision seeking cost recovery is upheld by the County Council and you still fail to pay or arrange to enter into a payment plan, Summit County shall initial legal action in court to recover these expenses, including reasonable attorney fees.

Sincerely,


Helen E. Strachan
Deputy Summit County Attorney

Enclosure

cc: Kevin Callahan
Robert Jasper

**DAVID R. BRICKEY
COUNTY ATTORNEY**

Criminal Division

JOY NATALE
Prosecuting Attorney

MATTHEW D. BATES
Prosecuting Attorney

RYAN P.C. STACK
Prosecuting Attorney

SUMMIT
COUNTY

Summit County Courthouse • 60 N. Main • P.O. Box 128 • Coalville, Utah 84017
Telephone (435) 3363206 Facsimile (435) 3363287
email: (first initial)(last name)@summitcounty.org

Civil Division

DAVID L. THOMAS
Chief Deputy

JAMI R. BRACKIN
Deputy County Attorney

HELENE E. STRACHAN
Deputy County Attorney

Via Certified Mail

September 27, 2012

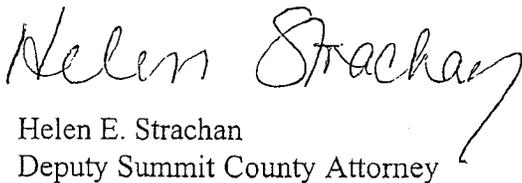
Robert Lund
14009 Timber Ridge Drive
Draper, UT 84020

Re: Fire Cost Recovery

Dear Mr. Lund:

By now you should have received my first letter regarding the hearing scheduled for October 17, 2012 regarding your fire cost recovery appeal. Please be advised that said hearing has been moved to **October 24, 2012**, at a time to be determined. As mentioned in my first letter, I do not have your contact phone number, so please call me at (435) 336-3206 so that I may coordinate the time of that appeal. As also mentioned previously, in the event the decision seeking cost recovery is upheld by the County Council and you still fail to pay or arrange to enter into a payment plan, Summit County shall initial legal action in court to recover these expenses, including reasonable attorney fees.

Sincerely,



Helen E. Strachan
Deputy Summit County Attorney

Enclosure

cc: Kevin Callahan
Robert Jasper

ORDINANCE NO. 773

**AN ORDINANCE PROHIBITING THE USE OF FIREWORKS, OPEN FIRES,
AND USE OF CERTAIN AMMUNITION WITHIN SUMMIT COUNTY DURING
THE FIRE SEASON 2012**

WITNESSETH

WHEREAS, the governing body of Summit County, Utah, in conjunction with the Park City Fire District, the South Summit Fire District and the North Summit Fire District, have a desire to reduce the threat of wild fires within the County; and

WHEREAS, based upon the forecasted drought, and the history of wild fires thus far in Utah, the fire risk for the year 2012 is expected to be high from June 25, 2012 through October 1, 2012; and

WHEREAS, Summit County and each of the fire districts desire to reduce the risk of wild fires which may cause extensive damage within the county; and

WHEREAS, the use of explosive and other fireworks, as well as open fires and certain ammunition within the county substantially increase the risk of wildfires; and

WHEREAS, the State of Utah has created the Utah Fireworks Act as found in UTAH CODE ANN. § 53-7-220 - 225 which prohibits the sale and use of fireworks except on specific days; and

WHEREAS, Summit County has determined that the increased fire risk and risk to the health, safety and welfare of its citizens and their property warrant the need to restrict the use of fireworks, open fires, and discourage use of certain ammunition completely during the high risk period;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL
OF SUMMIT COUNTY, UTAH, AS FOLLOWS:**

Section 1. Summit County hereby finds and determines that the high risk fire season for the year 2012 shall be from June 25, 2012 through October 1, 2012.

Section 2. The use of any and all class "C" fireworks, shall be prohibited during the entirety of the 2012 high risk fire season. Class "C" fireworks as defined by UTAH CODE ANN. § 53-7-202(4)-(6) include:

- a) a firecracker, cannon cracker, salute, cherry bomb, or other similar explosive;
- b) a bottle rocket, skyrocket or any device other than a model rocket that uses combustible or explosive material;
- c) a roman candle or other device that discharges balls of fire;

- d) a tube or cone aerial firework that propels comets, shells, salutes, flash shells, or similar devices; and
- e) a chaser, whistler, or similar device.

Section 3. All open fires are prohibited during the 2012 high risk fire season. An open fire is defined as a fire which is not contained in a receptacle or structure specifically designed to contain the fire and prevent its spread outside the receptacle or structure. The receptacle or structure must be designed and located such that heat from the fire is precluded from starting a fire outside the receptacle or structure.

Section 4. The firing of the following ammunition is strongly discouraged: steel jacketed bullets, incendiary bullets, and tracer bullets.

Section 5. Violations of this Ordinance shall be deemed a class B misdemeanor and shall be punishable by a fine not to exceed \$1,000.00 for persons or \$5,000 for corporations, and/or imprisonment for a term not to exceed six (6) months.

Section 6. All resolutions, ordinances, orders, and regulations or parts thereof heretofore adopted or passed which are in conflict with any of the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 7. Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health and safety of the county and the county's inhabitants this Ordinance shall become effective immediately upon its approval and passage and posting at the courthouse door.

APPROVED, ADOPTED AND PASSED this 25th day of June, 2012.

COUNTY COUNCIL
SUMMIT COUNTY, UTAH

By: David The
Chair

ATTEST:

Kent Jones
Kent Jones
County Clerk

David L. Thomas
Approved as to Form
David L. Thomas
Chief Civil Deputy



VOTING OF COUNTY COUNCIL:

Councilmember Elliott	<u>Absent</u>
Councilmember Robinson	<u>Aye</u>
Councilmember Ure	<u>Aye</u>
Councilmember Hanrahan	<u>Aye</u>
Councilmember McMullin	<u>Absent</u>

5-4-10: RECOVERY OF COSTS FOR RESPONDING TO EMERGENCIES:

Recovery for recovering costs incurred by the county for assistance rendered by the county in responding to hazardous materials emergencies, aggravated fire emergencies and aggravated emergency medical responses.

A. Definitions:

AGGRAVATED FIRE EMERGENCY: A fire proximately caused by the owner or occupier of property or a structure, which presents a direct and immediate threat to public safety and requires immediate action to mitigate the threat, and the fire:

1. Is caused or contributed to by the failure to comply with an order from any county agency, department or official, or
2. Occurs as a direct result of a deliberate act in violation of the ordinances or regulations of the county, or
3. Is caused by arson, or
4. Is an alarm that results in a county fire unit being dispatched, and the person transmitting, or causing the transmission of, the alarm knows at the time of said transmission that no fire or fire related emergency exists.

AGGRAVATED MEDICAL EMERGENCY: An alarm that results in a county fire unit or a county emergency medical unit being dispatched, and the person transmitting, or causing the transmission of, the alarm knows at the time of said transmission that there are no reasonable grounds for believing that a medical emergency exists.

EXPENSES: The actual costs of government and volunteer personnel including workers' compensation benefits, fringe benefits, administrative overhead, costs of equipment, costs of equipment operation, costs of materials, costs of disposal and the costs of any contract labor and materials.

HAZARDOUS MATERIALS EMERGENCY: A sudden or unexpected release of any substance that, because of its quantity, concentration or physical, chemical or infectious characteristics, presents a direct and immediate threat to public safety or the environment and requires immediate action to mitigate the threat.

B. Procedure For Recovery Costs: The county is hereby empowered to recover expenses incurred by virtue of the county's response to a hazardous materials emergency, aggravated fire emergency or an aggravated medical emergency from any person, corporation, partnership or other individual or entity who caused such an emergency, pursuant to the following procedure:

1. The county shall investigate the circumstances of the emergency. Where liability can be assessed, the county manager shall notify the responsible party by mail of the determination of responsibility and the expenses to be recovered.
2. The county manager may provide for a payment plan to recover the costs of the emergency from a responsible party.

3. A responsible party may appeal the determination of the county manager de novo to the county council within thirty (30) calendar days of receipt of the mailed determination.

C. Liability: The payment of expenses determined owing under this chapter does not constitute an admission of liability or negligence in any legal action for damages or a criminal fine.

D. Civil Suit To Collect Expenses: In the event the parties determined to be responsible for the repayment of expenses incurred due to the county's response to such an emergency fail to make payment to the county within thirty (30) calendar days after a final administrative determination of any appeal to the county or thirty (30) calendar days from the deadline for appeal in the event no appeal is filed, the county may initiate legal action to recover from the determined responsible parties the expenses determined to be owing, including the county's reasonable attorney fees. (Ord. 777, 7-18-2012)



MEMORANDUM:

Date: October 24, 2012

To: Council Members

From: Robert Jasper

Re: Recommendation to appoint members to the Summit County Public Arts Program
Advisory Board

Advice and consent of County Manager's recommendation to appoint Juliann Fritz, and to reappoint Jenny Dorsey and Lola Beatlebrox to the Summit County Public Arts Program Advisory Board.

Juliann Fritz, Lola Beatlebrox, and Jenny Dorsey's terms to expire July 31, 2015.



MEMORANDUM:

Date: October 24, 2012
To: Council Members
From: Annette Singleton
Re: North Summit Fire Service District

Pursuant to Ordinance 781, adopted by the County Council on September 26, 2012, appoint David Vernon to the North Summit Fire Service District Administrative Control Board, as recommended by Coalville City; and appoint Richard Butler to the North Summit Fire Service District Administrative Control Board, as recommended by the Town of Henefer.

David Vernon and Richard Butler's terms to expire December 31, 2016.

SUMMIT COUNTY, UTAH
ORDINANCE # 784

AMENDING THE EASTERN SUMMIT COUNTY ZONE MAP TO REZONE PARCELS NS-530-2, NS-528-B, NS-567-B, NS-527-A, NS-528-C, NS-527-B, NS-557, NS-541-2, AND NS-541-C-1 TO THE “LIGHT INDUSTRIAL” ZONE

WHEREAS, the current Eastern Summit County Development Code and zone map were adopted in 2004; and

WHEREAS, on September 26, 2012 the Summit County Council approved, adopted, and passed Ordinance 777 creating the Light Industrial Zone; and

WHEREAS, on September 26, 2012, the Summit County Council reviewed and determined; (1) The amendment complies with the goals of the General Plan; (2) The amendment is compatible with adjacent land uses and will not be overly burdensome on the local community; (3) The specific development plan is in compliance with all applicable standards and criteria for approval as described in Chapter 4 of the Eastern Summit County Development Code; and (4) The amendment does not adversely affect the public health, safety and general welfare; and

WHEREAS, the Summit County Council conducted a public hearing on September 26, 2012 and voted to approve the proposed amendments.

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

SECTION 1. APPROVAL OF AMENDMENT TO THE EASTERN SUMMIT COUNTY ZONE MAP TO ZONE PARCELS NS-530-2, NS-528-B, NS-567-B, NS-527-A, NS-528-C, NS-527-B, NS-557, NS-541-2, AND NS-541-C-1 TO THE “LIGHT INDUSTRIAL” ZONE (SECTION 11-3-8) as shown in Exhibit A:

The Summit County Council, acting in its legislative capacity, hereby approves the proposed amendment to the Eastern Summit County Zone Map.

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 24TH day of October, 2012.

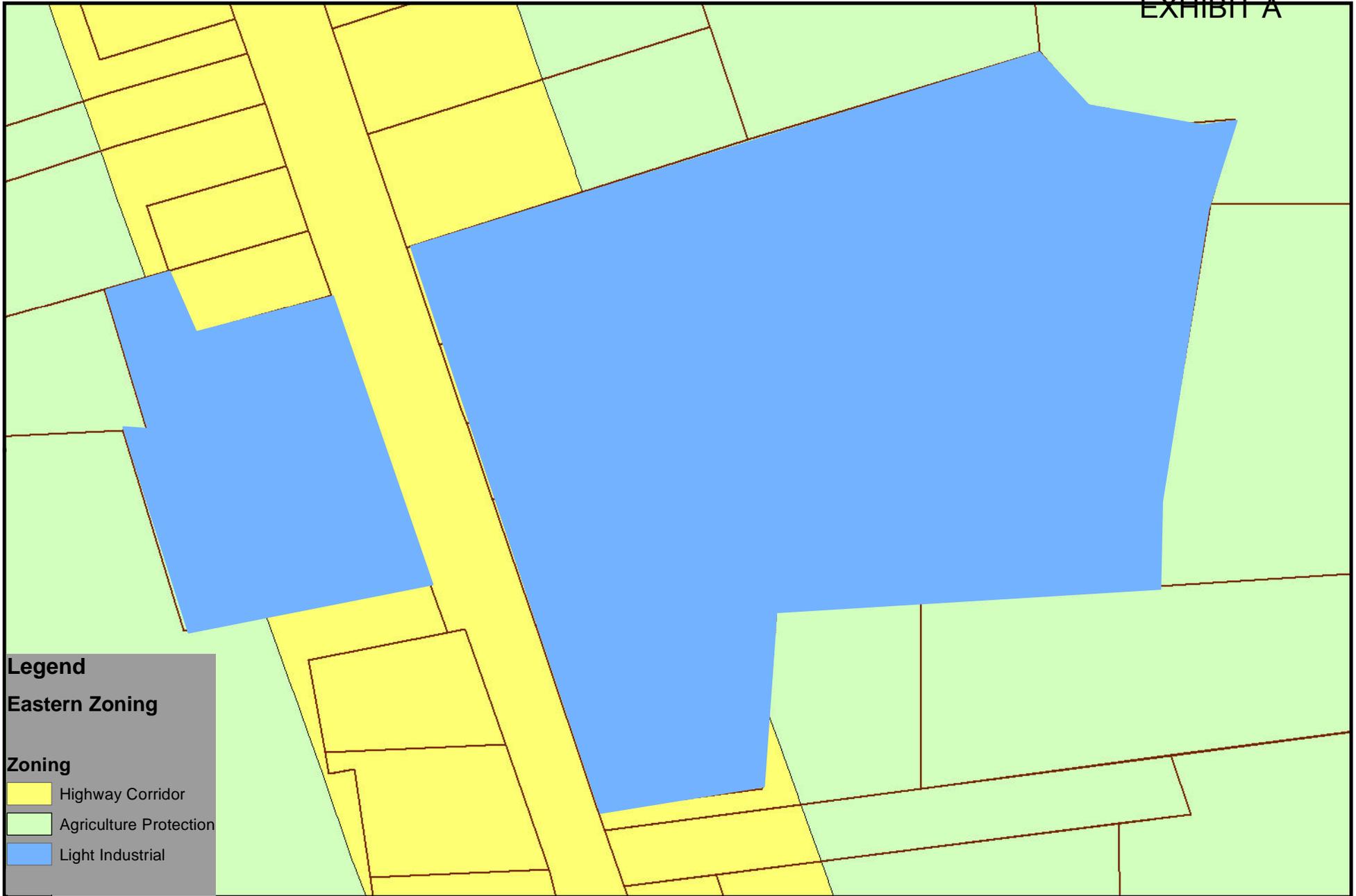
SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH

By: _____
David Ure, Council Chair

Council Member Elliott voted _____
Council Member Robinson voted _____
Council Member McMullin voted _____
Council Member Ure voted _____
Council Member Hanrahan voted _____

ATTEST:

County Clerk, Summit County, Utah



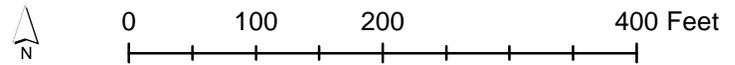
Legend
Eastern Zoning

Zoning

- Highway Corridor
- Agriculture Protection
- Light Industrial

Rees's Proposed Zoning

Prepared by Summit County
Community Development Department



This drawing is neither a legally recorded map, nor a survey, and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources including Summit County. Summit County is not responsible for the timeliness or accuracy of information shown.

SUMMIT COUNTY, UTAH
ORDINANCE # 785

AMENDING THE EASTERN SUMMIT COUNTY ZONE MAP TO REZONE THE UTELITE ECHO LOCATION (APPROX. 3550 SOUTH ECHO ROAD) TO THE “LIGHT INDUSTRIAL” ZONE

WHEREAS, the current Eastern Summit County Development Code and zone map were adopted in 2004; and

WHEREAS, on September 26, 2012 the Summit County Council approved, adopted, and passed Ordinance 777 creating the Light Industrial Zone; and

WHEREAS, on September 26, 2012, the Summit County Council reviewed and determined; (1) The amendment complies with the goals of the General Plan; (2) The amendment is compatible with adjacent land uses and will not be overly burdensome on the local community; (3) The specific development plan is in compliance with all applicable standards and criteria for approval as described in Chapter 4 of the Eastern Summit County Development Code; and (4) The amendment does not adversely affect the public health, safety and general welfare; and

WHEREAS, the Summit County Council conducted a public hearing on September 26, 2012 and voted to approve the proposed amendments.

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

SECTION 1. APPROVAL OF AMENDMENT TO THE EASTERN SUMMIT COUNTY ZONE MAP TO ZONE THE UTELITE ECHO LOCATION (APPROX. 3550 SOUTH ECHO ROAD) TO THE “LIGHT INDUSTRIAL” ZONE (SECTION 11-3-8) as shown in Exhibit A:

The Summit County Council, acting in its legislative capacity, hereby approves the proposed amendment to the Eastern Summit County Zone Map.

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 24TH day of October, 2012.

SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH

By: _____
David Ure, Council Chair

Council Member Elliott voted _____
Council Member Robinson voted _____
Council Member McMullin voted _____
Council Member Ure voted _____
Council Member Hanrahan voted _____

ATTEST:

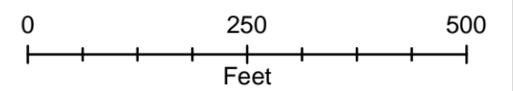
County Clerk, Summit County, Utah



Union Pacific/Utelite ROW Proposed Zoning Map

Prepared July 2012 by Summit County Community Development Department

- Commercial
- Industrial
- Highway Corridor
- AG Protection
- Proposed Light Industrial
- Rivers
- Parcels



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MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, AUGUST 22, 2012
SHELDON RICHINS BUILDING
PARK CITY, 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
Dave Thomas, Deputy Attorney
Kent Jones, Clerk
Annette Singleton, Office Manager
Karen McLaws, Secretary

CLOSED SESSION

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

The Summit County Council met in closed session from 1:00 p.m. to 1:20 p.m. to discuss personnel. 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
Dave Thomas, Deputy Attorney

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

The Summit County Council met in closed session from 1:20 p.m. to 3:00 p.m. to discuss property acquisition. 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
Dave Thomas, Deputy Attorney
Ashley Koehler, Sustainability Coordinator

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

WORK SESSION

Chair Ure called the work session to order at 3:00 p.m.

- **Discussion regarding mental health and substance abuse services; Rich Bullough, Health Director**

Health Director Rich Bullough reported that the partnership between the Health Department and Valley Mental Health is moving in a positive direction. Chair Ure asked if the Sheriff would be part of the discussion today. Mr. Bullough explained that they maintain active communication with the Sheriff and Judge Kerr. County Manager Bob Jasper explained that a discussion of drug court will be scheduled on an upcoming agenda.

Gary Larcenaire, President and CEO of Valley Mental Health introduced himself and explained that they look at the counties they serve as their customers and want to know their wishes and priorities. Then they can communicate how their resources have been spent to meet those priorities and wishes. Other Valley Mental Health staff members introduced themselves to the Council.

Mr. Bullough reviewed the funding for Valley Mental Health (VMH) as shown on the printed information provided to the Council Members. He noted that there are multiple funding sources and that the County's contribution is a relatively small portion of that funding. He explained that the contract with Valley Mental Health is up for negotiation in June 2013, which is one reason they are providing this report. He clarified that the negotiation with the State as to the amount is based on historical data.

Dale Newton, CFO for VMH, explained that they give the State an estimate of what they believe their costs will be for the next fiscal year to serve the population base. The State then gives an estimate of eligibles, VMH has its own estimates, and they work with the State to come up with a common estimate of eligibles, or volume of people who will need their services. They try to negotiate the highest pure rate to get the most money they can from the State.

Kelly Coonradt with VMH Public Relations and Marketing clarified that they do what they can to provide services to as many people as possible within the amount allocated by the State. After discussions with the State, they analyze in greater detail who they serve, types of services provided, and approximate costs of service. In the past, there has not been enough communication between VMH and the County to set priorities for the County, and they want to improve that in the future.

County Clerk Kent Jones asked if VMH does the psychiatric evaluations ordered by the court. He noted that he has several billings for psychiatric evaluations from other entities that he pays out of the public defender's budget. Ms. Coonradt explained that Judge Kerr does not like to order defendants in her court to a specific evaluator or treatment provider. If they come to VMH and cannot afford to pay for the evaluation, it is covered under VMH's other revenue streams.

Mr. Jasper commented that this is something they may want to talk about in greater detail when discussing drug court. Chair Ure suggested that they meet with Judge Kerr during the next budget cycle to understand her parameters and make suggestions. Mr. Bullough explained that drug court is just one component of substance abuse, and there needs to be more focus on that area in general. Mr. Jones explained that will increase the public defender costs. Ms. Coonradt commented that VMH's evaluations are more comprehensive than some others, and there are opportunities for VMH to better support the Council and the courts if they work together.

Mr. Newton addressed the VMH audit and explained that the 2011 audit was delayed because of their inability to accurately estimate the denial rate and number of denied claims from Salt Lake County's new mental health payer. In April it was estimated that 20% of the claims would be denied, which was far above the historic denial rate and would have resulted in an adjustment of more than \$2 million to the VMH financial statements. While they have made some progress with Salt Lake County and their provider, they still do not have final figures, so he will put a \$242,000 adjustment on the VMH books for expected claims denials in 2011. He believed that is a conservative estimate, but they cannot wait any longer. He explained that is the reason why their audit is late this year. Council Member Elliott asked about next year's audit. Mr. Newton replied that they will go back to issuing their reports in April. He believed this was a one-time occurrence trying to work through a new contract with a new payer.

Mr. Jasper explained that the year before the County had a contingent audit, and the County's auditors believe VMH owes the County money. Mr. Bullough concurred that the auditors indicated that Summit County overpaid VMH, and when he met with his business manager, they found that the County did overpay. Therefore, the Health Department withheld payment for a period of time, and from all indications, that now balances and the issue is resolved. He has indicated to VMH that the County needs the audit no later than June 1 from now on, and that did not seem to be an issue for them.

Ms. Coonradt explained that they evaluate each case and try to spread the County's funds as far as they can, but they do not turn away anyone because of inability to pay. She believed the percentage of their court-ordered clients is approximately 20%-30%, and the majority of the clients come in voluntarily. They also do programs in the schools as well as prevention work and courses.

Mr. Larcenaire explained that, in looking at the County's mission statement, VMH's job is to help the County accomplish some of their goals, such as cost-effective services that enhance quality of life and promoting economic prosperity. Their job is to manage the continuum of care. As people move up the continuum of care, the costs are greater, and there are places where people with high levels of acuity should not end up, such as in jails. He observed that they previously received about 100 referral from the higher cost levels of care, and only 30% showed up for their appointments. When they do not show up for appointments, those people then recycle back up to the costly end of the continuum for care. He stated that they have been able to get that number down and now see about 85% of the referrals. He explained that they want to get people to lower levels of care, which is the most cost-effective way to provide care, so they need a mechanism to move them down to that level and make their funds go further. The structure they have put in place is designed to keep the money from being spent at the higher levels of care and as much as possible spend it at the lower levels. With a well implemented

drug court, they can decrease the length of stay in jail and move people into outpatient services, which are less expensive.

MANAGER COMMENTS

Mr. Jasper asked Bryce Boyer to report on the fires the previous weekend. Mr. Boyer reported that he has a decal on his truck as well as T-shirts and hats for fire district personnel showing the partnership between Summit County and the State. He reported on the fire in Jordanelle on the Summit/Wasatch County boundary. He stated that he took charge of the north division, which was the side threatening Summit County. He called out the Park City units and used them to take care of the north end of the fire. They also used the County's dozer and recently acquired semi water tender and the County's 6 x 6 water tender. North Summit sent two 6 x 6 water tenders and their brush engine. South Summit also sent a 6 x 6 tender. They were able to cut off the fire from proceeding north, and the closest the fire got to the County was about 50 to 75 yards. Two military tankers each did a water drop, two smaller aircraft came in three times each, and two helicopters did some bucket work. The last estimate was that the fire covered 545 acres, most of which is on county and private lands in Wasatch County, with costs in the \$220,000 range. Council Member Robinson asked if they know what caused the fire. Mr. Boyer replied that they have not determined that yet, but he suspects it may have been a catalytic converter or diesel under a heavy load blowing out carbon.

Administrative Services Director Brian Bellamy reported that the Sheriff's Office deployed 20 search and rescue people, two water craft, and eight ATVs to aid campers and get them out. They also notified Deercrest residents that they may need to move. There were 18 deputies controlling traffic, and they evacuated Sweetwater Lodge and the condominiums.

Mr. Boyer introduced Dusty Clay, his assistant this year. He stated that Wasatch County was very appreciative of the help from Summit County.

- **Continued discussion regarding priority of strategic issues and goals; Anita Lewis, Assistant County Manager**

Assistant Manager Anita Lewis reviewed the County's mission statement and strategic issues and recalled that the Council recently discussed the strategic plan. Council Member McMullin suggested that the County do some social media training for County employees.

Chair Ure expressed concern that the strategic plan may not be driving the specific needs in the County. He believed the Council should have better communication with the Sheriff and Judge Kerr about how to shift some of the County's expenses with regard to VMH. He also believed they should fund the indigent defense fund better to provide the services that are needed.

Mr. Jasper explained that they cannot possibly budget for all the things that could happen and suggested that they have a larger Council contingency fund, because unforeseen things do come up. Chair Ure explained that he wants the opportunity to be able to provide what they have to provide. Matt Leavitt with the County Assessor's Office explained that the County Attorney's office has instructed them to budget just enough each year to get started on a capital case, because it takes time for a capital case to move forward. Deputy County Attorney Dave Thomas explained that Summit County has also been discussing with adjoining counties the possibility of

setting up a fund that would roll over from year to year to provide the funds when they are needed.

Ms. Lewis asked if there are things the Council would like to accomplish next year or that need to be taken care of that have not been budgeted for. Mr. Jasper explained that the Sustainability Coordinator has been looking at programs like working with homeowners associations on installing solar energy, and if the Council is interested, they can include money in the budget for that.

Council Member Robinson asked if they should be doing any contingency planning to prepare them if there is another dry cycle next year. Mr. Jasper offered to look into what could be done.

Council Member Elliott stated that she had been thinking carefully about what the top six priorities might be. She believed economic diversification and development should stay at the top, and sustainability should stay where it is. She commented that they have re-ordered them a little bit, but she could see nothing new to add.

Mr. Jasper asked if the Council would like him to look into setting up a housing authority for workforce housing. Council Member Elliott stated that she did not think they should, because it is not necessary right now, and it is too expensive. Council Member Robinson stated that he would like to take a fresh look at it. Community Development Director Don Sargent suggested that they consider refining Mountainlands Community Housing Trust's role with the County.

Council Member McMullin stated that regional planning needs to be moved up on the priority list and suggested that they move relations with the legislature further down on the list. She believed regional planning and managed growth could be in the same category. She recommended that an outside consultant to help facilitate regional planning be included in the budget. Mr. Sargent stated that he would support that suggestion. Council Member McMullin emphasized the need to do whatever is necessary to get communications and messaging from the County in place, because it is important for the citizens and the community to know what the County does.

Chair Ure believed they should pass a resolution that, within a year, every special service district and every entity will be linked to the County's website so people can go to one place and get all the information they need. Council Member McMullin agreed that it is important to put money in the budget to get the personnel needed to put everything on the website and coordinate between the website information and social media. Council Member Robinson commented that last week's truth in taxation hearing was a case in point as to why they need to have better communication and keep the public better informed, so the public will know what is being considered and why before they show up at a public hearing. Council Member McMullin asked that they also look at televising their meetings.

Ms. Lewis asked if there are any low priorities or items that are not as high in importance as they have been when looking at the budget.

Council Member Robinson questioned whether they need a lobbyist. Council Member McMullin commented that many of the issues they needed a lobbyist for have been resolved, and it would be worth discussing that.

Mr. Jasper noted that the largest part of the local budget goes to the Sheriff's Department.

Council Member McMullin asked if there has been an increase in activity in the Community Development Department. Mr. Sargent replied that there has been in all categories. Council Member McMullin stated that she would hope to fund some of the positions the County has not filled within departments if service has suffered or workloads are too high. Mr. Bellamy verified that there are currently no frozen positions. Mr. Jasper commented that he believed things are starting to move up and that there will be big development pressures in Summit County.

REGULAR MEETING

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

- **Pledge of Allegiance**

DISCUSSION AND POSSIBLE APPROVAL OF THE NOTICE OF ANNEXATION FOR THE JEREMY POINT SUBDIVISION INTO SUMMIT COUNTY SERVICE AREA #6; KEVIN CALLAHAN, PUBLIC WORKS DIRECTOR

Public Works Director Kevin Callahan recalled that the Council adopted a policy indicating that they would be willing to look at private streets developed during a certain period and consider bringing them into the County road system. The first subdivision which would like to have their roads become County roads is Jeremy Point Subdivision. They are asking to become part of Service Area 6 and have their road accepted as a County road. A 20-day waiting period is required by State law. If the Council acts on the notice of annexation into the service area, it will be mailed to the property owners, and after 20 days they will take it to public hearing where the Council can accept it as a County road.

Mr. Thomas clarified that the notice needs to be approved for Chair Ure's signature.

Council Member Robinson verified with Mr. Callahan that no improvements are needed in order to bring the road up to County standards.

Council Member Robinson made a motion to approve the Notice of Annexation for the Jeremy Point Subdivision into Summit County Service Area #6 and authorize the Chair to sign. The motion was seconded by Council Member McMullin and passed unanimously, 4 to 0.

DISCUSSION AND POSSIBLE APPROVAL OF REQUEST FOR ANNUAL LIBRARY STAFF DEVELOPMENT/TRAINING DAY; DAN COMPTON, LIBRARY DIRECTOR

Library Director Dan Compton requested the Council's approval to combine an annual library staff development and training day. He explained that with three branches, the bookmobile, and being so spread out, it is difficult to get everyone together at the same time to do important training. He reported that the Library Board has given approval for the library to close one day each year, and they have selected Columbus Day, which is a day many people think they are

closed anyway. Other libraries throughout the State do a similar thing, and it has been very successful. He explained that they would do everything possible to advertise this in advance.

Council Member McMullin made a motion to approve the request for annual library staff development/training day on Columbus Day. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

POSSIBLE APPOINTMENT OF TWO MEMBERS TO FILL VACANCIES ON THE WANSHIP CEMETERY MAINTENANCE DISTRICT

Council Member Elliott made a motion to appoint Chad Watterson and Cade Sargent to fill vacancies on the Wanship Cemetery Maintenance District. The motion was seconded by Council Member Robinson and passed unanimously, 4 to 0.

Mr. Thomas noted that the motion on annexation of Jeremy Point into Service Area #6 needs to be done as the Board or Trustees of Service Area #6.

DISMISS AS THE SUMMIT COUNTY COUNCIL AND CONVENE AS THE GOVERNING BOARD OF SERVICE AREA #6

Council Member Robinson made a motion to dismiss as the Summit County Council and to convene as the Governing Board of Service Area #6. The motion was seconded by Council Member McMullin and passed unanimously, 4 to 0.

The meeting of the Governing Board of Service Area #6 was called to order at 5:10 p.m.

APPROVAL OF THE NOTICE OF ANNEXATION FOR THE JEREMY POINT SUBDIVISION INTO SUMMIT COUNTY SERVICE AREA #6

Board Member Robinson made a motion to approve the Notice of Annexation for the Jeremy Point Subdivision into Summit County Service Area #6 and authorize the Chair to sign. The motion was seconded by Board Member Elliott and passed unanimously, 4 to 0.

DISMISS AS THE GOVERNING BOARD OF SERVICE AREA #6 AND RECONVENE AS THE SUMMIT COUNTY COUNCIL

Board Member Robinson made a motion to dismiss as the Governing Board of Service Area #6 and to reconvene as the Summit County Council. The motion was seconded by Board Member McMullin and passed unanimously, 4 to 0.

The meeting of the Governing Board of Service Area #6 adjourned at 5:12 p.m.

CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 2012-19 FOR TAX INCREASE FOR SERVICE AREA #6

Council Member Robinson made a motion to adopt Resolution 2012-19 adopting the final tax rates for Service Area #6. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0.

CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 2012-20 FOR TAX INCREASE FOR SUMMIT COUNTY MUNICIPAL FUND

Council Member Robinson made a motion to adopt Resolution 2012-20 adopting the final tax rates for the Summit County Municipal Fund. The motion was seconded by Council Member McMullin and passed by a vote of 3 to 1, with Council Members Elliott, McMullin, and Robinson voting in favor of the motion and Council Member Ure voting against the motion.

MANAGER COMMENTS – (Continued)

Mr. Jasper commented that he believed the County pulled together well in fighting the fire, and he was proud of what they were able to do. Council Member McMullin asked if there has been any negative feedback about how things went. Mr. Jasper replied that he has not heard any, and things went smoothly.

Mr. Jasper explained that he will be issuing some executive orders. He explained that sometimes departments receive grants from various sources and accept the money, but it does not show up on the books until months later. In the meantime, that department overruns its budget. He has issued an executive order that, before any department can accept a grant, it must be reviewed by the Auditor's Office and approved by the Manager. He explained that the Council will more frequently amend the County budget because of those grants. He explained that grants have certain obligations associated with them, and they need to be sure that things are done right. Mr. Jasper recalled that, in the past, the budget has been adopted by function, not by department. This year the budgets were adopted by department, and every department head needs to be responsible for their budget and not exceed it. His other executive order will address that and make the department heads responsible for their budgets. He stated that he will issue additional executive orders in the next few months to put in place procedures and processes that will make the County run better. Chair Ure asked why Mr. Jasper is issuing executive orders rather than asking the Council for resolutions, which would give him more back-up. Mr. Jasper explained that he has done that in most cases in the past, but when getting down to procedures and how to account for grant details and other administrative functions, that is up to the Manager. Chair Ure commented that Mr. Jasper has not done anything he disagrees with, but he views an executive order as something that is done more as an emergency measure, and he did not understand why these things are not coming to the Council for a resolution. Mr. Jasper explained that the Council has the ability to veto the executive orders if they do not like them.

COUNCIL COMMENTS

Council Member Elliott reported that she attended the Wasatch Alternative Transportation meeting and suggested that they keep in touch with the Wasatch Front people to be sure they include Summit County in any transportation alternatives they consider. She stated that she has many contacts who are anxious to have a unified interconnected transit system for all the resorts. She stated that the people she knows believe there are better ways to connect the resorts than ski link and that they can cost effectively serve everyone for less money. Chair Ure asked Mr. Jasper to coordinate those efforts. He stated that he does not want to put Summit County in a position of making a choice right now on ski link, but he was willing to receive some education

on the matter. Council Member McMullin expressed concern about hearing from one side or the other. Mr. Jasper stated that he would have a staff-level meeting and get more information.

Chair Ure noted that the Council has judges meeting with them on September 19, which is the same date as the dinner with the legislators. He suggested that they schedule their meeting on the 19th at the Richins Building to be able to meet with the judges and adjourn shortly before 6:00 to drive to Oakley for the dinner.

APPROVAL OF COUNCIL MINUTES

JULY 11, 2012

Council Member McMullin made a motion to approve the minutes of the July 11, 2012, Summit County Council meeting as written. The motion was seconded by Council Member Elliott and passed unanimously, 3 to 0. Council Member Ure abstained from the vote as he did not attend the July 11 meeting.

WORK SESSION – (Continued)

- **Interview applicants for the two vacancies on the Summit County Restaurant Tax Advisory Committee**

The Council members interviewed Jodie Coleman and Peggy Marty for two positions on the Summit County Restaurant Tax Advisory Committee.

CLOSED SESSION

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

The Summit County Council met in closed session from 5:45 p.m. to 6:05 p.m. to discuss property acquisition. 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*

Dave Thomas, *Deputy Attorney*

Council Member McMullin made a motion to dismiss from closed session and to reconvene in regular session. The motion was seconded by Council Member Robinson and passed unanimously, 4 to 0.

PUBLIC INPUT

Chair Ure opened the public input.

Rena Jordan with the Snyderville Basin Special Recreation District provided an update on the Highway 40 underpass project. She explained that there was a meeting on site with a strong turnout from Park City, Summit County, the Division of Wildlife Resources (DWR), and Utah Department of Transportation (UDOT). They looked at the area proposed for the underpass and discussed timing, and UDOT is firm in its September 1 deadline for a commitment from the Recreation District. Ms. Jordan reported that they have taken this to the Recreation District Board and come up with a way to fund the underpass from Recreation District resources in conjunction with UDOT. She stated that they would like to have trailhead parking on the triangle parcel considered in the future, but they will work with the County Engineer to provide parking in the County right-of-way in the meantime south of the road shed. She noted that the tunnel will daylight in the middle of Highway 40. Chair Ure asked if the underpass would accommodate wildlife. Ms. Jordan replied that the underpass would be for whomever can use it.

Becky Stromness with UDOT stated that they are interested in this project because of wildlife and safety issues. The tunnel would be between 200 and 250 feet long and can be used for both human and animal crossing. She explained that the tunnel will be more appealing to both humans and animals with daylighting in the center of the tunnel. She verified that the tunnel will be 20 feet wide and 12 feet high, which meets the criteria for wildlife. Mr. Jasper confirmed with Ms. Stromness that UDOT is doing a wildlife fencing project along Highway 40 and expressed concern that elk would not use this crossing. He stated that he would not want to fence them in so they cannot go anywhere. Ms. Stromness explained that it is difficult to find any kind of crossing the elk will use, and the target species in this area is deer. She explained that they have checked with DWR, and they are comfortable with what is proposed.

Council Member Robinson asked how funneling deer through here would affect the uplands portion of the property and whether they could develop the property and leave an open corridor. County Planner Kimber Gabryszak explained that Planning Staff has been having meetings with Park City to plan the triangle parcel. They believe the primary purpose of the tunnel should be stated as pedestrian and recreation, rather than wildlife. In that way, the County and the City could work together on a different and possibly better wildlife solution, but in the meantime, the tunnel would provide an option for deer to use without constraining the development of the parcel.

Chair Ure closed the public input.

PUBLIC HEARING AND POSSIBLE ACTION REGARDING AN AMENDMENT TO CHAPTERS 4 AND 11 OF THE SNYDERVILLE BASIN DEVELOPMENT CODE RELATED TO TRAILHEADS; BONNIE PARK, APPLICANT; AMIR CAUS, COUNTY PLANNER, PRESENTED BY ADRYAN SLAGHT

Principal Planner Adryan Slaght presented the staff report and explained that some Code amendments in 2011 had unintended consequences, one of which was that all trailhead parking would be required to meet the current Development Code parking standards for normal development parking. The Planning Commission held three work sessions with the applicant this year to address the issues related to the proposed Code amendment, and a public hearing was held with the Planning Commission on July 31. The Code amendment was published for public hearing, and Staff has received no comments. Any specific properties that require a Conditional Use Permit would trigger a public hearing. Planner Slaght reported that Don and Yvonne Gray

have provided language that they would like incorporated into the Code amendment. He reviewed the criteria that must be met in order to amend the Development Code and Staff's analysis of how this application meets those criteria. Staff recommended that the County Council conduct a public hearing, consider the public input, and vote to approve the proposed Code amendment. He reviewed the proposed Code language.

Chair Ure opened the public hearing.

Max Greenhalgh, representing BOSAC, stated that they endorse the proposed Code amendment. He noted that every parcel BOSAC is involved with that uses bond funds requires a recreation component. When they purchase open space, it goes hand in hand that they also agree to install trails. He commented that a little more than half of trail use commences within a subdivision, which means that a little less than half would have to drive to a trailhead. That underscores the responsibility to provide more trail connections, acquire more properties that will connect parcels to each other, and provide trailhead parking, because so many people want to get onto the trails. He reiterated that BOSAC supports these amendments.

Charlie Sturgess with the Mountain Trails Foundation commented that, given the financial commitment they have to the trail system, it would be foolish to not build adequate facilities for people to start and end their ride. He stated that trailheads need to be built in conjunction with the trails as they come on line. He was not sure that neighborhoods should have trails if they are not willing to have trailheads. He commented that trailheads are the gateway to their incredible amenity, and to do anything less than making them as great as what they have already developed would be foolish.

Chair Ure closed the public hearing.

Council Member Robinson asked about the language proposed by the Grays. Ms. Park explained that part of the Recreation District's intention is to bring their trailheads into conformance. They have no trailheads that are that are two acres or more, so the language suggested by the Grays would make all existing trailheads nonconforming uses. She also clarified with regard to the "less than" language that was removed that the Planning Commission determined that, under the Conditional Use Permit process, they would not want to limit the size of the pavilion, because in some cases where there may be a larger trailhead, and they might want a larger pavilion.

Council Member McMullin made a motion to amend Chapters 4 and 11 of the Snyderville Basin Development Code related to trailheads, including the deletion of the "less than" language as described by Ms. Park through adoption of Ordinance #780 based on the following findings contained in the staff report:

Findings:

- 1. The amendments are consistent with the goals, objectives, and policies of the General Plan.**
- 2. The amendments will not permit the use of land that is not consistent with the uses of properties nearby.**
- 3. The amendments will not permit suitability of the properties affected by the proposed amendment for the uses to which they have been restricted.**
- 4. The amendments will not permit the removal of the then 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 amendment is intended to change.**
- The motion was seconded by Council Member Robinson and passed unanimously, 4 to 0.**

The County Council meeting adjourned at 6:45 p.m.

Council Chair, David Ure

County Clerk, Kent Jones