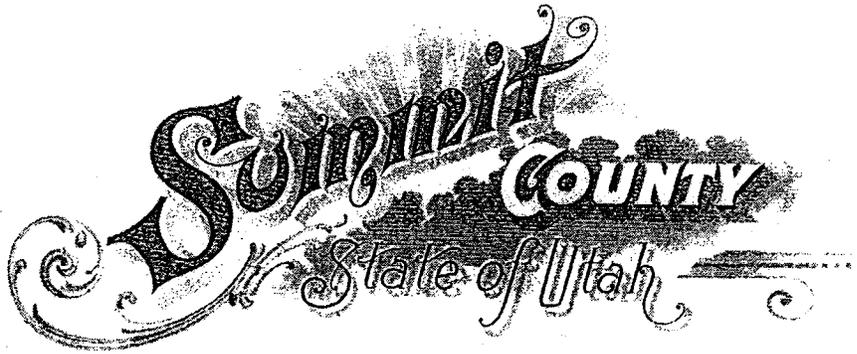


Auditor

Blake Frazier



January 16, 2013

County Council;

Please consider approving the BOE Stipulations on January 23rd. 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".

Kathryn Rockhill  
BOE Clerk

# 2012 BOE Adjustments

<b>Serial #</b>	<b>New Market Value</b>	<b>Old Market Value</b>	<b>MV Difference</b>	<b>New Taxable Value</b>	<b>Old Taxable Value</b>
CSLC-B-B283-AM	\$ 760,000.00	\$ 900,000.00	\$ (140,000.00)	\$ 760,000.00	\$ 900,000.00
MJM-1	\$ 153,740.00	\$ 283,990.00	\$ (130,250.00)	\$ 153,740.00	\$ 283,990.00
MJM-2	\$ 153,740.00	\$ 278,740.00	\$ (125,000.00)	\$ 153,740.00	\$ 278,740.00
MJM-3	\$ 153,793.00	\$ 278,793.00	\$ (125,000.00)	\$ 153,793.00	\$ 278,793.00
MJM-4	\$ 153,845.00	\$ 278,745.00	\$ (124,900.00)	\$ 153,845.00	\$ 278,745.00
NS-604-H-1	\$ 190,000	\$ 283,227	\$ (93,227.00)	\$ 112,150	\$ 283,227
PDP-102-B	\$ 190,000.00	\$ 210,000.00	\$ (20,000.00)	\$ 190,000.00	\$ 210,000.00
PP-51	\$ 500.00	\$ 500.00	\$ -	\$ 500,000.00	\$ 500.00
PP-52-1-A	\$ 3,071,138.00	\$ 8,654,299.00	\$ (5,583,161.00)	\$ 248,655.00	\$ 8,654,299.00
PP-61	\$ 1,323,000.00	\$ 1,323,000.00	\$ -	\$ 1,323,000.00	\$ 1,323,000.00
PP-62-3	\$ 1,375,109.00	\$ 1,375,109.00	\$ -	\$ 394,810.00	\$ 1,375,109.00
PP-64	\$ 239,850.00	\$ 239,850.00	\$ -	\$ 239,850.00	\$ 239,850.00
SL-I-7-8	\$ 1,125,000.00	\$ 2,030,000.00	\$ (905,000.00)	\$ 1,125,000.00	\$ 2,030,000.00
HE-B-287	\$ 230,000.00	\$ 283,102.00	\$ (53,102.00)	\$ 126,500.00	\$ 283,102.00
MLA-13	\$ 19,000.00	\$ 124,804.00	\$ (105,804.00)	\$ 19,000.00	\$ 124,804.00
PI-C-40	\$ 86,100	\$ 86,100	\$ -	\$ 86,100	\$ 86,100
PI-C-48	\$ 60,000	\$ 72,250	\$ (12,250.00)	\$ 60,000	\$ 72,250
RIVBLF-A-20	\$ 272,899.00	\$ 50,000.00	\$ 222,899.00	\$ 272,899.00	\$ 50,000.00
<b>Totals for 1-23/2013</b>	<b>\$ 9,557,714.00</b>	<b>\$ 16,752,509.00</b>	<b>\$ (7,194,795.00)</b>	<b>\$ 6,073,082.00</b>	<b>\$ 16,752,509.00</b>
<b>Totals For 1/16/2013</b>	<b>\$ 3,903,626.00</b>	<b>\$ 4,642,600.00</b>	<b>\$ (738,974.00)</b>	<b>\$ 3,609,173.00</b>	<b>\$ 4,642,600.00</b>
<b>Totals for 1/9/2013</b>	<b>\$ 9,760,651.00</b>	<b>\$ 10,060,514.00</b>	<b>\$ (299,863.00)</b>	<b>\$ 9,604,431.00</b>	<b>\$ 10,060,514.00</b>
<b>Totals for 12/19/2012</b>	<b>\$ 12,271,327.00</b>	<b>\$ 15,315,340.00</b>	<b>\$ (3,044,013.00)</b>	<b>\$ 11,489,968.00</b>	<b>\$ 15,315,340.00</b>
<b>Totals for 12/12/2012</b>	<b>\$ 4,537,723.00</b>	<b>\$ 4,458,233.00</b>	<b>\$ (1,881,986.00)</b>	<b>\$ 7,113,970.00</b>	<b>\$ 6,419,709.00</b>
<b>Totals for 12/5/2012</b>	<b>\$ 141,975,855.00</b>	<b>\$ 144,887,100.00</b>	<b>\$ (2,911,245.00)</b>	<b>\$ 124,487,845.00</b>	<b>\$ 144,887,100.00</b>
<b>Totals for 11/28/2012</b>	<b>\$ 17,131,643.00</b>	<b>\$ 20,995,955.00</b>	<b>\$ (3,864,312.00)</b>	<b>\$ 14,652,832.00</b>	<b>\$ 20,995,955.00</b>
<b>Totals for 11/14/2012</b>	<b>\$ 25,635,298.00</b>	<b>\$ 30,178,915.00</b>	<b>\$ (4,543,617.00)</b>	<b>\$ 19,413,938.00</b>	<b>\$ 30,178,915.00</b>
<b>Totals for 11/7/2012</b>	<b>\$ 33,461,193.00</b>	<b>\$ 34,639,261.00</b>	<b>\$ (1,178,068.00)</b>	<b>\$ 31,299,683.00</b>	<b>\$ 34,639,261.00</b>
<b>Totals for 10/31/2012</b>	<b>\$ 33,144,825.00</b>	<b>\$ 40,535,768.00</b>	<b>\$ (7,390,943.00)</b>	<b>\$ 30,963,681.00</b>	<b>\$ 40,535,768.00</b>

<b>Totals for 10-24-2012</b>	\$	121,728,378.00	\$	149,002,842.00	\$	(27,274,464.00)	\$	103,844,981.00	\$	149,002,842.00
<b>Totals for 10/10/2012</b>	\$	86,042,006.00	\$	102,778,872.00	\$	(16,736,866.00)	\$	71,107,144.00	\$	102,778,872.00
<b>Totals for 10-3-2012</b>	\$	38,591,363.00	\$	47,578,853.00	\$	(8,987,490.00)	\$	28,377,158.00	\$	47,578,853.00
<b>Totals for 9-26-2012</b>	\$	59,278,729.00	\$	69,288,965.00	\$	(10,010,236.00)	\$	42,301,770.00	\$	69,288,965.00
<b>Totals for 9/19/2012</b>	\$	61,834,634.00	\$	58,697,816.00	\$	3,136,818.00	\$	52,024,580.00	\$	58,697,816.00
<b>Totals For 9/12/2012</b>	\$	85,543,866.00	\$	91,568,057.00	\$	(6,024,171.00)	\$	66,650,057.00	\$	91,568,057.00
<b>Totals For 8/29/2012</b>	\$	46,659,094.00	\$	48,620,199.00	\$	(1,961,105.00)	\$	37,170,923.00	\$	48,620,199.00
<b>RunningTotal</b>	\$	791,057,925.00	\$	890,001,799.00	\$	(100,905,330.00)	\$	660,185,216.00	\$	891,963,275.00

Annette,

So far this year(2012)the Market value decrease is (\$ 100,905,330) As of 1/23/2013

The total number of Appeals for 2012 is 1,841 we have sent 1,325 of those for your approval as of January 23, 2013.

This is 72% of the Appeals.

# DAVID R. BRICKEY COUNTY ATTORNEY



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

## Criminal Division

JOY NATALE  
Prosecuting Attorney

MATTHEW D. BATES  
Prosecuting Attorney

RYAN P.C. STACK  
Prosecuting Attorney

## Civil Division

DAVID L. THOMAS  
Chief Deputy

JAMI R. BRACKIN  
Deputy County Attorney

HELEN E. STRACHAN  
Deputy County Attorney

To: Summit County Council  
From: Helen Strachan   
Date: January 23, 2013  
Re: Amendments to Title 2, Chapter 14

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Please find attached proposed amendments to Title 2, Chapter 14, per a request from the Manager's Office and the cultural arm of the Recreation Arts and Parks Program. Here is a summary of the proposed changes:

1. Change the grant funding cycle of the cultural portion of the Recreation Arts and Parks Program from December of each year to June of each year, and thus make recommendations due by May 30<sup>th</sup> of each year to reflect this change.
2. Delete from the exception to the definition of "cultural organization" reference to radio or television broadcasting networks or stations, newspapers, and magazines as under state law, this exception only applies to 1<sup>st</sup> and 2<sup>nd</sup> class counties.
3. Delete the word "investigate" from one of the duties of the Committee. There has been confusion in the past as to what this word really means, so to avoid the confusion, the word has been removed to leave "advise and recommend." Furthermore, the proposed policy of the cultural Committee will shed more light on their role.
4. Remove the requirement that the Committee report to the SCC on a semiannual basis. We feel it is best to leave it up to Staff to coordinate with the Committee and set up a time, through staff, for the Committee to meet with the SCC.
5. Remove the requirement that the Committee forward a budget recommendation to Staff. This is a process that we have never implemented and never needed to implement. The amount of money collected for grants is a number provided by the Auditor's Office and never has the Committee been a part of making budget recommendations.
6. Change appointment dates to coincide with the new, proposed grant cycle.
7. Enact term limits to three consecutive terms.
8. Allow appointments to continue until filled, to avoid the possibility of having too few Committee members at any given time.



9. Requiring that Committee members to be primary residents of Summit County. This is a requirement of many of our boards and committees and given that the Committee is making recommendations regarding Summit County taxpayer dollars, we felt it only fitting that the members be residents.

Tom Fey, Chair of the cultural Committee, Anita Lewis, Assistant Manager, and I shall all be present to answer any questions you may have of the proposed changes.



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

**AMENDING TITLE 2 CHAPTER 14,  
THE SUMMIT COUNTY RECREATION ARTS AND PARKS ADVISORY  
COMMITTEE**

**WHEREAS**, the Recreation, Arts and Parks Advisory Committee codified in Title 2, Chapter 14, was last amended by Ordinance 761 on July 20, 2011 in order to conform with changes in Utah state law; and

**WHEREAS**, this amendment further modifies that Chapter as the County desires to change the funding cycle of cultural grants from December of each year to June of each year, as well as address other minor amendments;

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

**Section 1.**

Title 2, Chapter 14, Summit County Recreation Arts and Parks Advisory Committee is amended as depicted in Exhibit A.

**Section 2. Effective Date**

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

APPROVED, ADOPTED, AND PASSED and ordered published by the Summit County Council, this \_\_\_\_\_ day of January, 2013

**ATTEST:**

**SUMMIT COUNTY COUNCIL  
SUMMIT COUNTY, STATE OF UTAH**

\_\_\_\_\_  
County Clerk

By:

\_\_\_\_\_  
Chairperson

Councilperson Ure	voted: _____
Councilperson Carson	voted: _____
Councilperson Robinson	voted: _____
Councilperson McMullin	voted: _____
Councilperson Armstrong	voted: _____

**APPROVED AS TO FORM**

\_\_\_\_\_  
Deputy County Attorney

# **EXHIBIT A**

Chapter 14  
SUMMIT COUNTY RECREATION ARTS AND PARKS ADVISORY COMMITTEE

**2-14-1: TERMS AND DEFINITIONS:**

A. Terms, Abbreviations And Definitions:

**BOTANICAL ORGANIZATION**<sup>1</sup>: Any private or public nonprofit organization having as its primary purpose the advancement and preservation of plant science through horticultural display, botanical research, and community education.

**BOUNDARIES**: The physical boundaries are those of Summit County and jurisdiction of the RAP tax shall be within Summit County, Utah.

**BYLAWS**: A summary of the procedures, policies, rules, regulations and protocols adopted by the Summit County council and the Summit County RAP tax advisory committees (see RAPACs), governing its jurisdiction, roles, responsibilities, duties, standards and functions.

**CULTURAL ORGANIZATION**<sup>2</sup>: 1. A nonprofit institutional organization or an administrative unit of a nonprofit institutional organization or a municipal or county cultural council having as its primary purpose the advancement and preservation of:

- a. History;
  - b. Natural history;
  - c. Art;
  - d. Music;
  - e. Theater;
  - f. Dance; or
  - g. Cultural arts, including literature, a motion picture, or storytelling.
2. "Cultural organization" does not include:
- a. Any agency of the state;

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<sup>1</sup> As defined in § 59-12-702(2) UCA.

<sup>2</sup> As defined in § 59-12-702(4) UCA.

- b. Any political subdivision of the state except as provided above with respect to a municipal or county cultural council;
- c. Any educational institution whose annual revenues are directly derived more than fifty percent (50%) from state funds;
- ~~d. Any radio or television broadcasting network or station, cable communications system, newspaper or magazine.~~

PROGRAM: The collection and disbursement of collected funds under the RAP tax, pursuant to the purposes and processes provided for in this chapter and by the laws of the state of Utah.

RAP TAX: The imposition of a one-tenth percent (0.10%) sales tax, authorized pursuant to Utah Code Annotated section 59-12-701 et seq., which is known as the recreation, arts and parks (RAP) tax or also known as the zoological, arts and parks (ZAP) tax.

RAPACs: The advisory committees to the Summit County council with regard to the RAP tax, or the recreation, arts and parks advisory committees.

RECREATIONAL FACILITY<sup>3</sup>: Any publicly owned or operated park, campground, marina, dock, golf course, playground, athletic field, gymnasium, swimming pool, or other facility used for recreational purposes.

## 2-14-2: AUTHORITY:

A. RAPACs ~~are~~ is organized by authority of the Summit County council pursuant to the Utah sales and use tax act<sup>4</sup>. The imposition and collection of the sales tax used to fund the program was authorized under the provisions of the Utah code, section 59-12-701 (2000) and imposed by the Summit County council after a duly held election, by Summit County resolution 2001-05 which was passed on March 8, 2001.

B. RAPACs as organized, shall have the general authority to accept applications, investigate, prioritize and present to the Summit County council, recommendations regarding the budgeting and granting of funds collected from the RAP tax, to appropriate projects.

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<sup>3</sup> As defined in § 59-12-702(6) UCA.

<sup>4</sup> UCA § 59-12-701 et seq.

C. It is the mission of the RAPAC to ~~investigate,~~ advise and recommend to the county council, the best use(s) of the funds collected from the tax, for the purposes of financing, in whole or in part, recreational facilities, and botanical and cultural organizations within Summit County.

D. In performing their duties, the RAPAC must keep in mind those purposes set forth in Utah Code Annotated 59-12-701 (1998), as amended.

### **2-14-3: POWERS AND DUTIES:**

#### A. Procedures:

1. The RAPACs shall establish and maintain their own a-procedures, including a time line, for the advertisement, collection and evaluation of requests for funding from the tax. The procedures shall be coordinated to ensure that the annual distribution date, which date is in April for recreation grants and ~~December~~ June for arts-cultural grants, can be met.
2. The RAPACs shall establish an application form and review process which requires organizations or facilities requesting funds, to include sufficient financial information, including, but not limited to, annual income and expenses for a three (3) year period or other financial information as may be required by law or by the application.
3. The RAPACs shall, from time to time, report to the Summit County council on their the organization and activities ~~of the advisory committee. The reporting shall be on a quarterly basis (at a minimum) for the first year, and thereafter on at least a semiannual basis.~~
4. After receiving applications, the RAPACs shall submit all applications to the Summit County attorney's office to verify that the application qualifies for funding under the provisions of state law.
5. After accepting and reviewing applications, the RAPACs shall forward to the Summit County council on or before April 1 of each year with respect to recreation grants and ~~December~~ May 30 of each year with respect to arts-cultural grants, the applications with:
  - a. A priority ranking;
  - b. A written summary of the project or request;
  - c. Recommendations for funding, including a minority report where necessary; and
  - d. The consensus or voting record on each application.

6. The recommendations and ranking by the RAPACs shall not be binding on the Summit County council.
7. The RAPACs may ask the applicant(s) to make presentations to the committee so that additional information may be received.
8. The RAPACs shall act as liaison to the Summit County staff, in monitoring previously funded projects.

B. Budget:

- ~~1. On or before October 1 of each year, the staff for the RAPAC shall forward to the county manager, a budget recommendation for the administration of the program. The proposed budget should include:~~
  - ~~a. Revenues collected;~~
  - ~~b. Projected revenues;~~
  - ~~c. A recommendation by category (e.g., recreational, botanical, cultural), on the percentage of the total which should be disbursed (if any) for each category.~~
  - ~~d. A recommendation of whether or not one and one-half percent (1.5%) of the revenues generated from the tax, should be retained as costs for administering the program. If retention of the 1.5 percent is recommended, the proposed budget should include the amount anticipated from this retention, as well as the uses for which it is being retained and the amounts.~~
1. The RAPACs shall work with the Summit County auditor, when necessary to assist in the identification of the adequate and proper collection of the tax.
2. The RAPACs shall have no authority to collect or expend funding under this program. All authority to collect and expend funding under the tax is vested with the Summit County council.

**2-14-4: MEMBERSHIP AND ADMINISTRATION:**

- A. There shall be two (2) ~~RAP advisory committees~~ RAPACs established in Summit County; one for the purpose of advising on cultural projects and one for the purpose of advising on recreation projects. All provisions of this chapter refer to the committee or to RAPAC in the singular, shall be interpreted to refer to both of the committees.

B. Each ~~committee~~RAPAC shall consist of seven (7) members who shall be appointed by the Summit County council, on a nonpartisan basis. All members shall be primary residents of Summit County.

C. The manager may add up to three (3) ex officio members, as he/she sees fit, to assist with the communications and functions of the committee. Ex officio members shall not have any voting rights.

D. Each appointment shall be for a term of three (3) years, however, the initial appointments shall be determined by lot, for initial terms of one, two (2) and three (3) years. No RAPAC member shall serve more than three (3) consecutive terms, including portions of unexpired terms. Part years shall be counted as a complete year, so that all appointments shall terminate on May 31 with respect to the recreation ~~committee~~RAPAC and ~~December 31~~June 30 with respect to the arts ~~committee~~cultural RAPAC, of the appropriate year. Should the ~~committee~~RAPAC be in the midst of the granting process at the expiration of a term, that term shall continue until the process is completed. Should a successor appointment not be made by prior to the expiration of a term, that term shall continue until the new appointment is made.

E. Each ~~committee~~RAPAC shall elect from among their voting membership a chair, a vice chair and a secretary. The term of office for all officers of the ~~committee~~RAPACs shall be one year. The chair shall preside over and conduct all meetings and shall act as the representative to the county council for all committee transactions. In the absence of the chair, the vice chair shall preside and conduct. The secretary shall take and maintain meeting minutes which shall be approved by the ~~committee~~RAPAC.

F. All members of the RAPAC shall serve on a voluntary basis, without compensation, except that mileage or other travel expenses associated with service may be reimbursed by the county.

G. Committee membership may be terminated by:

1. A written resignation to the county council; or

2. Written notification of termination to any member, by a majority of the county council. The county council may remove any member at any time with or without cause, however, removal with cause may include the following:
  - a. Three (3) or more consecutive unexcused absences from regularly scheduled meetings in a given year; and/or
  - b. Publicly misrepresenting the committee's philosophy, position, objectives, duties or decisions.
  - c. Failure to maintain primary residency within Summit County.

H. Committee members shall discharge any duties assigned under this chapter or assigned by the chairperson and should make every effort to attend all meetings, hearings and site visits.

I. In addition to the ~~executive board~~ RAPAC members, the following persons shall participate as indicated:

1. The Summit County treasurer shall act as treasurer;
2. The Summit County attorney shall act as attorney; and
3. The Summit County auditor shall act as auditor.

~~J. Each committee shall make an annual presentation to the county council of its goals, budget and activities.~~

#### **2-14-5: MEETINGS AND PROCEDURES:**

A. The RAPAC shall meet as required but in no case, less than four (4) times annually, to process the annual grant applications. Additional meetings may be called by the chairperson at such a time and place as he or she may designate. A notice of the time and place of each meeting shall be given to committee members not less than three (3) days in advance of the meeting. Meetings shall not last longer than two (2) hours unless an extension is agreed upon by a majority of the members present.

B. Meetings shall be conducted as informal as appropriate to the situation.

- C. Special or emergency meetings may be called by the chairperson or by a majority vote of the committee upon seventy two (72) hours' notice, or as soon as possible after reasonable notification to committee members.
  
- D. All meetings of the committee shall comply with the Utah open meetings laws as found in section 52-4-101 et seq., Utah Code Annotated (1953), as amended.
  
- E. Executive closed sessions may be scheduled whenever the chairperson deems such action permissible under the Utah open meetings act, and with the concurrence of the county attorney.
  
- F. A majority of the voting committee members shall constitute a quorum and the action of the majority of the members present shall be the action of the committee.
  
- G. Committee members shall attend all meetings unless their absence is excused by the chairperson.

**2-14-6: INDEMNIFICATION:**

The county shall provide for the indemnification of any and all of the committee members against actual damages necessarily incurred by them in connection with the defense of any action, suit or proceeding, in which they or any one of them are made parties or a party, by reason of having been a committee member. If any committee member shall be adjudged in any action, suit or proceeding, to be liable for negligence or misconduct in the performance of their duties, there shall be no indemnification for that action and/or to such matters as shall be settled by agreement predicated on the existence of such liability for negligence or misconduct.

**2-14-7: CONDUCT OF RAPAC MEMBERS:**

- A. Ethical Principles: The following ethical principles shall guide the actions of the RAPAC and its members in carrying out the powers and duties described above:

1. **Serve The Public Interest:** The primary obligation of the RAPAC and each member is to serve the public interest.
2. **Support Citizen Participation In Decision Making:** The RAPAC shall ensure a forum for meaningful citizen participation and expression in the process and assist in the clarification of community goals, objectives, and policies.
3. **Recognize The Comprehensive And Long Range Nature Of Decisions:** The RAPAC and its members shall continuously gather and consider all relevant facts, alternatives and means of accomplishing them, and explicitly evaluate all consequences before making a recommendation or decision.
4. **Facilitate Coordination Through The Process:** The RAPAC shall ensure that individuals and public and private agencies possibly affected by a prospective decision receive adequate information far enough in advance of the decision.
5. **Avoid Conflict Of Interest:** RAPAC members shall avoid conflicts of interest and even the appearance of impropriety. At the commencement of any matter before the RAPAC, members shall divulge in public, any past, present, or expected relationship with any party affiliated with such matter. A member with a potential conflict of interest shall abstain from voting on the matter, not participate in any deliberations on the matter, and leave the table, but may remain in the chamber. The member shall also not discuss the matter privately with any other official voting on the matter.
6. **Render Thorough And Diligent Service:** If a RAPAC member has not sufficiently reviewed relevant facts and advice affecting a public decision, that member should not participate in that decision.
7. **Not Seek Or Offer Favors:** A RAPAC member must not directly or indirectly solicit any gift or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, promises, or in some other form) under circumstances in which it could be reasonably inferred that the gift was intended or could reasonably be expected to influence them in the performance of their duties or was intended as a reward for any recommendation or decision on their part.
8. **Not Disclose Or Improperly Use Confidential Information For Financial Gain:** A RAPAC member shall not disclose or improperly use confidential information for financial gain, and must not disclose to others confidential information acquired in the course of their duties or use it to further a personal interest.
9. **Ensure Full Disclosure At Public Meetings:** The RAPAC shall ensure that the presentation of information on behalf of any party to a question occurs only at the scheduled public meeting on the question, not in private, unofficially, or with other interested parties absent, and must make partisan information regarding the question received in the mail or by telephone or other communication part of the public record.

10. Maintain Public Confidence: A RAPAC member must conduct himself/herself publicly so as to maintain public confidence in the public body, and the member's performance of the public trust.
11. Respect For And Courtesy To Other RAPAC Members, Public And Staff: Each RAPAC member has the same rights and privileges as any other member. Any member has the right to be heard and to hear what others have to say about items being considered by the RAPAC.



January 17, 2013

To: Summit County Council

From Summit County Cultural RAP Tax Committee

The Cultural RAP Tax Committee recommends approval of a new Cultural RAP Tax policy. It is patterned after a policy developed and used by Salt Lake County for its ZAP Tax program. The purpose of the policy as it is implemented in Summit County is to define the program in the following points:

- Define the guidelines used by the Committee.
- Define the requirements for applicants.
- Define the limitations on the use of funds.
- Define the application process and how the applications will be evaluated and recommended to the County Council.
- Establish a reconsideration and appeal process.
- Establish when and how the funds will be distributed.

The Committee would be happy to answer any questions regarding this policy.

SUMMIT COUNTY  
COUNTY-WIDE POLICY No. \_\_\_\_\_  
ON  
**RECREATION ARTS AND PARKS PROGRAM**

**Background:**

In 2000, Summit County voters approved a [1/10th of 1%] increase in the local sales and use tax as a means of enhancing funding for local cultural organizations and recreational facilities within Summit County. Funds are to be distributed as consistent with Utah Code Ann. §59-12-701, *et. seq.*, as amended.

Voters again overwhelmingly approved this initiative in 2011 with 67% of the vote.

To carry out the provisions of the act, the County has created an advisory committee codified in Title 2, Chapter 14, Summit County Code.

**Program Purpose:**

The purpose of the program is to support organizations that enrich the overall quality of life for residents throughout the County. The Recreation Arts and Parks (RAP) Program is committed to fair and equitable access to RAP funding and educational resources. It will also work to increase the public awareness of the value of the RAP Program. The RAP Program exists to enhance financial support of the County's cultural organizations through the imposition, collection and distribution of a 1/10th of 1% County sales and use tax.

**1.0 Policy**

Under the Cultural RAP Program the County Council shall distribute the revenues collected annually as a result of the imposition of a sales and use tax designed to help defer costs for the County's qualifying cultural organizations consistent with Utah Code Ann. §59-12- 701, *et. seq.*, as amended, and Summit County Code, Title 3, Chapter 3b.

This policy is not intended to define the policy or procedures of the recreational facility parks portion of the RAP sales and use tax.

The distribution shall be as follows:

Up to 1.5% of the revenues collected provide resources toward the administration of the program.

**2.0 Definitions**

The following definitions shall be used when referenced hereinafter:

- 2.1 Act — Title 59, Chapter 12, Part 7, Utah Code Annotated and the definitions as provided in the act, as amended.

- 2.2 RAP Tax Committee — the appointed volunteer board(s) that reviews applications and makes recommendations to the County Council.
- 2.3 Application Form — the document(s) specified by the RAP Program of Summit County for use by organizations which request funds pursuant to this Policy & Procedure, including any required attachments and supporting documents.
- 2.4 Compliance Report — Record of how grant money was awarded, and how it was spent.
- 2.5 Summit County/Park City Arts Council — is a nonprofit cultural arts umbrella organization, dedicated to supporting and promoting arts and culture in Summit County.
- 2.6 Nonprofit — an organization or corporation that is not organized, created, operated or maintained to generate a profit or distribute income to its members, directors, officers, or corporation. Certification by the Internal Revenue Service as an organization qualifying under § 501(c)(3) of the Internal Revenue Code is required for any nonprofit organization to qualify for funds hereunder.
- 2.7 Notice to an Applicant —notice to an applicant is sent by regular mail to the name and address provided by the applicant in the application form for RAP funds.
- 2.8 Primary Purpose — the main goal, the fundamental intent, the core purpose or mission of an organization.
- 2.9 Salary — includes all compensation, bonuses and monies paid to individuals as well as for other services provided to the organization by an employee.
- 2.10 Qualifying Organization —cultural organization as defined by the Act that:
  - 2.10.1 Maintains nonprofit status or is a municipal or county cultural council such as the Summit County/Park City Arts Council and meets the purpose of the statute; and
  - 2.10.2 Has a primary purpose that corresponds with the definitions for a cultural organization as described in the statute.

### **3.0 General Guidelines**

- 3.1 Funding for this program comes from sales tax revenues that are collected by the State of Utah and distributed to Summit County. To ensure more funds are not disbursed than received for the year, total actual fiscal year revenues cannot be disbursed until received by the County Treasurer, recorded by the County Auditor and reconciled by the County Manager.

- 3.2 Qualifying organizations requesting funds must be a nonprofit entity with 501(c)(3) status at the time of the application form deadline or a municipal or county cultural council.
- 3.3 All qualifying organizations may apply once per calendar year.
- 3.4 The RAP Tax Committee shall issue public notice detailing the date, time and place of (1) availability of application forms, (2) deadline for filing completed applications for RAP funding and (3) all meeting dates of the RAP Tax Committees.
- 3.5 An application form must be accurate, complete and all supplemental information included prior to the deadline. Late submissions will not be accepted. It is not the responsibility of the RAP staff to contact the applicants regarding information missing from their application.
- 3.6 Each qualifying organization must submit a Compliance Report detailing how it expended the funds it received pursuant to these policies and procedures. The purpose of the Compliance Report is to account for funds distributed. The report must be submitted by the deadline indicated. RAP funding may be withheld due to inadequate, incomplete, or non-submitted Compliance Reports.
- 3.7 RAP funding may not be used for the following expenditures:
  - 3.7.1 Accumulated deficits or debt retirement;
  - 3.7.2 Capital Improvements;
  - 3.7.3 Public schools and/or school programs or hiring of temporary or permanent staff in any school or school system;
  - 3.7.4 Lobbying Expenses;
  - 3.7.5 Scholarships, purchase awards or cash prizes;
  - 3.7.6 Magazines or newspapers;
  - 3.7.7 Broadcasting network or cable communications systems;
  - 3.7.8 Performances, events and activities that take place outside of Summit County;
  - 3.7.9 Activities intended primarily for fundraising;
  - 3.7.10 Recreational, rehabilitative or therapeutic programs;
  - 3.7.11 Social Service Programs;
  - 3.7.12 Fireworks;

- 3.7.13 Sister-city programs;
  - 3.7.14 Rodeos;
  - 3.7.15 Non-cultural celebratory events;
  - 3.7.16 Activities that are primarily religious in purpose;
  - 3.7.17 Cash reserves;
  - 3.7.18 Start-up organizations;
  - 3.7.19 Private Foundations.
- 3.8 Competitive Process: Organizations that apply and qualify are not guaranteed funding.
- 3.9 All recipients must come from one of the eligible disciplines as defined by the Act.
- 3.10 The RAP Tax Committee encourages all applicants to abide by professional and ethical nonprofit standards. The Utah Nonprofit Association (UNA) provides assistance to nonprofit organizations to achieve these standards. Organizations not a member of UNA, may be required to include a copy of their professional and ethical standards with their RAP application.

#### **4.0 Application Process**

- 4.1 The RAP Tax Committee will issue public notice prior to the time the application form becomes available each year. Notices will appear in local media.
- 4.2 Application forms for funding may be accessed on the Summit County website.
- 4.3 All requests for funds must be submitted on the official application or website provided by the County's RAP Program.
- 4.4 Applications for funding must be submitted to the County's Assistant Manager.
- 4.5 The Summit County website will provide a guide to be used by organizations submitting applications based on certified financial statements. When completing the application, organizations must refer to this guide for the current rules.
- 4.6 Applications must be submitted prior to the deadline identified within the body of the application. Applications received after the deadline will not be accepted.
- 4.7 The RAP Tax Committee will review the application form and accompanying material and conduct interviews with each applicant. After careful review and deliberation and based upon the submitted application and accompanying

information, the RAP Tax Committee shall make recommendations to the County Council as to the program funds to be distributed to each qualifying organization.

4.7.1 Fiscal information both within the application form and required as attachments may be reviewed by an accountant hired by the County and County attorney prior to the RAP Tax Committee's meeting identifying qualifying organizations. The accountant will review the application form material for accuracy, consistency, and compliance with fiscal requirements under the RAP Program.

4.8 An organization may request reconsideration of the RAP Tax Committee's final recommendation by submitting a written statement to the County Council in accordance with Section 6 of this policy.

4.9 An organization may qualify for up to 50% projected program costs, 50% of projected projects costs or 33% projected general and administration costs.

## **5.0 Application Evaluation**

5.1 RAP Tax Committee: Per Chapter 2-14 of the County Code, the RAP Tax Committee consists of a group of 7 individuals appointed by the Summit County Council. The purpose of the RAP Tax Committee shall be to advise the County Council on disbursement of funds received as a result of the imposition of the county sales and use tax pursuant to authority of Utah Code for the process.

5.2 Purpose: To provide cultural opportunities to Summit County residents.

5.3 Criteria:

5.3.1 Qualifying Organizations must pass the RAP Program's minimum financial health test on an annual basis. Weak or negligent financial management may be grounds for exclusion.

5.3.2 Stability of the organization is an important factor in funding.

5.4 County Council Process: Upon receipt of the RAP Tax Committee's recommendations, the County Council shall identify and approve qualifying organizations per the Act, Title 2, Chapter 14, Summit County Code and these policies and procedures. A list of qualifying organizations and the funds each is to receive shall be presented by the County Council at a public meeting.

## **6.0 Reconsideration and Appeal Process**

6.1 RAP Tax funds are not an entitlement, and the filing of an application form for RAP Tax funds, no matter how complete or comprehensive, is not a guarantee that any funds will be awarded. As such, it should be clearly understood that the award of RAP Tax funds is in the nature of a competitive grant, and is awarded on

the basis of merit and funds availability of which from year to year there is no guarantee.

- 6.2 Denial of funding or funding at a lower level than anticipated or desired is not a justification for an appeal, nor should it be construed as a judgment on the particular merits of a specific organization or applicant. Applicants that were denied or received less than desired funding are encouraged to apply again during the next funding cycle. Applicants are encouraged to consult Summit County staff if they have questions about completing the application form or the application procedure. It is the sincere desire of the RAP Program to fund as many deserving organizations as feasible.
- 6.3 The grounds for an appeal are limited to evidence of the following:
  - 6.3.1 A conflict of interest was not disclosed and it prejudiced the discussion of the organization's application; or
  - 6.3.2 Violation of RAP policy and procedures, County ordinances, or State or Federal statutes.
- 6.4 Dissatisfaction with the selection of the cultural organizations or with the funding allocations is not justification for an appeal.
- 6.5 In cases where a written reconsideration request has been received by the County Council, the RAP Tax Committee will schedule a meeting within ten (10) days to consider the reconsideration request and submit their recommendation to the County Council.
- 6.6 The County Council will review and make a decision based on RAP Tax Committee recommendations on all reconsideration requests filed. Reconsideration requests not supported by evidence or not based upon a proper ground for an appeal will be summarily dismissed.
- 6.7 If the County Council finds a reconsideration to have merit, the Council will determine the final list of qualifying organizations.
- 6.8 Applicants may not present to the County Council information that has not been previously submitted to the RAP Tax Committee.

## **7.0 Distribution of Funds**

- 7.1 Approved organizations will be required to enter into a Summit County Services agreement with Summit County prior to receiving funds. If any organization fails to return the Summit County Services agreement, executed as required hereunder, within said time, it will not receive payments and may lose its qualification for funding in that cycle.
- 7.2 No checks shall be distributed until contracts are fully executed.

- 7.3 All funding will be based on actual sales and use tax receipts as received by the County Treasurer, recorded by the County Auditor and reconciled by the County Manager.
- 7.4 The County Council shall make the final determination as to the distribution of revenue among qualifying organizations in accordance with the Act, Title 2, Chapter 14, Summit County Code, and these policies and procedures.
- 7.5 Any past due balances owed to a County facility or agency may first be deducted before any distribution of RAP funding is made to a qualifying organization.
- 7.6 If an organization requests funding for a specific program or general operations and the RAP award is less than requested, the RAP Program assumes the organization will accommodate their programming to the funding amount awarded. If organizations find they must change their application scope more drastically, such as moving an event to a different time period than originally applied for, the organization may be allowed to modify their applications if they promptly inform the RAP Program of their difficulties, through written correspondence, and include how they propose to deal with the challenges that they have described in their request. The RAP Program will review the request and notify the recipient in a timely manner.

SUMMIT COUNTY COUNCIL

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
County Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Summit County Attorney's Office

# DAVID R. BRICKEY COUNTY ATTORNEY



## Criminal Division

JOY NATALE  
Prosecuting Attorney

MATTHEW D. BATES  
Prosecuting Attorney

RYAN P.C. STACK  
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## Civil Division

DAVID L. THOMAS  
Chief Deputy

JAMI R. BRACKIN  
Deputy County Attorney

HELENE E. STRACHAN  
Deputy County Attorney

**To: Summit County Council ("SCC") &  
Summit County Manager, Bob Jasper**

**From: Helen E. Strachan**

**Date: January 16, 2013**

**Re: Governing Ordinance of the Snyderville Basin Cemetery District**

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Pursuant to UCA §17B-1-201, et. seq. and §17B-2a-101, et. seq., Summit County recently formed the "Snyderville Basin Cemetery District," which is a specialized local district (cemetery maintenance district). I have provided my memo to the SCC dated April 18, 2012 to provide background on the creation of the district. An election was held on the question of whether the district should be created and a majority of those within the proposed local district boundaries voting at the November 6, 2012 election voted in favor of the district's creation. The canvass of the election was held on November 19, 2012. After the canvass, the Summit County Attorney's Office sent the necessary paperwork to the Lieutenant Governor's Office and received the certificate of incorporation from them effective January 16, 2013.

Under Utah law, we must take substantial steps towards providing cemetery services within six month of adoption of the Resolution indicating that services will be provided. That Resolution was adopted July 18<sup>th</sup>, 2012. Given that this district needed to be approved by voters in November and formally created by the Lieutenant Governor's Office, we have moved as quickly as possible to create the district. Adoption of the attached Governing Ordinance is another step towards demonstrating that we are serious about the district's creation and providing services. The Governing Ordinance mirrors the language of our other cemetery districts in Summit County. Most importantly, it provides for the creation of a 5 member board of trustees to oversee the district. Once the Governing Ordinance is approved, we shall go through the process of noticing the vacancies on the board.

I will be present at the January 23<sup>rd</sup> meeting to field any questions you may have. Thanks.

DAVID R. BRICKEY  
COUNTY ATTORNEY

Criminal Division

JOY NATALE  
Prosecuting Attorney

MATTHEW D. BATES  
Prosecuting Attorney

RYAN P.C. STACK  
Prosecuting Attorney

SUMMIT  
COUNTY

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Civil Division

DAVID L. THOMAS  
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JAMI R. BRACKIN  
Deputy County Attorney

HELEN E. STRACHAN  
Deputy County Attorney

To: Summit County Council &  
Summit County Manager, Bob Jasper  
From: Helen E. Strachan *HS*  
Date: April 18, 2012

Re: Resolution re Creation of Snyderville Basin Cemetery District

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

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

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

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

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

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

**Issues and Questions to Consider:**

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

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

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

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

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

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

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

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

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

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

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

**GOVERNANCE ORDINANCE  
OF THE SNYDERVILLE BASIN CEMETERY DISTRICT  
SUMMIT COUNTY, STATE OF UTAH  
ORDINANCE NO. \_\_\_\_\_**

**PREAMBLE**

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

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

**WHEREAS**, on April 18, 2012, the Summit County Council (the “Council”) adopted Resolution No. 2012-8 to initiate the process to create the Snyderville Basin Cemetery District (the “District”) and on November 6, 2012, a majority of those within the proposed District boundaries voted in favor of the District’s creation; and

**WHEREAS**, the Lieutenant Governor’s Office has issued a certificate of incorporation pursuant to UCA §17B-1-215 and §67-1a-6.5, thereby deeming the District created and incorporated; and

**WHEREAS**, this ordinance puts in place the governing structure of the District.

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

Section 1. **Governance.** The District shall be governed in accordance with Exhibit A herein.

Section 2. **Effective Date.** In order to preserve the peace, health, or safety of the County and the inhabitants thereof, this Ordinance shall take effect immediately upon publication in a newspaper published in and having general circulation in the County.

Enacted this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**ATTEST:**

**SUMMIT COUNTY COUNCIL  
SUMMIT COUNTY, STATE OF UTAH**

\_\_\_\_\_  
County Clerk

By: \_\_\_\_\_  
Chairperson

**Councilperson Ure** voted: \_\_\_\_\_

**Councilperson Carson** voted: \_\_\_\_\_

**Councilperson Robinson** voted: \_\_\_\_\_

**Councilperson McMullin** voted: \_\_\_\_\_

**Councilperson Armstrong** voted: \_\_\_\_\_

**APPROVED AS TO FORM**

\_\_\_\_\_  
**Deputy County Attorney**

# EXHIBIT A

# **Chapter 42**

## **SNYDERVILLE BASIN CEMETERY DISTRICT**

**2-42-1: PURPOSE:** To provide for the public health, safety, and general welfare of the residents living within the jurisdictional boundaries of the Snyderville Basin Cemetery District, the district is authorized to provide cemetery services through facilities or systems acquired or constructed for that purpose through construction, purchase, lease, contract, gift or condemnation or any combination thereof.

**2-42-2: DEFINITIONS:**

When used herein shall mean:

**BOARD:** The Snyderville Basin Cemetery District board of trustees.

**BOARD MEMBER:** The members of the Snyderville Basin Cemetery District board of trustees.

**COUNTY:** Summit County, Utah.

**COUNTY COUNCIL:** The Summit County council who exercises legislative authority in the county.

**COUNTY MANAGER:** The chief executive officer of the county.

**DISTRICT:** The Snyderville Basin Cemetery District.

**2-42-3: DISTRICT POWERS:**

The district is a limited purpose local government entity, as described in Utah Code Annotated section 17B-1-103 that operates under, is subject to, and has the powers set forth in Utah Code Annotated section 17B-1-101 et seq., "provisions applicable to all local districts" (excluding 17B-1-1002 - property tax, which is reserved to the county council), and Utah Code Annotated section 17B-2a-1 et seq., "cemetery district maintenance act".

**2-42-4: CREATED:**

There is hereby established a board of trustees known as the "Snyderville Basin Cemetery District Board of Trustees", which shall govern, in accordance with state law, the affairs of the Snyderville Basin Cemetery District. All powers of the district are exercised through the board.

## **2-42-5: DUTIES OF BOARD:**

A. The board shall have all duties and powers as provided for in Utah Code Annotated, section 17B-1-301, which includes:

1. The power to fix the location of the district's principal place of business and the location of all offices and departments, if any;
2. The power to fix the times of meetings of the board;
3. The power to select and use an official seal;
4. The power to employ employees and agents, or delegate to district officers power to employ employees and agents, for the operation of the district and its properties and prescribe or delegate to district officers the power to prescribe the duties, compensation, and terms and conditions of employment of those employees and agents;
5. To require district officers and employees charged with the handling of district funds to provide surety bonds in an amount set by the board or provide a blanket surety bond to cover officers and employees;
6. To contract for or employ professionals to perform work or services for the local district that cannot satisfactorily be performed by the officers or employees of the district;
7. Through counsel, prosecute on behalf of or defend the local district in all court actions or other proceedings in which the district is a party or is otherwise involved;
8. Adopt bylaws for the orderly functioning of the board;
9. Adopt and enforce rules and regulations for the orderly operation of the district or for carrying out the district's purposes;
10. Prescribe a system of civil service for district employees;
11. On behalf of the district, enter into contracts that the board considers to be for the benefit of the district;
12. Acquire, construct or cause to be constructed, operate, occupy, control, and use buildings, works or other facilities for carrying out the purposes of the district;
13. On behalf of the district, acquire, use, hold, manage, occupy, and possess property necessary to carry out the purposes of the district, dispose of property when the board considers it appropriate, and institute and maintain the name of the district any action or proceeding to enforce, maintain, protect, or preserve rights or privileges associated with district property;

14. Delegate to a district officer the exercise of a district duty; and

15. Exercise all powers and perform all functions in the operation of the district and its properties as are ordinarily exercised by the governing body of a political subdivision of the state and as are necessary to accomplish the purposes of the district.

B. In addition to the above, the board shall also have the following duties and powers as allowed under Utah Code Annotated section 17B-2a-101 et seq., which relates specifically to powers of cemetery maintenance districts:

1. The board may issue bonds as provided in and subject to Utah Code Annotated section 17B-1-1101 et seq., "local district bonds".

2. The board shall beautify, improve and maintain each cemetery within the district.

3. The board shall ensure that each parcel of property within the district is benefited by the district and by improvements made by the district, ratably with all other parcels of property within the district in proportion to the parcel's taxable value and assess equally in proportion to its taxable value for the purposes of cemetery improvement and maintenance.

**2-42-6: MEMBERSHIP:**

A. The membership of the board shall consist of five (5) members. All five (5) members shall be appointed by the County Council by resolution pursuant to the requirements and process set forth in Utah Code Annotated section 17B-1-304. Each member of the board shall be a registered voter at the location of the board member's residence and a resident within the boundaries of the district. The term of board members shall be governed by Utah Code Annotated section 17B-1-303.

B. The county council hereby retains the authority to remove any or all board members with cause.

C. The board shall elect from their number a chair and may elect other officers as the board considers appropriate. The offices of treasurer and clerk may not be held by the same person. Each officer serves at the pleasure of the board, but the board may designate a set term for officers.

D. Members shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid from district funds.

#### **2-42-7: MEETINGS:**

- A. The board shall meet at least twice each year and conduct business in compliance with the Utah open meetings act, including public notification of meeting places, times and agenda items.
- B. Written minutes of each board meeting shall be prepared, preserved, and made available for public inspection.
- C. It is expected that all appointed members of the board shall attend all regularly scheduled and special meetings as may be called. In the event any member has an attendance record which drops below fifty percent (50%), the county council may remove said member from the board and make a replacement appointment.
- D. The attendance of three (3) or more members of the board shall constitute a quorum. All official acts of the board shall be by majority vote of those then present.

#### **2-42-8: INDEMNITY AND INSURANCE:**

The district shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil or criminal, administrative or investigative, by reason of the fact that he or she is or was the director, officer, employee, or agent of the district. The indemnification shall be for all expenses (including attorney fees), judgments, fines, and amount paid in settlement, actually and reasonably incurred by him or her in connection with the action, suit, or proceeding, including any appeal of the action, suit or proceeding, if he or she acted in good faith or in a manner he or she reasonably believed to be in or not opposed to the best interests of the district, and with respect to any criminal action or proceeding, if he or she had no reasonable cause to believe the conduct was unlawful. Determination of any action, suit, or proceeding by judgment, order, settlement, conviction or on a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the party did not meet the applicable standard of conduct. Indemnification under this section may be paid by the district in advance of the final disposition of any action, suit, or proceeding, on a preliminary determination that the director, officer, employee, or agent met the applicable standard of conduct and on receipt of an undertaking by or on behalf of a director, officer, employee, or agent to repay the amount, unless it is ultimately determined that he or she is entitled to be indemnified by the district as authorized in this section. The district shall also indemnify any director, officer, employee, or agent who has been successful on the merits or otherwise, in defense of any action, suit, or proceeding, or in defense of any claim, issue, or matter in the action, suit, or proceeding, against all expenses, including attorney fees, actually and reasonably incurred, without the necessity of an independent determination that a director, officer, employee, or agent met any appropriate standard of conduct. The indemnification provided for in this section shall continue as to any person who has ceased to be a director, officer, employee, or agent, and shall inure to the benefit of the heirs, executors, and administrators of that person.

The district shall have power to purchase and maintain insurance on behalf of any person who is a director, officer, employee, or agent of the district against any liability asserted against him or her and incurred by him or her in any such capacity, or arising out of his or her status as such, whether or not the district would have authority to indemnify him or her against the liability under the provisions of this section, or under law.

**2-42-9: ANNUAL REPORT:**

The district shall make an annual presentation to the county council of its goals, budget, and activities.



**MEMORANDUM:**

Date: January 13, 2013  
To: Council Members  
From: Annette Singleton  
Re: Timberline Special Service District

Reappoint Bill Evans and Don Fulton to the Timberline Special Service District. Bill and Don's terms to expire December 31, 2016.



**MEMORANDUM:**

Date: January 13, 2013

To: Council Members

From: Robert Jasper

Re: Recommendation to appoint members to the Summit County Weed Board

Advice and consent of County Manager's recommendation to reappoint John Blazzard, Earl (Sam) Blonquist, and Robert Siddoway to the Summit County Weed Board. John and Sam's terms of service to expire November 30, 2015. Robert's term of service to expire November 30, 2016.

**SUMMIT COUNTY WEED BOARD**  
**Terms expire November 30<sup>th</sup> of each year**  
**Four-year terms**  
**Last updated May 2011**

<b>NAME</b>	<b>EMAIL ADDRESS</b>	<b>ADDRESS</b>	<b>CONTACT NUMBERS</b>	<b>TERM EXPIRES</b>	<b># of Terms</b>
<b>John Blazzard</b>	<a href="mailto:jblazzard@allwest.net">jblazzard@allwest.net</a>	PO Box 65 Kamas, Utah 84036	H: 435-783-4732 W: 435-783-4550	2011	2
<b>Earl (Sam) Blonquist</b>		PO 603 Coalville, Utah 84017	435-336-2686	2011	2
<b>Robert Siddoway</b>		7120 N SR 32 Peoa, Utah 84061	435-783-5162	2012	2
<b>Rochelle Robinson</b>		PO Box 982288 Park City, Utah 84098	435-615-6989	2013	2
<b>Mindy Wheeler</b>		4203 Sunrise Drive Park City, Utah 84098	435-645-9699	2013	2
<b>Kray O'Brien</b>		1423 SW Hoytsville Rd Coalville, Utah 84017	435-640-2450	2013	1



**MEMORANDUM:**

Date: January 23, 2013

To: Council Members

From: Robert Jasper

Re: Recommendation to appoint members to the County Fair Advisory Board

On December 12, 2012, amendments were made to the Summit County Fair Advisory Board, Summit County Code, Title 2, Chapter 4. One of the changes was combining the Future Farmers of America representatives from South Summit and North Summit, to one representative, which added an additional “at-large” position. See attached Members list, with notes.

Interviews were conducted on January 14, 2013.

Advice and consent of County Manager’s recommendation to appoint Chablee Padgett, Robyn Bailey, and to reappoint Dirk Rockhill, to the County Fair Advisory Board. Chablee, Robyn, and Dirk’s terms to expire December 31, 2015.

Advice and consent of County Manager’s recommendation to appoint Dusty Morgan to serve on the County Fair Advisory Board, as recommended by Future Farmers of America. Dusty’s term of service to expire December 31, 2014.

Advice and consent of County Manager’s recommendation to appoint Jodie Coleman to serve on the County Fair Advisory Board, as recommended by Coalville City. Jodie’s term of service to expire December 31, 2015.

Advice and consent of County Manager’s recommendation to appoint a member to serve on the County Fair Advisory Board, as recommended by Park City Chamber of Commerce. (We are in discussions with Bill Malone, and a member will be chosen by Wednesday, to appoint during council meeting.) This member’s term of service to expire December 31, 2015.

**County Fair Advisory Board**  
**Three Year Terms - Not Serving More than Three Consecutive Terms**  
**Expires December 31st of Each Year**

NAME	EMAIL ADDRESS	TERM EXPIRES	# of Terms	Notes
Dirk Rockhill, Chair Citizen at Large	<a href="mailto:trock@allwest.net">trock@allwest.net</a>	2012	2	Reapplied
Steve Richins Coalville City	<a href="mailto:richinscoalville@allwest.net">richinscoalville@allwest.net</a>	2012	1	Coalville City would like to appoint Jodie Coleman
Farrah Spencer	<a href="mailto:fspencer@lrw-law.com">fspencer@lrw-law.com</a>	2014	1	
Cathy Miller Chamber Bureau	<a href="mailto:cathy@parkcityinfo.com">cathy@parkcityinfo.com</a>	2012	2	Chamber Bureau will let us know who they would like to appoint by 1/23/13
Marla Howard	<a href="mailto:marlahoward0@gmail.com">marlahoward0@gmail.com</a>	2013	1	
Dusty Morgan South Summit FFA	<a href="mailto:de@ssummit.org">de@ssummit.org</a>	2012	1	FFA recommends Dusty Morgan to serve 2 years
Nile Hansen	<a href="mailto:nilehansen@yahoo.com">nilehansen@yahoo.com</a>	2013	1	
<del>Katie Silcox</del> North Summit FFA	<del><a href="mailto:ktsilcox@nsummit.org">ktsilcox@nsummit.org</a></del>	<del>2012</del>	<del>1</del>	FFA recommends one member, above
Tassie Williams	<a href="mailto:tassiew@teschlaw.com">tassiew@teschlaw.com</a>	2013	2	
Sterling Banks USU Extension	<a href="mailto:sterling.banks@usu.edu">sterling.banks@usu.edu</a>	2013	1	
<del>Ken Kresser</del>	<del><a href="mailto:KKresser@allwest.net">KKresser@allwest.net</a></del>	<del>2012</del>	<del>1</del>	Did not reapply
Additional At-Large position to fill				
Anita Lewis	<a href="mailto:alewis@summitcounty.org">alewis@summitcounty.org</a>			



**MEMORANDUM:**

Date: January 23, 2013

To: Council Members

From: Annette Singleton

Re: Summit County Mosquito Abatement District Board of Trustees

On December 31, 2012, four Members' terms expired on the Summit County Mosquito Abatement District Board of Trustees (see attached Member's list with notes). Pursuant to the recommendations of Park City Council, Coalville City, and Oakley City, the following appointments may be made:

**As recommended by Park City Council:** Appoint Blake Fannesbeck, and reappoint Dana Williams, to the Summit County Mosquito Abatement District Board of Trustees. Blake and Dana's terms of service to expire December 31, 2016.

**As recommended by Coalville City:** Reappoint Roger Crittenden to the Summit County Mosquito Abatement District Board of Trustees. Roger's term of service to expire December 31, 2016.

**As recommended by Oakley City:** Reappoint DelRay Hatch to the Summit County Mosquito Abatement District Board of Trustees. DelRay's term of service to expire December 31, 2016.

**SUMMIT COUNTY MOSQUITO ABATEMENT DISTRICT  
FOUR YEAR TERMS-EXPIRING DECEMBER 31<sup>ST</sup> OF EACH YEAR**

NAME	ORGANIZATION and AREA	EMAIL	TERM EXPIRES	NOTES
<b>Nathan Brooks</b>	Appointed by Council	<a href="mailto:nbrooks@summitcounty.org">nbrooks@summitcounty.org</a>	2015	
<b>Sue Pollard</b>	Appointed by Council	<a href="mailto:utahpollards@earthlink.net">utahpollards@earthlink.net</a>	2015	
<b>Tal Adair</b>	Appointed by Council	<a href="mailto:taladair@hotmail.com">taladair@hotmail.com</a>	2015	
<b>Dana Williams</b>	Appointed by Park City Council	<a href="mailto:dana@parkcity.org">dana@parkcity.org</a>	2012	Park City Council would like to reappoint Dana
<b>Pace Erickson</b>	Appointed by Park City Council		2012	Pace Erickson retired – Park City Council would like to appoint Blake Fannesbeck
<b>Roger Crittenden</b>	Appointed by Coalville City	<a href="mailto:rrcrit@hotmail.com">rrcrit@hotmail.com</a>	2012	Coalville City Council would like to reappoint Roger Crittenden
<b>Jason Richins</b>	Appointed by Henefer City	<a href="mailto:jsrichins@allwest.net">jsrichins@allwest.net</a>	2014	
<b>Greg Averett</b>	Appointed by Francis Town	<a href="mailto:greg@probstelectric.com">greg@probstelectric.com</a>	2013	
<b>Kevan Todd</b>	Appointed by Kamas City	<a href="mailto:ktoddcon72@gmail.com">ktoddcon72@gmail.com</a>	2013	
<b>Gary Siddoway</b>	Appointed by Kamas City		2014	
<b>DelRay Hatch, President</b>	Appointed by Oakley City	none	2012	Oakley City would like to reappoint DelRay Hatch
<b>Bryan Stephens General Manager</b>		<a href="mailto:summitmad@allwest.net">summitmad@allwest.net</a>		

## MANAGER'S REPORT

January 23, 2013

To: Council Members

From: Robert Jasper

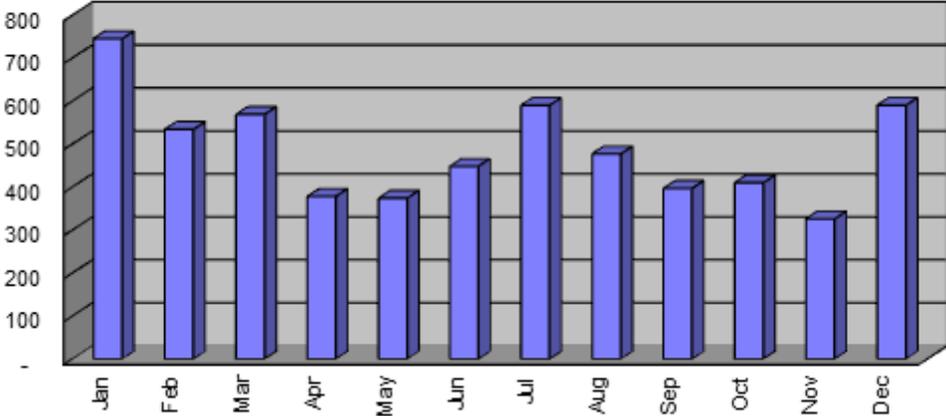
<b>Department</b>	<b>Description of Updates</b>
Administration	<p>Submitted by Robert Jasper, County Manager:</p> <p>◆ Documents and transactions are listed on the Manager Approval list dated 1/18/13, posted on the website at: <a href="http://www.summitcounty.org/manager/index.php">http://www.summitcounty.org/manager/index.php</a></p>
Auditor	
Assessor	
Attorney	<p>Submitted by Matthew Bates, Prosecuting Attorney:</p> <p><b><u>Criminal Division Activity</u></b></p> <p><b>CRIMINAL CASES FILED</b></p> <p style="padding-left: 40px;">District Court: 6 Justice Court: 29</p> <p><b>CRIMINAL FILINGS OF INTEREST</b></p> <p><b>13150004</b> An inmate in the Summit County jail was charged with resisting arrest and two counts of assault by a prisoner. The inmate threatened another inmate. When deputies tried to restrain her, she resisted and punched them. Assigned Prosecutor: Matthew Bates</p> <p><b>13150007</b> A taxi driver in Park City was charged with theft of lost or mislaid property and unlawful use and possession of a financial transaction card. A customer left her purse in the back of his cab. He was later seen on video using her credit card. Assigned Prosecutor: Matthew Bates</p> <p><b>13150005</b> Two people were charged with child endangerment, possession of drugs in a drug free zone, and possession of a dangerous weapon by a restricted person. Park City police officer went to couple's home near Park City High School to serve an arrest warrant. Upon entering the home, police discovered the couple home with two small children. They also found marijuana, drug paraphernalia for using marijuana and methamphetamine, and a law enforcement-style ASP baton. Assigned Prosecutor: Joy Natale</p> <p><b>13150008</b> A suspect was charged with drug trafficking after a trooper during a routine traffic stop on I-80 discovered 46 pounds of marijuana in duffle bags in the passenger compartment of his car. Assigned Prosecutor: Joy Natale</p> <p><b>CRIMINAL CASES SENTENCED</b></p> <p style="padding-left: 40px;">District Court: 13 Justice Court: 24</p> <p><b>PLEAS, TRIALS, AND SENTENCES OF INTEREST</b></p> <p><b>SHEA RENEE SHEERAN 121500351</b> Ms. Sheeran pled guilty to child endangerment for using opiates and methamphetamine during her pregnancy. When her child was born he was found to have amphetamines and opiates in his system. He began suffering withdrawal symptoms within a few hours of birth and spent five weeks in the intensive care unit. Ms. Sheeran was on parole at the time. Her parole was revoked and she was returned to prison. The district court imposed an additional consecutive one to fifteen year prison term for the child endangerment conviction. Assigned Prosecutor: Joy Natale</p>

Department	Description of Updates																																
	<p><b>CONSTANCE VILLA 121500158</b>  Ms. Villa pled guilty to inflicting serious bodily injury on a child when she gave birth to a child who had opiates, THC, and benzodiazepines in his system. Ms. Villa later admitted to using heroin, vicodin, xanax, and marijuana while she was pregnant and her baby spent four weeks in the intensive care unit. The district court sentenced her to serve a year in the county jail and three years on probation with Adult Probation and Parole. Assigned Prosecutor: Joy Natale.</p> <p><b>NICHOLAS JOSEPH CARROLL 121500349</b>  Mr. Carroll pled guilty to criminal mischief and intoxication. Park City police officers found him drunk near the Marriott Summit Watch Hotel. near several pieces of broken wood. Mr. Carroll admitted that he had broken the wood off a wooden horse sculpture outside the Coda Gallery. The sculpture's estimated worth is \$25,000, and the gallery estimated that it would cost \$3000 to repair. Mr. Carroll will return for sentencing on March 11, 2013.</p> <p><b>Civil Division Activity</b></p> <p><b>PENDING OFFICIAL PROCEEDINGS</b>  State District Court: 9  Federal District Court: 1  Appeals: 1  Tax Commission: 3</p> <p><b>SIGNIFICANT ACTIVITY</b>  Contact Attorney for Civil Issues: Dave Thomas</p> <p><b>Victim Advocate Activity</b></p> <table border="1" data-bbox="305 989 1471 1734"> <thead> <tr> <th colspan="2">Summit County Victim Assistance Activity 1/14/13</th> </tr> </thead> <tbody> <tr> <td>Victim contact and Notification Packet sent out following offender being charged</td> <td>3</td> </tr> <tr> <td>Victim Impact Statement assistance provided and Packet sent to victim with instructions</td> <td>2</td> </tr> <tr> <td>Sentencing letter sent to victim with court sanctions and explanation</td> <td>3</td> </tr> <tr> <td>Board of Pardons letter and registration of victims information for parole hearings</td> <td>1</td> </tr> <tr> <td>Court Assistance provided to clients</td> <td>3</td> </tr> <tr> <td>Hearings attended on behalf of victims and results of outcomes provided</td> <td>10</td> </tr> <tr> <td>Court Prep and orientation in anticipation of testifying</td> <td>1</td> </tr> <tr> <td>Protective Order assistance in filing, service of order and hearing assistance</td> <td>2</td> </tr> <tr> <td>Civil Stalking Injunction assistance in filing, service of order and hearing assistance</td> <td>2</td> </tr> <tr> <td>Child Protective Order assistance in filing, service of order and hearing assistance</td> <td>0</td> </tr> <tr> <td>Pre-Trial Protective Orders/Jail No Contact Agreements contact victims and request order</td> <td>1</td> </tr> <tr> <td>Callout with law enforcement i.e., unexpected death, rape, after hour calls, etc.</td> <td>1</td> </tr> <tr> <td>Client Mtgs i.e., walk-ins and appointments</td> <td>12</td> </tr> <tr> <td>Children's Justice Center appointments with family or guardian during interview</td> <td>0</td> </tr> <tr> <td>Restitution assistance i.e., submit claim forms to the Utah Office for Victim's of Crime, etc.</td> <td>3</td> </tr> </tbody> </table>	Summit County Victim Assistance Activity 1/14/13		Victim contact and Notification Packet sent out following offender being charged	3	Victim Impact Statement assistance provided and Packet sent to victim with instructions	2	Sentencing letter sent to victim with court sanctions and explanation	3	Board of Pardons letter and registration of victims information for parole hearings	1	Court Assistance provided to clients	3	Hearings attended on behalf of victims and results of outcomes provided	10	Court Prep and orientation in anticipation of testifying	1	Protective Order assistance in filing, service of order and hearing assistance	2	Civil Stalking Injunction assistance in filing, service of order and hearing assistance	2	Child Protective Order assistance in filing, service of order and hearing assistance	0	Pre-Trial Protective Orders/Jail No Contact Agreements contact victims and request order	1	Callout with law enforcement i.e., unexpected death, rape, after hour calls, etc.	1	Client Mtgs i.e., walk-ins and appointments	12	Children's Justice Center appointments with family or guardian during interview	0	Restitution assistance i.e., submit claim forms to the Utah Office for Victim's of Crime, etc.	3
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Community Development	<p>Submitted by Don Sargent, Community Development Director:  <b>Snyderville Basin</b></p> <ul style="list-style-type: none"> <li>The General Plan Update link on the County Website at:  <a href="http://www.co.summit.ut.us/communitydevelopment/snyderville-basin-plan.php">http://www.co.summit.ut.us/communitydevelopment/snyderville-basin-plan.php</a> was</li> </ul>																																

Department	Description of Updates															
	<p>recently updated with the latest clean copy version of Phase I of the General Plan which will be addressed in a scheduled public hearing next Tuesday, January 22, 2013. The document includes all chapters of Phase I of the General Plan, excluding the Neighborhood Plans which will be reviewed and discussed in February.</p>															
	<p><b>Eastern Summit County</b></p> <ul style="list-style-type: none"> <li>The development code rewrite Planning Commission sub-committee is scheduled to meet before the Planning Commission meeting this Thursday, January 17, 2013 to continue drafting the outline for the code re-write effort.</li> </ul>															
	<p><b>Department Administrative Items</b></p> <ul style="list-style-type: none"> <li>Staff is in the process of drafting the agenda from input of the Planning Commission Chairs for the joint meeting with both Planning Commissions scheduled at the Richins Building on January 31<sup>st</sup> at 6:00 PM.</li> <li>In preparation for the 2013 building season, the department has initiated the advertisement for a Plans Examiner II position in the building division to assist with building plan review which was formerly being conducted by Bill Vanderlinden.</li> <li>The department received 1 new planning applications and 3 new building applications this past week as follows:</li> </ul>															
	<p><b>Eastern Summit County</b></p>															
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center;">12-498</td> <td style="width: 45%;"><b>Edman Lot of Record</b> Dirk Rockhill                      LOR CD-2171</td> <td style="width: 20%; text-align: center;">Jan 11, 13</td> <td style="width: 20%; text-align: center;">Sean</td> </tr> </table>				12-498	<b>Edman Lot of Record</b> Dirk Rockhill                      LOR CD-2171	Jan 11, 13	Sean								
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<u>Department</u>	<u>Description of Updates</u>
Engineering	<p>Submitted by Derrick Radke, Engineer: Below is a summary of our office's activities over the last week</p> <ul style="list-style-type: none"> <li>• Development Project Bond Releases</li> <li>• Solid Waste Superintendent Follow-Up</li> <li>• 3 Subdivision Plat reviews</li> <li>• Traffic Model Update</li> <li>• Traffic Report 2012</li> <li>• Village at Kimball Junction Misc.</li> <li>• Eastern Summit County Transportation Master Plan</li> <li>• Echo Henefer Historic Loop Trail</li> <li>• Lower Village Road Design/Coordination</li> <li>• Develop "Urban Cluster" map w/PC Engineer</li> <li>• Summit Park Design</li> <li>• Residential Permit Activity <ul style="list-style-type: none"> <li>○ 6 over the counter</li> <li>○ 7 plans reviewed</li> <li>○ 1 driveway inspections</li> <li>○ 1 erosion control inspections</li> <li>○ 1 enforcement (note we are doing minimal enforcement only inspections due to low fuel budget)</li> </ul> </li> <li>• Right-of-Way Permit Activity <ul style="list-style-type: none"> <li>○ 0 new applications</li> <li>○ 4 site inspection</li> </ul> </li> <li>• Development Site Inspections <ul style="list-style-type: none"> <li>○ 6 Development Site Inspections</li> <li>○ Various routine inspections</li> </ul> </li> </ul>
Facilities	<p>Submitted by Mike Crystal, Facilities Manager:</p> <ul style="list-style-type: none"> <li>• Heating problems at both the Health dept. and Library, no frozen water lines though!!</li> <li>• Still shorthanded with Shane and Jan out.</li> <li>• Finished Carpet in treasurer's office</li> <li>• Have been working on hot water replacement for the Jail.</li> <li>• Just received our Division of Drinking water IPS report for well at public works Rating Approved would like to thank Zane with the health department for his help!</li> </ul>
Health Department	<p>Submitted by Rich Bullough, Health Department Director:</p> <p><u>Childhood Vaccines:</u> In the November 28 update we reported that SCHED was conducting surveys to identify reasons parents are using the exemption process, in increasing numbers, to not have their children vaccinated. The survey has been completed and a summary of results is below.</p> <ul style="list-style-type: none"> <li>○ Fewer than 5% of parents of young children in Summit County request a vaccination exemption for their child.</li> <li>○ The typical person seeking an exemption for their child was White (94%), female (82%), and college educated (91%).</li> <li>○ The primary reasons for exemption were: <ul style="list-style-type: none"> <li>▪ Vaccines occur at too early of an age (49%)</li> <li>▪ Philosophical opposition to vaccines (36%)</li> <li>▪ Needed to get child enrolled in school (31%)</li> <li>▪ Belief that vaccines cause chronic disease (11%)</li> <li>▪ Belief child will have negative reaction to vaccine (11%)</li> <li>▪ Cultural opposition to vaccines (7%)</li> </ul> </li> </ul>

Department	Description of Updates
	<ul style="list-style-type: none"> <li>▪ Lost vaccination record (7%)</li> </ul> <p>While the current exemption rate is not alarming, the trend is increasing at a significant rate. The CDC recommends that rates greater than 5% exemption warrant concern. Based on these findings the SCHED, with community partners including schools, will implement an awareness campaign to address these issues.</p> <p><i>Influenza:</i> The CDC reports that influenza has spread rapidly through all but three states in the United States. This year's flu strain has been particularly aggressive and it appears the vaccine is only about 62% effective. While this effectiveness rate is below that desired, it clearly still reduces the risk of becoming ill through influenza by more than half. The SCHED has been in the Park Record and on KPCW promoting the importance of getting vaccinated and has been providing vaccinations in greatly increased numbers. The SCHED has vaccine on hand and we recommend to everyone that they come to our offices to be vaccinated. Cost is \$20.00.</p>
I.T.	<p><u>Submitted by Ron Boyer, Director of IT:</u></p> <ul style="list-style-type: none"> <li>• GIS- We have been talking with ERSI about creating a parcel data layer in the local government schema that they have created. This would entail a consulting contract. We have also inquired with Sidwell Corporation that would assist us in a similar manner. They have done the same type of work for 7 other jurisdictions in Utah. .</li> <li>• Assisted in moving the Treasurer's office in back and forth for their new carpet. We also pulled together the data to list delinquent properties on the website as well as data for preprinted payment books for owners that prepay taxes monthly.</li> <li>• Attended the Kamas City Council meeting to introduce and offer assistance for the website <a href="http://www.summitcountyeconomicdevelopment.org">www.summitcountyeconomicdevelopment.org</a>.</li> <li>• Attended MCAT meetings to determine the future of the statewide assessment program, the majority of the counties in attendance would like to move to something else. Salt Lake has too much invested into the program to go another route and Kane is satisfied. However because of some of the problems experienced by tax roll flow, all future implementations have been halted until some issues are resolved. Summit County has dual entered data since the system was implemented early last year.</li> <li>• IT has been working to bring the Accounts Receivable module live on 1/9.</li> </ul> <p>Support tickets for period Jan. 4 – Jan. 14: 125 Opened, 130 Closed..</p>
Justice Court	<p><u>Submitted by Shauna Kerr, Justice Court Judge:</u></p> <p>This week our Senior Court Clerk, announced that she plans to retire at the end of February after 32 (plus) years with Summit County. We will be advertising for an entry level Clerk I position to fill this vacancy and doing some restructuring in the department to assure a smooth transition. More information about Annette's plans and a retirement celebration will follow at a later date.</p> <p>During the past week we have resolved 88 traffic cases and had 67 new traffic cases filed. The most common violation continues to be driving without a valid license followed closely with driving without valid insurance. This past week we resolved 43 criminal misdemeanors or infractions cases and 24 new cases were filed with the largest number of violations being for controlled substance/narcotics charges.</p>
Library	<p><u>Submitted by Dan Compton, Library Director:</u></p> <p>The new Bookmobile from Farber will be delivered on Friday, January 18<sup>th</sup>. We will transfer the collection on Friday and they will drive the old truck back to Ohio. Martin Marek is flying in on Monday to train us and complete the paperwork.</p> <p>I am working with Linda Vernon from IT to improve the Wi-Fi access at all three of our branches. We</p>

Department	Description of Updates																										
	<p>are working with the same company that did the courthouse's Wi-Fi setup.</p> <p><u>"Dogdance" - Fri, January 18, 4pm – 5pm – Kimball Junction Branch</u>            Come enjoy an exclusive Children's Film Screening of STETSON: the Street Dog of Park City – The gentle story of a Park City street dog in search of a home—filmed right here in our own home town—AND there's sure to be a celebrity sighting of Stetson, the dog, himself.            Short film, treats, and dog tricks—it's not "Sundance" but "Dogdance"! Don't miss it.</p>																										
Mountain Regional Water	<p><u>Submitted by Andy Armstrong, General Manager:</u>            Treatment Plant Expansion Update:            80% Complete.</p> <p>We have finished installation of the new skid, We are now waiting for Manufacturer to arrive to Program the PLC,s and okay the installation of membrane modules.</p> <p>SCADA Project Update:            70% complete.</p> <p>We have replaced all antennas, radios and installed new servers. We our in the process of programming the SCADA controllers with new operating algorithms to optimize energy costs.</p> <p>Operations:            We have numerous freeze-ups, our operators have worked four consecutive nights unfreezing services.</p> <p>Other Items of interest:            We are continuing to hold discussions with Weber Basin, Park City and Summit Water. No real offers have been tendered by any off the parties</p>																										
Park City Fire Service District	<p><u>Submitted by Paul Hewitt, Fire Chief:</u>            I'll just share our year end totals of run numbers and training hours:</p> <p style="text-align: center;">Monthly Calls - 2012</p>  <table border="1" data-bbox="305 1766 1502 1837"> <thead> <tr> <th>Jan</th> <th>Feb</th> <th>Mar</th> <th>Apr</th> <th>May</th> <th>Jun</th> <th>Jul</th> <th>Aug</th> <th>Sep</th> <th>Oct</th> <th>Nov</th> <th>Dec</th> <th>total</th> </tr> </thead> <tbody> <tr> <td>745</td> <td>534</td> <td>569</td> <td>378</td> <td>374</td> <td>448</td> <td>590</td> <td>477</td> <td>397</td> <td>410</td> <td>326</td> <td>590</td> <td>5,838</td> </tr> </tbody> </table>	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	total	745	534	569	378	374	448	590	477	397	410	326	590	5,838
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	<p style="text-align: center;"><b>Total Training Hours by Category - 2012</b> Park City Fire District</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>Jan</th> <th>Feb</th> <th>Mar</th> <th>Apr</th> <th>Ma y</th> <th>Jun</th> <th>Jul</th> <th>Au g</th> <th>Sep</th> <th>Oct</th> <th>No v</th> <th>Dec</th> <th>totals</th> </tr> </thead> <tbody> <tr> <td>Fire</td> <td>562</td> <td>396</td> <td>685</td> <td>441</td> <td>727</td> <td>810</td> <td>466</td> <td>711</td> <td>607</td> <td>745</td> <td>673</td> <td>517</td> <td>7340</td> </tr> <tr> <td>EMS</td> <td>199</td> <td>271</td> <td>612</td> <td>294</td> <td>228</td> <td>162</td> <td>295</td> <td>324</td> <td>221</td> <td>271</td> <td>333</td> <td>254</td> <td>3464</td> </tr> <tr> <td>Special Operation s</td> <td>142</td> <td>343</td> <td>151</td> <td>183</td> <td>193</td> <td>201</td> <td>58</td> <td>86</td> <td>167</td> <td>334</td> <td>236</td> <td>117</td> <td>2211</td> </tr> <tr> <td></td> <td>13015</td> </tr> </tbody> </table>		Jan	Feb	Mar	Apr	Ma y	Jun	Jul	Au g	Sep	Oct	No v	Dec	totals	Fire	562	396	685	441	727	810	466	711	607	745	673	517	7340	EMS	199	271	612	294	228	162	295	324	221	271	333	254	3464	Special Operation s	142	343	151	183	193	201	58	86	167	334	236	117	2211														13015
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Personnel	<p><u>Submitted by Brian Bellamy, Personnel Director:</u></p> <p><b>Personnel</b></p> <ol style="list-style-type: none"> <li>1. Created list of 1% increases.</li> <li>2. Worked with Butch Swenson on quarterly EMPG grant submittal</li> <li>3. Met with Utah Local Governments Trust on Excellence in Risk Management Certification</li> <li>4. 1 day Kronos Training</li> <li>5. Met with HUB to discuss October and November insurance claims</li> <li>6. Met with Sheriff Edmunds, Justin Martinez and Matt Leavitt to discuss options for the \$250,000 budget request decrease</li> </ol> <p><b>Animal Control</b></p> <ol style="list-style-type: none"> <li>1. 3 dogs are in the shelter along with 13 cats <ol style="list-style-type: none"> <li>a. 8 new animals were received by Animal Control this week (including a 1 sheep)</li> <li>b. 0 dogs were transferred</li> <li>c. 3 cats were transferred</li> <li>d. 1 sheep was claimed by their owner</li> </ol> </li> <li>2. Still working on a new Animal Control Database program. Trying to tie the financial ends together.</li> <li>3. Officers ran 34 details for the week</li> </ol>																																																																						
Public Works	<p><u>Submitted by Kevin Callahan, Public Works Director:</u></p> <p>Manager's Report from Public Works Director</p> <p><b>Solid Waste</b></p> <p>Worked with Cliff Blonquist on transition for solid waste program looking at agreements for Samak drop-off center, Wyoming waste, Coalville recycling etc.</p> <p>Met with landfill staffs to get their basic needs met for safety and work equipment (safety glasses, gloves, and respirator masks). Delivered forms for a landfill workshop to occur in February.</p> <p>Contacted SWANA to see if we can get the certifications for staff for Manager of Landfill Operations</p>																																																																						

<u>Department</u>	<u>Description of Updates</u>
	<p>(MOLO) and Construction and Demolition specialties recertified.            Began preparation of the annual report to Department of Environmental Quality for landfill and recycling programs.            Asked Cliff Blonquist to complete evaluations on four landfill staff who had not been evaluated.  <b>Emergency Management</b>            Attended Utah Emergency management Conference in Salt lake Tuesday and Wednesday</p>
Recorder	
Treasurer	<p><u>Submitted by Corrie Forsling, County Treasurer:</u></p> <ul style="list-style-type: none"> <li>• Our Easy Pay program (automatic monthly bank debits for prepayments of 2013 taxes), launched at the end of 2011, saw an uptick in enrollment this tax season and we now have over 300 taxpayers in the program.</li> <li>• Beginning the long/arduous process of the annual audit.</li> <li>• We're fully staffed again due to the return of our employee Erin Matheson from disability.</li> <li>• Issued a PO for the purchase of Check 21 software that will allow uploads of scanned checks to Zion's Bank (eliminating double-scanning process we currently use).</li> </ul>
Sheriff	
Snyderville Basin Recreation	
USU Extension	

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# MINUTES

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**SUMMIT COUNTY  
BOARD OF COUNTY COUNCIL  
MONDAY, DECEMBER 3, 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**

**John Hanrahan, Council Member**

**Robert Jasper, Manager**

**Anita Lewis, Assistant Manager**

Chair Ure called the Council to order at 9:05a.m.

**CLOSED SESSION – PROPERTY ACQUISITION**

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

The Summit County Council met in closed session from 9:10a.m. to 9:28a.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**

**John Hanrahan, Council Member**

**Robert Jasper, Manager**

**Anita Lewis, Assistant Manager**

**Roger Armstrong, Council Elect**

**Kim Carson, Council Elect**

**Council Member Robinson made a motion to dismiss from closed session. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.**

**TRUTH AND TAXATION HEARING DECEMBER 19, 2012**

**Council Member Robinson made a motion to schedule a Truth and Taxation Hearing on December 19, 2012 at 6:00p.m. at the Courthouse in Coalville to discuss potential tax increases in the Municipal Fund and Service Area 6 Fund. Council Member Elliott seconded the motion and passed 4 to 1. Council Member Ure voted nay.**

**WORK SESSION – DEPARTMENT HEAD BUDGET PRESENTATIONS**

The Council met with department heads and reviewed budget requests.

9:00 AM - Administration, including Council, Seniors, Fair, and Sustainability (20 min)

9:20 AM - Information Technology (20 min)

9:40 AM - Facilities, including Courthouse, Richins, Justice Complex, Animal Shelter, etc. (20 min)

10:00 AM - Ag. and Extension (15 min)

10:15 AM - Non-Profit Grant Applicant KPCW; Cindy Kaiser Bywater, Director of Development & Underwriting (20 min)

10:35 AM - Auditor, including special revenue amounts, risk management, and other budgets (60 min)

No further action was taken and the Council dismissed at 11:55 AM.

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David Ure, Council Chair

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Kent Jones, Clerk

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# MINUTES

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**SUMMIT COUNTY**  
**BOARD OF COUNTY COUNCIL**  
**WEDNESDAY, DECEMBER 5, 2012**  
**SHELDON RICHINS BUILDING**  
**PARK CITY, UTAH**

**PRESENT:**

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

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

**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 Elliott and passed unanimously, 5 to 0.**

The Summit County Council met in closed session from 12:35 p.m. to 1:30 p.m. to discuss property acquisition. Those in attendance were:

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

**Robert Jasper, Manager**  
**Anita Lewis, Assistant Manager**  
**Dave Thomas, Deputy Attorney**  
**Stephanie Dolmat-Connell, Sustainability**  
**Rena Jordan, SB Recreation District**  
**Bonnie Park, SB Recreation District**  
**Max Greenhalgh, BOSAC**  
**Wendy Fisher, Utah Open Lands**  
**Kim Carson, Council Elect**

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

**WORK SESSION**

Chair Ure called the work session to order at 1:30 p.m.

- **Interview seven applicants for vacant position on the Snyderville Basin Planning Commission**

The Council Members interviewed Beatrice Peck, Jeff Riehl, Michael Wong, Wendy Macuga (by telephone), Gary Peacock, Mike Barnes, and Josh Mann for a vacancy on the Snyderville Basin Planning Commission created by the resignation of Martyn Kingston. Questions included why they wish to serve on the Planning Commission, whether they have conflicts of interest, whether they have time to devote to serving on the Planning Commission, whether they would be willing to speak up if they feel something is not being done right, whether they would be offended if the County Council does not agree with their recommendations, how they would deal with the special interests of their own neighborhood or their personal interests, what skills they would bring to the Planning Commission, whether they would apply the facts of an application to the Code and the process rather than letting their own agenda or emotions dictate their decision, what they think are the biggest issues facing the Planning Commission currently, and what they view their position on the Planning Commission to be.

### **CLOSED SESSION**

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

The Summit County Council met in closed session from 3:15 p.m. to 3:30 p.m. to discuss personnel. Those in attendance were:

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

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

### **WORK SESSION - (Continued)**

- **Interview three applicants for two vacant positions on the Snyderville Basin Special Recreation District Administrative Control Board**

The Council Members interviewed Brian Guyer, Michael Flaherty, and Cathy Kahlow for two vacant positions on the Snyderville Basin Special Recreation District Administrative Control Board. Question included why they wish to serve on the Board, whether they have time to devote to serving on the Board, what skills they would bring to the Board, whether they have any conflicts with serving on the Board, and their comfort in dealing with budgets and decisions.

## **CLOSED SESSION**

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

The Summit County Council met in closed session from 3:55 p.m. to 4:00 p.m. to discuss personnel. Those in attendance were:

**David Ure, *Council Chair***

**Claudia McMullin, *Council Vice Chair***

**Sally Elliott, *Council Member***

**John Hanrahan, *Council Member***

**Chris Robinson, *Council Member***

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

## **CONVENE AS THE BOARD OF EQUALIZATION**

**Council Member McMullin made a motion to convene as the Summit County Board of Equalization. The motion was seconded by Council Member Robinson and passed unanimously, 3 to 0. Council Members Elliott and Hanrahan were not present for the vote.**

The meeting of the Summit County Board of Equalization was called to order at 4:00 p.m.

## **CONSIDERATION OF APPROVAL OF 2012 STIPULATIONS**

**Board Member McMullin made a motion to approve the stipulations as presented. The motion was seconded by Board Member Robinson and passed unanimously, 3 to 0. Board Members Elliott and Hanrahan were not present for the vote.**

## **DISMISS AS THE BOARD OF EQUALIZATION**

**Board Member McMullin made a motion to dismiss as the Board of Equalization and to reconvene as the Summit County Council in work session. The motion was seconded by Board Member Robinson and passed unanimously, 3 to 0. Board Members Elliott and Hanrahan were not present for the vote.**

The meeting of the Summit County Board of Equalization adjourned at 4:01 p.m.

- **Discussion regarding proposed 2013 budget**

Matt Leavitt with the County Auditor's Office reviewed the operating fund revenues to date and budgeted amounts for 2012.

Council Member Robinson recalled that the County plans on a certain amount being stipulated away each year and asked where they stand so far with stipulations this year and whether there might be some increased revenue based on the stipulations. County Auditor Blake Frazier confirmed that the stipulations are lower than they have been in recent years, and if the collection rate remains stable, there may be a little additional money.

Mr. Leavitt stated that it would be helpful to him if the Council would give him the items they would like him to adjust in the budget so he can show them on Monday with the impacts on the funds.

Chair Ure commented that, due to economic conditions, there could be fewer grants for the Health Department in 2013 and asked if that would require them to adjust the budget to keep the Health Department functioning next year. It was his understanding that the State of Utah stands to lose almost \$600 million in grants depending on what happens in Washington.

Council Member Robinson asked for an overall summary for 2012 showing whether the County is adding to the surplus or spending reserves. Mr. Frazier noted that is on the last page of the report provided to the Council Members. Mr. Leavitt explained that the restricted amounts from the municipal services fund will increase, because they are associated with Class B roads and impact fees. This year there were no impact fee related road projects, so none of the restricted money was spent in 2012. Two projects this year qualify for impact fee money, and the 2013 budget anticipates spending some of the restricted amount. Mr. Frazier noted that the fund balance on the unrestricted general fund is projected to remain relatively level, the fund balance for unrestricted municipal is projected to decrease about \$700,000, and assessing and collecting will remain stable. That equates to about a \$350,000 decrease in the unrestricted fund balances, which is in direct correlation to the projects the County did from the municipal fund that were not funded because of the petition.

Council Member Hanrahan asked how they spent down the general restricted fund. Mr. Leavitt explained that the general restricted fund is made up of the Health Department, with restricted grant moneys, and they are trying to use up some of that fund balance by having the Health Department pay as much as it can for the bond payments on the health building. However, they have to leave some money in that fund, because some grants are tied to matching funds.

Chair Ure asked how much money they need to make up for in the municipal fund if there is no tax increase. Mr. Frazier replied that depends on the decisions the Council makes. He recalled that the Council was given three options to consider last week, and it could go from having to make up \$1.4 million to having to make up \$400,000. If they cut staff enough, they could break even. Mr. Jasper noted that does not include Service Area 6, which will show a deficit of about \$125,000 this year and \$160,000 in 2013. Council Member McMullin confirmed that their charge is to deal with a \$1.4 million shortfall in the municipal fund if there is no tax increase.

Council Member Robinson asked if there is still an unrestricted balance of \$3 million in the municipal fund without the tax increase. Mr. Leavitt explained that the unrestricted portion will decrease about \$670,000, and instead of decreasing the entire \$1.4 million, there was a savings on some of the road projects, and some projects were not completed. Council Member Robinson asked about the contributions of \$1.129 million in 2012. Mr. Leavitt explained that much of that is the lease payment to the Municipal Building Authority for bond payments for the facilities. It

also includes \$50,000 for open space maintenance. He noted that the 2012 budget will have to be amended to include some grants that were received. He emphasized that the information in this report is based on estimates. Mr. Jasper explained that they will be receiving sales tax for this year into February, and the Auditor's Office has done its best to provide an estimate of the revenues for 2012. Mr. Frazier clarified that the "to other funds" item is for the health building and open space maintenance, and the "contributions" line item is the contribution to surplus for 2012. Mr. Jasper noted that both he and Mr. Frazier have suggested that the Council cut the contribution to surplus for 2013.

Chair Ure asked what other departments they could split from the municipal fund to the general fund. Mr. Frazier recalled that in the proposal he presented, he indicated that they are looking at splitting three road projects in the municipal fund 50/50, because they are collector roads that everyone uses. Council Member Hanrahan suggested that they make the change in the 2013 budget to make those road splits 50/50. Mr. Jasper commented that it is ironic that they will be shifting some of the burden of the cost of those roads to the general public rather than having those who receive the services pay for them.

Chair Ure recommended that they remove the 2% salary increase for employees from the budget. Mr. Frazier confirmed that has already been done. Council Member Hanrahan stated that he would support putting some contribution in the budget toward making the employees whole on their increased health insurance costs. He suggested that they cut the increase by half.

Personnel Director Brian Bellamy recalled that most employees have had only one increase in the past five years, and he is starting to see some employees leave because of what they are seeing in the County. He explained that the County Council agreed to pick up about 7.5% on health care for the employees, but that also shifted health care costs to the employees in the form of higher co-pays and higher out-of-pocket maximums. He suggested that they do something to help keep this revenue neutral to the employees. He stated that many employees have been willing to pick up more work and not get compensated for it, but now it is getting to the point where they are starting to look for greener pastures.

Council Member Hanrahan stated that he does not have a political problem with saying they need to raise taxes in the municipal fund and Service Area 6 and keep compensation neutral for 2013. He did not believe they should make a political decision regarding these issues out of fear that a vocal minority will complain about raising taxes when they are increasing salaries for staff. He believed it is defensible to say that they are keeping compensation neutral for staff, especially with a very minimal cost of living increase over the last few years.

Chair Ure stated that, if an employee quits, there will probably be no less than a dozen or two dozen people apply for their job. Council Member Elliott stated that they might not be of the same caliber. Chair Ure stated that they might be even better. He believed they would put people in jeopardy when they raise taxes, such as retired people on fixed incomes and the poor. He stated that people, especially those on the east side of the County, think working for the County is a very good job, and they at least have a job. He believed many employees would rather have a lower income than to have no income. He noted that a 2% increase to those in the higher income brackets is much more than 2% to those making \$30,000 or \$40,000.

Council Member Robinson confirmed with Mr. Leavitt that the shortfall in the municipal fund is \$1.4 million assuming no tax increase and no raise for employees and that the shortfall would be greater if they include a 2% increase for employees. He did not believe they are proposing a tax increase so they can give a pay raise. The problem is having to cut expenses or raise revenues just to keep the status quo. Council Member Hanrahan explained that he advocates a pay raise to hold the employees harmless. He recalled that in the past the County has picked up the total cost of the increase in health benefits, and this year they are not doing that. As a result, they will put the total burden of \$325,000 out-of-pocket costs on the employees. He asked about Mr. Bellamy's survey of other entities and what they are doing. Mr. Bellamy replied that the results of the survey were mixed, and there is not a trend across the board. Council Member Robinson commented that it appears they have several variables they can look at, and they should probably keep them all open until they are ready to address them all. One is the 2% salary increase, another is the tax increase, and another is shifting costs between the municipal and general funds for capital projects.

Mr. Frazier suggested that they put together an outline of the options and review them step by step in a systematic order. Council Member Hanrahan stated that he did not see why they would want to make a contribution to surplus in 2013 considering the current situation. Mr. Frazier stated that he did not believe they need to make as large a contribution in 2013. He explained that they are trying to build a fund balance in the general fund. The question is what they can legitimately shift to the general fund in 2013, because they cannot charge less property tax in the general fund and more in the municipal fund without going through a truth in taxation hearing. Chair Ure confirmed with Mr. Frazier that, if they choose one of the three options that have been proposed, or some combination of them, the entire 2013 budget will be balanced. Mr. Jasper noted that the Service Area 6 fund is still out of balance.

Council Member Robinson stated that he would like at the least the amount they anticipate will be stipulated away in 2013 in the contribution to surplus, and ideally more than that, so they do not run too close to the line of trying to balance. After reviewing the 2012 stipulations, he stated that he would be happy if they were to make a contribution to surplus of at least \$500,000 in 2013. Of that, \$200,000 will be money they probably will not receive, and the other \$300,000 would be a cushion so they will be sure to remain in the black.

Council Member Hanrahan stated that he would prefer to put off the Old Ranch Road reconstruction instead of the road maintenance projects. Mr. Callahan explained that Old Ranch Road will not get any worse, but people have been expecting that project to be done for a long time. He agreed that they could put off the Old Ranch Road project for 2013. The Council Members discussed with Mr. Radke the road maintenance projects and what each project entails and determined which projects would be done instead of the Old Ranch Road reconstruction.

The Council Members discussed the changes in the splits between the municipal and general funds. Council Member Hanrahan commented that, if they shift items to the general fund, they need to look for cuts in the general fund. Deputy County Attorney Dave Thomas explained that they could change the split in the Attorney's Office, because most of their work, about 60% to 70%, is on the prosecutorial side, which is County-wide. He suggested that they change that split to 60%. The Council Members suggested that they cut the remaining \$328,000 in the municipal fund budget from public safety and let the Sheriff decide how to work with that. Council Member McMullin noted that there are other areas where they may be able to make

adjustments in the budget rather than putting that burden on public safety. Council Member Hanrahan suggested that they consider a cut of \$250,000 in the public safety budget as a placeholder until staff is able to adjust the splits and bring the information back on Monday.

Council Member Hanrahan suggested that they not cut any planners. Council Member McMullin agreed that she does not want to cut planners or the road crews.

Mr. Jasper reminded the Council that they still need to deal with Service Area 6.

Mr. Leavitt requested that the Council Members send him their lists of proposed changes to the budget, and he will compile them and go over them on Monday morning.

### **REGULAR MEETING**

Chair Ure called the regular meeting to order at 5:40 p.m.

- **Pledge of Allegiance**

### **DISCUSSION REGARDING AMENDED RAP TAX APPLICATION OF NORTH SUMMIT RECREATION; TIM DOUGLAS, CHAIR OF THE RAP TAX RECREATION COMMITTEE**

Tim Douglas, Chair of the RAP Tax Recreation Committee, explained that this is a much better application than they saw before. The Committee has worked with North Summit Recreation extensively over the last three months, and they have changed the application to \$452,500 for the purchase of property from the North Summit School District. The Recreation District will put in two multi-use playfields, and the funding covers architectural engineering and design and financial and legal consultant fees. Mr. Douglas noted that the Recreation District will receive in-kind donations from the school district for the parking lot, as it will be used as shared parking. He stated that the Committee was pleased with the application and has recommended that it be funded.

Council Member Hanrahan verified with Mr. Douglas that the money has remained in the fund from the last distribution and that it was essentially earmarked for this purpose. He asked if there will be a significant increase in operation and maintenance costs resulting from this and where that money will come from. Mr. Douglas replied that there will not be a significant amount of operation and maintenance, and the school district will help with some of the maintenance, because it plans to use the fields. There may be some maintenance the District has not thought of that will have to be funded from some source, but future years of RAP tax will be available to help with that. Mr. Jasper noted that the North Summit Recreation District also receives \$35,000 from the County for administrative costs. Mr. Douglas stated that there will probably be enough money in the RAP Tax for recreation to now provide money to the recreation districts annually. Council Member Hanrahan stated that he would like the \$35,000 that now comes from the County general fund to come from the RAP Tax funds. Mr. Douglas explained that the Recreation District would have to make application for that.

Council Member Elliott stated that she has been concerned that recreation for the youth in the County is funded very unfairly, because it is not done on a per capita basis. She noted that the RAP Recreation Tax Committee applies a proportionality in their funding, and she would support Council Member Hanrahan in having the money to support the North Summit Recreation District come from them, because the RAP Tax Committee does a much better job of distributing those funds the County has ever done. Mr. Jasper stated that he does not believe it makes sense for the County to give \$35,000 each year to the recreation districts when the RAP tax fund is growing, and the County can only keep the first half of its sales tax revenues.

Council Member Elliott stated that she is not happy about this application. She would like to see some indication from North Summit that they would like to have recreation. She believes there is value in providing affordable recreation for children, but she would like an indication from the voters of North Summit that they are willing to help with this. She was disappointed in how the vote on the Recreation District went. Chair Ure affirmed that the citizens are very much in favor of this. He believed they reached too high on the last ballot, and if the Recreation District were to be very specific and cut their request significantly, he believed they would get a positive vote. He was pleased with what they are doing and believed the Recreation District is doing a good job and filling a need.

Mr. Douglas explained that the school district is not willing to hold the property forever, and they have been waiting for more than a year now. Council Member McMullin noted that the money is available and has already been allocated to North Summit, and she fully supports this application. Council Member Hanrahan stated that he also supports the application.

**Council Member Hanrahan made a motion to approve the amended RAP Tax recreation grant request for the North Summit Recreation Special Service District as outlined in the grant request. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.**

### **MANAGER COMMENTS**

Mr. Jasper noted that he has provided a written report. In the report he indicated that he was going to meet with Park City to see if they could partner on an emergency manager position, but that did not work out. He will proceed to recruit for that position, and he noted that more than 50% of the cost will be funded by the Federal Government.

### **COUNCIL COMMENTS**

Council Member Hanrahan suggested that the Council Members think about how they will appoint members to the boards that he and Council Member Elliott have served on.

Council Member Robinson reported that a press release was issued by the County jointly with the Snyderville Basin Recreation District and Park City Municipal Corporation regarding their collaboration on open space. They will be preserving 781 acres of open space in Toll Canyon.

Chair Ure reported that he has asked the Manager to update the Council whenever a County employee is going through what Bill VanderLinden has been going through. He encouraged the Council Members to contact Mr. Vander Linden.

**APPROVAL OF COUNCIL MINUTES**

OCTOBER 24, 2012

**Council Member Elliott made a motion to approve the minutes of the October 24, 2012, Summit County Council meeting as corrected. The motion was seconded by Council Member Robinson and passed unanimously, 4 to 0. Council Member McMullin was not present for the vote.**

**PUBLIC INPUT**

Chair Ure opened the public input.

There was no public input.

Chair Ure closed the public input.

**PUBLIC HEARING REGARDING POSSIBLE ADOPTION OF ORDINANCE #786 REGARDING ANTI-IDLING; BOB SWENSEN, NICK WILKINSON, AND STEPHANIE DOLMAT-CONNELL**

Chair Ure opened the public hearing.

Dana Edwards, representing the Canyons Resort stated that they have a no-idling policy, and they support the no-idling ordinance. She stated that they will be joining with all three resorts to have a community-wide program with consistent messaging and hope to have Summit County join them. They believe they have a responsibility to limit carbon emission as much as they can in the community, starting with their own resort, and they support this ordinance.

Insa Riepen commented that there is engineering that produces cars that automatically turn off after three seconds of idling and turn on as the light turns green and the car proceeds. She stated that she teaches students that a car needs to be turned off when it is not moving. She was pleased to know that all three resorts are working together to combat idling. She would like to see the County make signs available to all businesses who wish to put them up, which would give them recognition for doing the right thing. That would provide a consistent message throughout the County that they are all in favor of this and that it is necessary in order to keep the air clean.

Council Member Hanrahan suggested that Mr. Jasper look into having signs produced in the County’s sign shop. Stephanie Dolmat-Connell noted that the County also has some signs left from the resolution that they can put up at County facilities.

Chair Ure closed the public hearing.

**Council Member Elliott made a motion to adopt Ordinance #786 regarding anti-idling. The motion was seconded by Council Member Hanrahan and passed unanimously, 4 to 0. Council Member McMullin was not present for the vote.**

The County Council meeting adjourned at 6:05 p.m.

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*Council Chair, David Ure*

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*County Clerk, Kent Jones*



## Staff Report

**To:** Summit County Council (SCC)  
**Report Date:** Wednesday, January 17, 2013  
**Meeting Date:** Wednesday, January 23, 2013  
**Author:** Kimber Gabryszak, AICP; presented by Amir Caus, County Planner  
**RE:** Snyderville Basin Recreation District - Fieldhouse Expansion

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**EXECUTIVE SUMMARY:** The Snyderville Basin Special Recreation District (SBSRD) is proposing modifications to the Snyderville Basin Recreation Fieldhouse, located at 1388 Center Drive in the Newpark Town Center. The proposal includes a two-story ~7640 sq. ft. expansion on the west side of the existing building, as well as the relocation of the main entrance from the south side of the building to the west side.

The Snyderville Basin Planning Commission (SBPC) held a public hearing on October 9, 2012 and voted to forward a positive recommendation to the SCC (minutes attached as Exhibit G). The SBPC held an additional discussion on December 18, 2012 to review minor modifications, and again voted to forward a positive recommendation on the expansion (draft minutes attached as Exhibit H).

**Staff recommends that the SCC conduct a public hearing, discuss the application, and consider taking action on the proposed Final Site Plan amendment.**

A. **Project Description**

- **Project Name:** Snyderville Basin Recreation District Fieldhouse Expansion
- **Applicant(s):** Matt Strader, SBSRD
- **Property Owner(s):** Snyderville Basin Special Recreation District
- **Location:** 1388 Center Drive, Kimball Junction
- **Zone District & Setbacks:** Town Center Zone, Newpark Specially Planned Area
- **Adjacent Land Uses:** Commercial (Newpark Cottonwood III), Residential (Newpark Studios), open space (Swaner Preserve), I-80
- **Existing Uses:** Recreation Fieldhouse
- **Parcel Number and Size:** NPRK-S, 2.37 acres
- **Land Use Authority:** Summit County Council (SCC)
- **Type of Item:** Public hearing, possible action
- **Type of Action:** Administrative

B. **Background**

The Redstone Parkside / Newpark Specially Planned Area (SPA) and The Redstone Parkside / Newpark Development Agreement (DA) were approved in October, 2001 and amended in December, 2002. The SPA resulted in the approval of 819,360 sq. ft. of density on the ~37 acre site. The original approval anticipated a mix of 36% corporate office/resort residential, 25% residential (resort, townhouses, flats), 24% commercial, and 15% of the density allocated to the Swaner Nature Preserve and the US Ski and Snowboard Association national training center. Out of the overall project density, approximately 112,000 sq. ft was allocated for the SBSRD Fieldhouse.

On June 18, 2003 the Board of Summit County Commissioners approved a final site plan for Phase I of the Fieldhouse, an ~40,000 sq ft facility with a 120' x 250' practice field, 2<sup>nd</sup> story running track, locker rooms, and other exercise facilities. Under the remaining unallocated square footage (~72,000 sq ft), the SBSRD is now proposing a Phase II expansion that involves the construction of a two-story ~7,640 sq ft addition on the east side of the building in an existing concrete pad area and along the existing indoor field / track. This proposed addition would allow for an increase in storage space as well as provide for additional exercise area. In addition to the proposed expansion, the existing main entrance would be relocated to the west side of the building, adjacent to the parking lot.

### **Design Review Committee**

According to the DA, Final Site Plans and Final Subdivision/ Condominium Plats are required prior to the development of each parcel and shall first be reviewed by the Design Review Committee (DRC). The DRC consists of County planning staff, Planning Commission members chosen to represent the Planning Commission, and representatives of the Developer. The DRC was established to allow a more detailed, intense, and interactive review of the projects. The DRC met on July 23 and August 20, 2012 to review this project. Based on that review, the DRC felt the project could move forward to the Planning Commission for a work session. Discussion during the DRC meetings included parking and design of the relocated front entry.

### **September 11, 2012 SBPC work session**

The SBPC reviewed the expansion in work session on September 11, 2012. At that meeting, the SBPC provided positive feedback on the expansion, with a few questions for additional information as addressed in Section D of this report.

### **October 9, 2012 SBPC hearing and recommendation**

The SBPC held a public hearing and reviewed the information provided. Based upon their discussion, DRC recommendation, Staff's recommendation, and DA standards, the SBPC voted to forward a positive recommendation to the SCC.

### **December 18, 2012 SBPC discussion and recommendation**

Following the recommendation, the applicant modified the proposal as follows:

- Increase in size from ~6700 s.f. to 7640 s.f., with ~500 s.f. of the change useable by guests, and the remainder for increased storage.
- Redesign of the eastern expansion from two stories to one, to keep the views out from the track as currently existing.
- Updated parking study to reflect the modifications, which still demonstrates that existing parking will be adequate.

The changes were minor and did not warrant an additional public hearing. The SBPC reviewed the changes and voted to reaffirm their positive recommendation to the SCC.

### **C. Community Review**

This item has been scheduled as a public hearing. Public notice has been posted and notice mailed to all property owners within 1,000 ft. of the proposal. As of the date of this report, no public comment has been received. Public comment was given at the SBPC hearing on October 9, 2012 (minutes attached).

### **D. Identification and Analysis of Issues**

#### **Service Providers**

Area service providers have been presented with this proposal and have been asked for comment. As of the date of this report, no concerns have been noted. A condition of approval has been proposed requiring compliance with any Service Provider requirements that may arise.

**Parking**

Initially, there were concerns over the availability of parking, and whether existing parking areas would meet the need, or if additional parking was necessary. A parking study has been completed and updated (Exhibit F), verifying that adequate parking is available for the anticipated increase in demand for the current proposal. If the SBSRD moves forward with a phase III expansion in the future, overall parking demand and facilities will be discussed further.

**Energy Efficiency**

The SBPC requested additional information on energy efficiency. The applicant briefly discussed their intention of constructing the addition to be more energy efficient at the meeting. If the SCC feels that it is necessary to require a certain standard, they may choose to add it as a condition of approval.

**Drainage / Swaner Nature Preserve**

The SBPC expressed concern over the potential for storm water runoff to impact the Swaner Nature Preserve. As part of the building permit process, the County Engineer will require a Storm Water Pollution Prevention Plan (SWPP), which will be reviewed to ensure that the plan prohibits untreated drainage from entering the Nature Preserve. The SBPC may consider a condition to ensure that this concern is addressed.

**Original approvals**

During the September 11, 2012 work session, the SBPC requested information on the original approvals for the Fieldhouse. Specifically, the SBPC was concerned with original architectural designs that included clerestory elements, which were presented to the community but did not appear in the final construction documents and do not appear on the current building.

Staff researched the original approvals, and found that the plans recommended by the SBPC on June 10, 2003 showed a clerestory element, as well as the plans approved by the Board of County Commissioners on June 18, 2003. Building permit #03535 was issued on August 23, 2003, and the Certificate of Occupancy was issued on June 17, 2004. Summit County only keeps building plans for a short period of time, and no longer has the original plans from this permit. The SBPC discussed the original elevations, expressed disappointment that the building was not constructed as originally presented, and directed the applicant and Staff to ensure that similar changes did not occur for the current expansion and that the proposed expansion be constructed as proposed.

As a result of this direction, the applicant presented modifications to the SBPC at their December 18, 2012 meeting, prior to moving forward with SCC approval.

**E. Consistency with the General Plan**

The proposed expansion is located on a parcel within the Kimball Junction Neighborhood Planning Area. The proposed development does not appear to be in conflict with the Goals and Objectives of the Kimball Junction Planning Area. This includes the following:

*There shall be an economically and socially viable area at Kimball Junction that reflects the mountain character of its surroundings, promotes a sense of place and community identity supporting the residents of the Snyderville Basin, separate from but complimentary to Park City.*

*Development in Kimball Junction neighborhood planning area should complement the Park City resort experience and provide another means of attracting tourist and destination shoppers to the area.*

Staff has found that the expansion is consistent with and supported by both of these statements.

F. **Findings/ Code Criteria and Discussion**

The approval process for Final Site Plans is governed by Article 6.6 of the DA. This article requires a public hearing and recommendation by the Planning Commission and final approval by the Board of County Commissioners (Summit County Council). Had the developers been subject to the current Code, they would be required to go before the Planning Commission and County Manager.

Because Final Site Plans within the Newpark Development are governed by the DA, they are not subject to the standard review process for major developments found in the Snyderville Basin Development Code.

The application has been reviewed and recommended by the Design Review Committee, and Staff has found that it complies with the allowed density, allowed uses, and parking standards outlined in the DA.

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

Staff recommends that the SCC conduct a public hearing, take public input, and choose Option A below.

**Option A** – If the SCC determines that they have enough information, they may vote to **approve** the Fieldhouse Expansion Final Site Plan, with the findings and conditions below:

**Findings**

1. The expansion complies with the standards in the Redstone Parkside / Newpark Development Agreement as outlined in Section F of this report.
2. The expansion complies with the Snyderville Basin General Plan as outlined in Section E of this report.

**Conditions**

1. All Service Provider requirements shall be met prior to plan recordation.
2. The applicant shall provide the final recordation package as required by the Snyderville Basin Development Code for Staff to ensure Code compliance.
3. Any others as stated by the SCC.

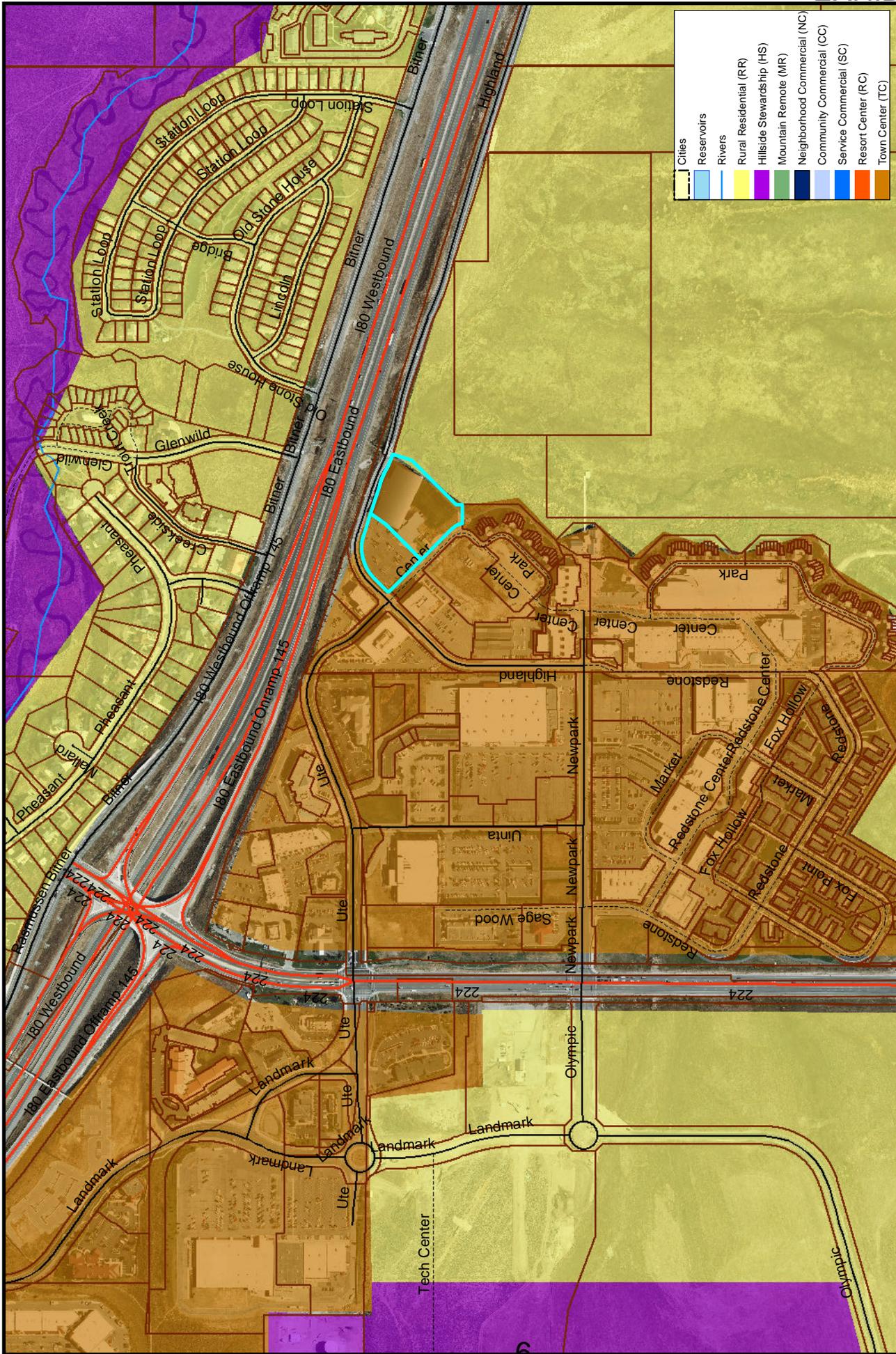
**Option B** – if the SCC determines that more information is needed, they may continue the decision to another date with specific direction to Staff and the applicant on information needed to render a decision.

**Option C** – if the SCC determines that the application does not and cannot comply with the General Plan and / or the DA, they may vote to **deny** the Fieldhouse Expansion Final Site Plan, with specific findings as to how the application does not comply.

**Attachment(s)**

- Exhibit A – Site Photograph(s) (page 5)
  - Exhibit B – Zoning/Vicinity Map (page 6)
  - Exhibit C – Aerial (page 7)
  - Exhibit D – Proposed Site Plan (pages 8-11)
  - Exhibit E – Sketches (pages 12-13)
  - Exhibit F – Updated Horrocks Parking Study Memo, dated December 5, 2012 (pages 14-17)
  - Exhibit G – October 9, 2012 SBPC minutes (18-21)
- December 18, 2012 SBPC (NOT READY)**



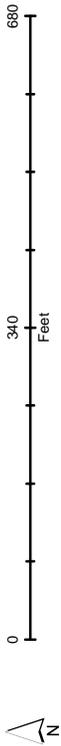


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# Summit County, Utah Vicinity Map

Prepared by Summit County  
Community Development Department





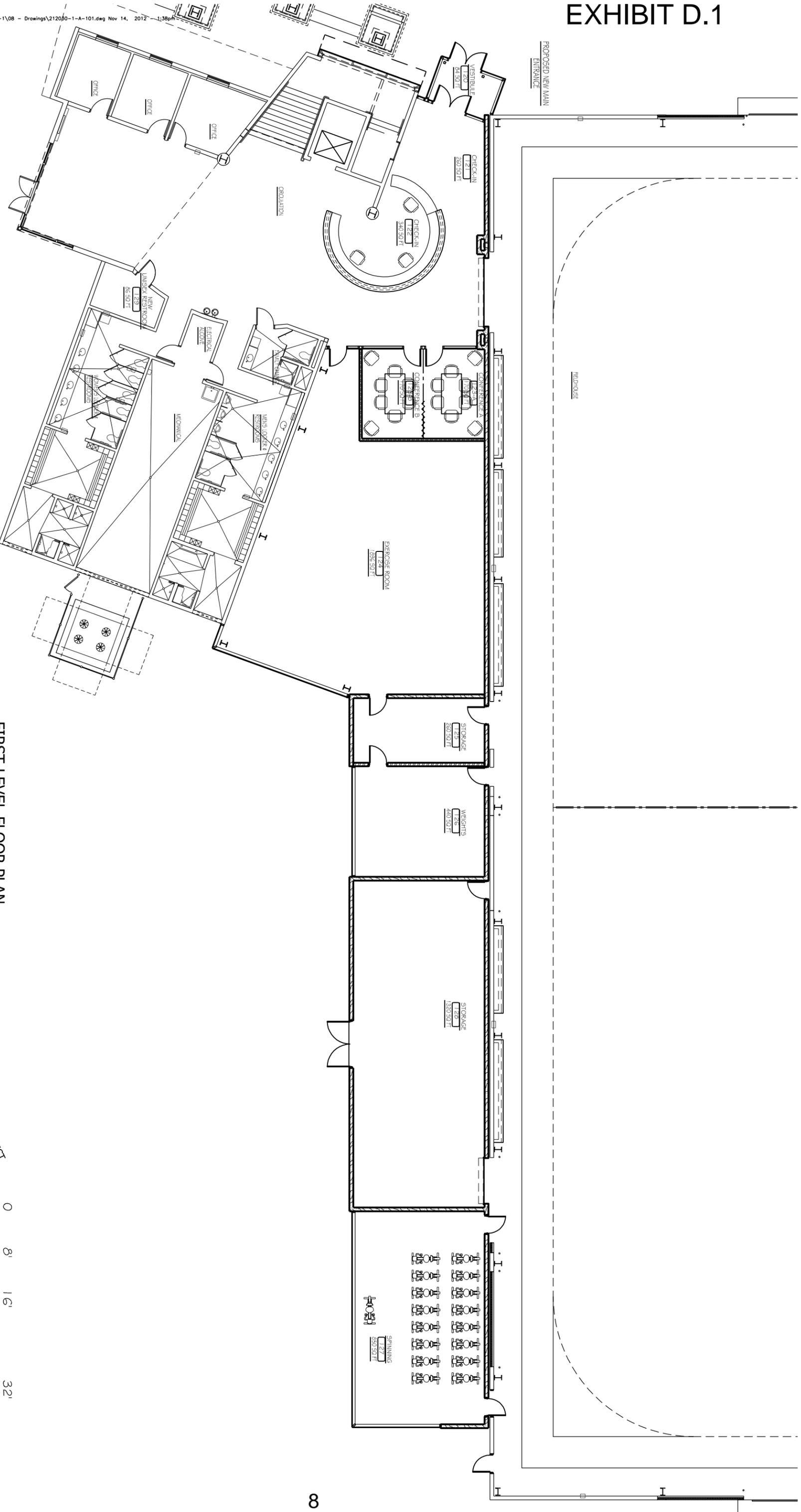
	Cities
	Reservoirs
	Rivers

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 Vicinity Map

Prepared by Summit County  
Community Development Department





FIRST LEVEL FLOOR PLAN  
SCALE: 1/16" = 1'-0"



Plot Scale: Z:\PROJECTS\Basin Recreation Expansion 212030-1\08 - Drawings\212030-1-A-101.dwg Nov 14, 2012 - 1:38pm

THE BOSTON BUILDING  
9 EXCHANGE PLACE, SUITE 1100  
SALT LAKE CITY  
UTAH 84111  
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F: 801 531 7600  
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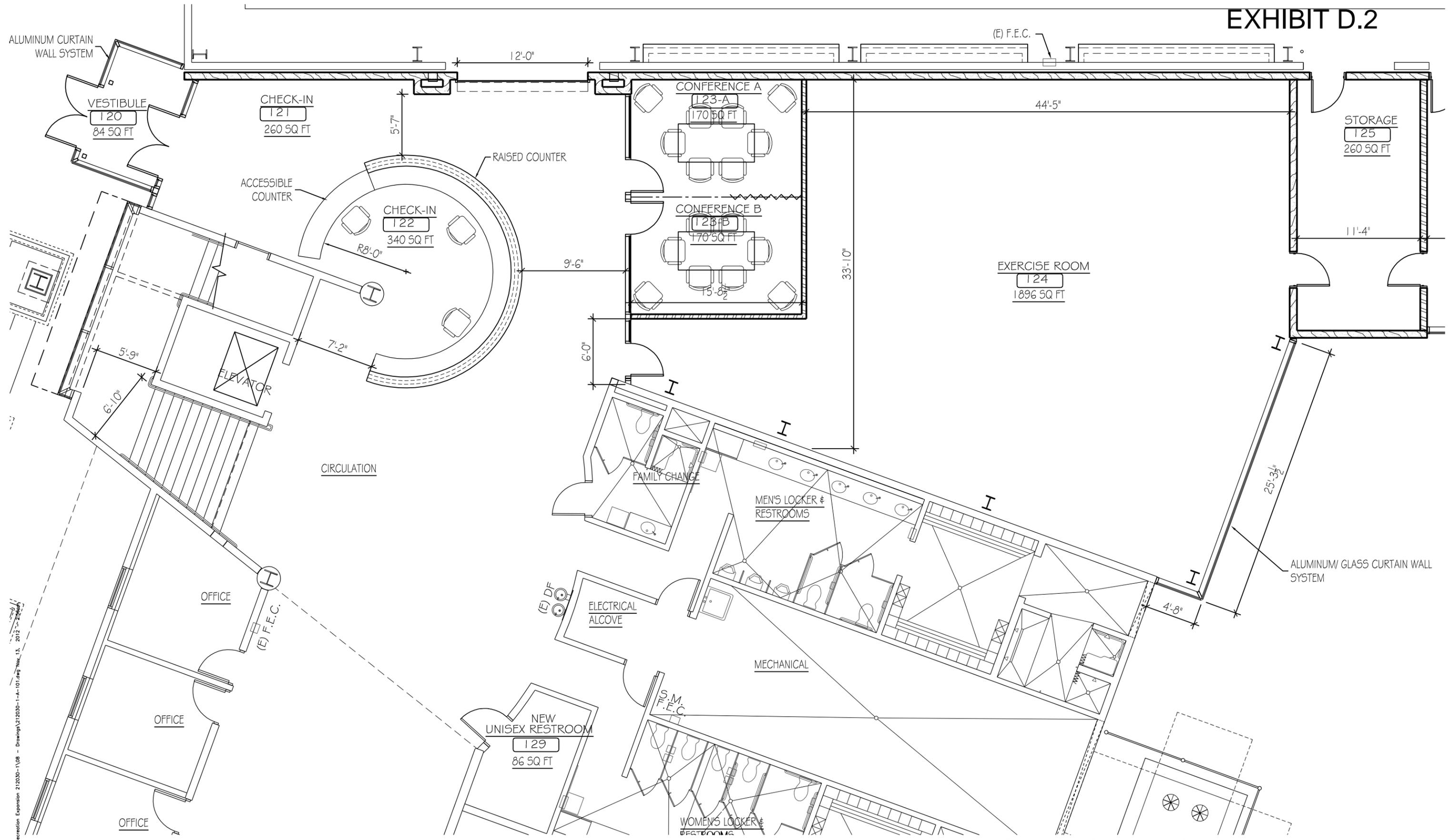


BASIN RECREATION at NEWPARK  
FIELDHOUSE EXPANSION  
1388 CENTER DRIVE - PARK CITY, UTAH 84098

DATE: 11/13/12  
JOB NO: 212030-1  
DWG REF:

A101

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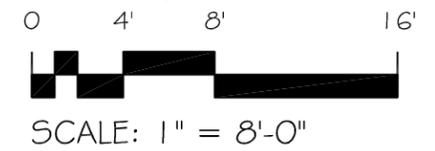
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**BASIN RECREATION at NEWPARK  
 FIELDHOUSE EXPANSION**  
 1388 CENTER DRIVE - PARK CITY, UTAH 84098

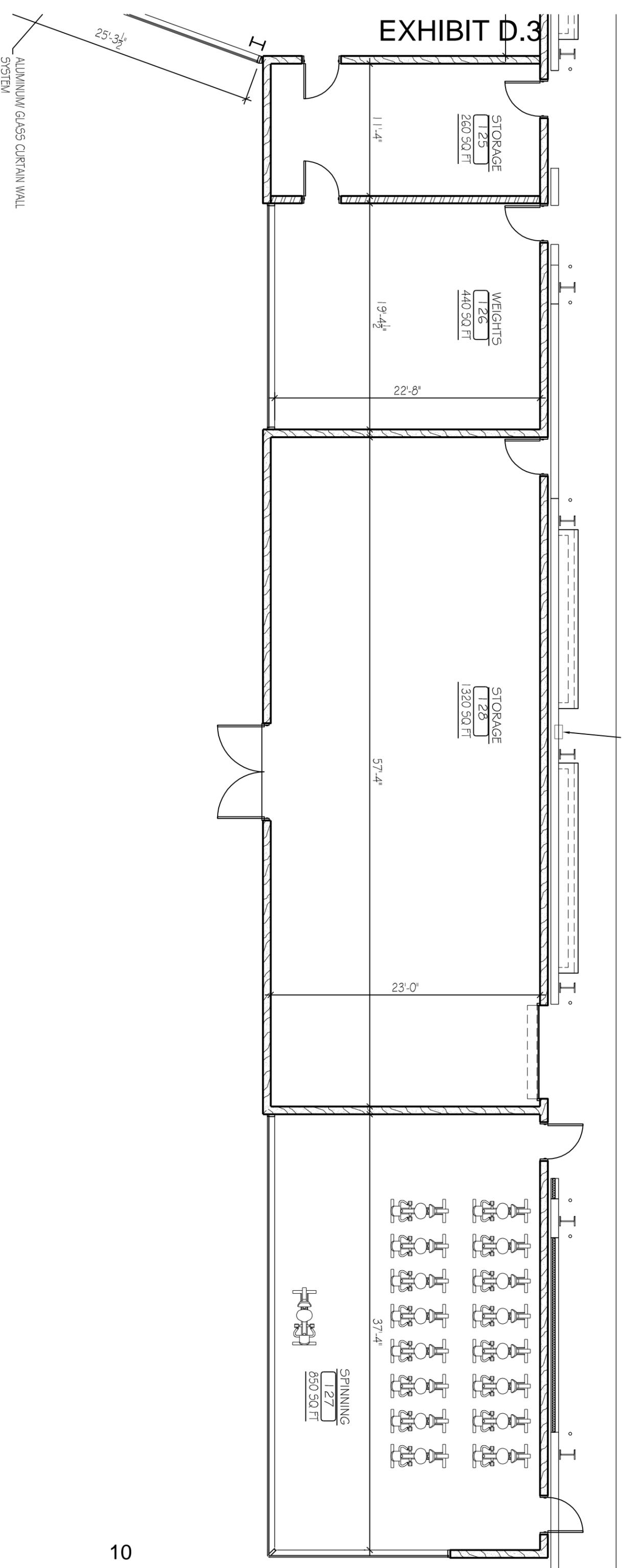
**FIRST LEVEL FLOOR PLAN - PARTIAL**  
 SCALE: 1/8" = 1'-0"



DATE: 11/13/12  
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**A101**  
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# EXHIBIT D.3



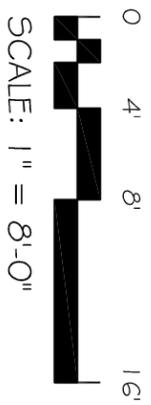
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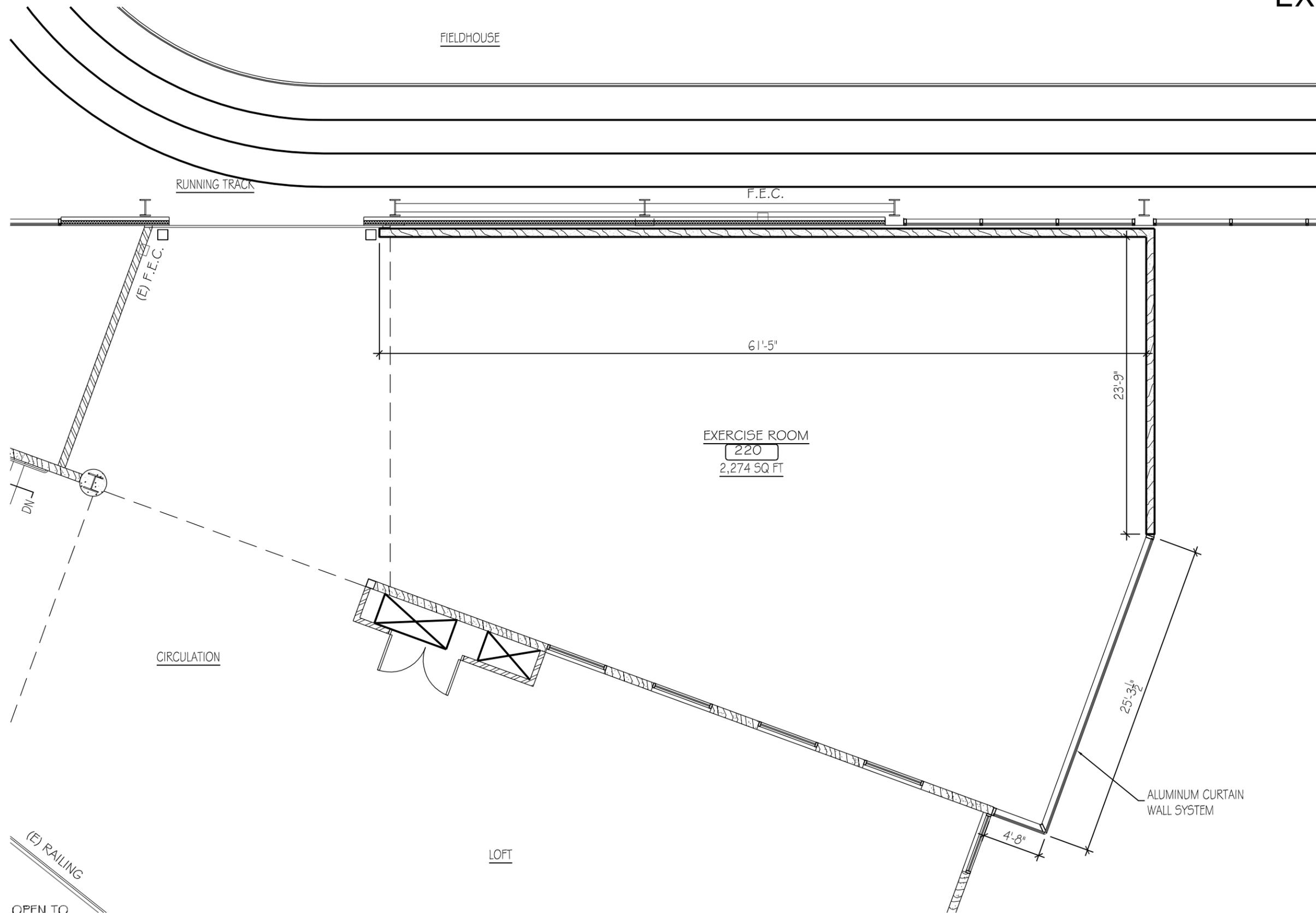
**BASIN RECREATION at NEWPARK**  
**FIELDHOUSE EXPANSION**  
 1388 CENTER DRIVE - PARK CITY, UTAH 84098

**FIRST LEVEL FLOOR PLAN - PARTIAL**  
 SCALE: 1/8" = 1'-0"



DATE: 11/14/12  
 JOB NO: 212030-1  
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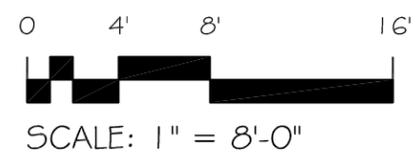
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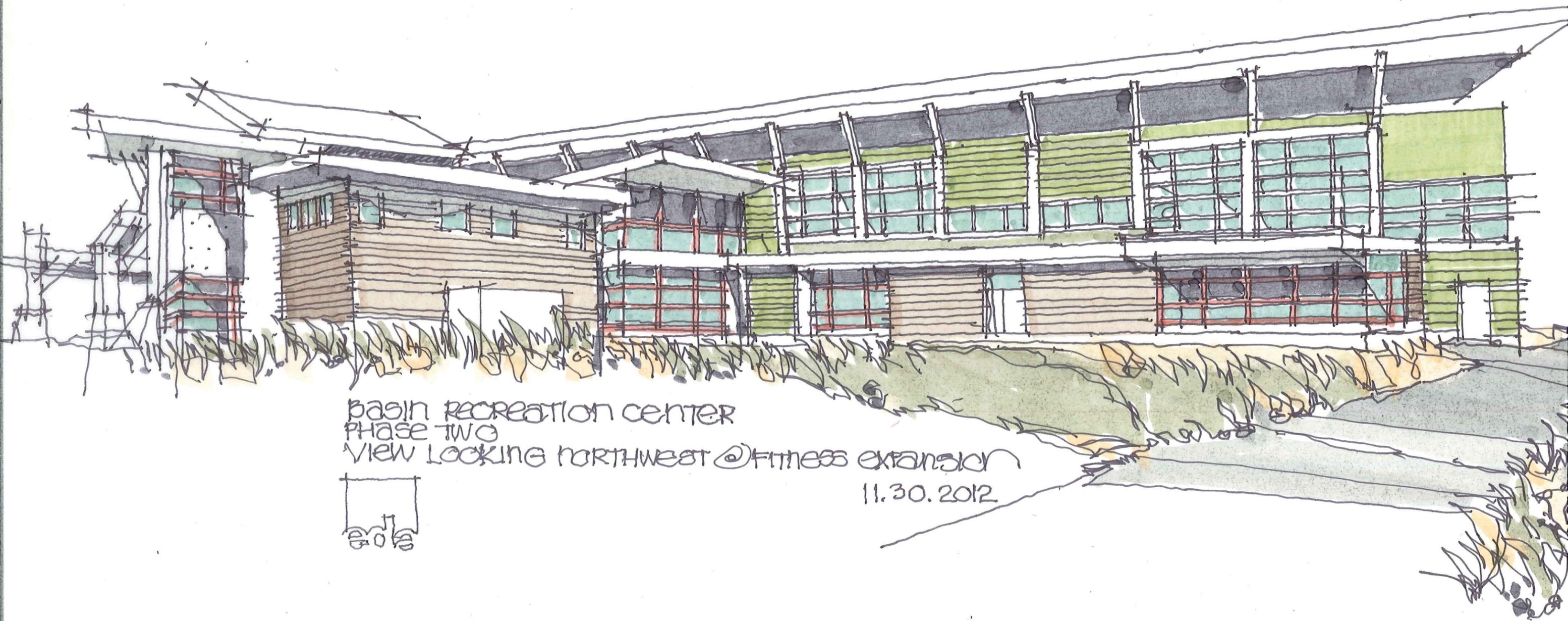
**BASIN RECREATION at NEWPARK  
 FIELDHOUSE EXPANSION**  
 1388 CENTER DRIVE - PARK CITY, UTAH 84098

**SECOND LEVEL FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"



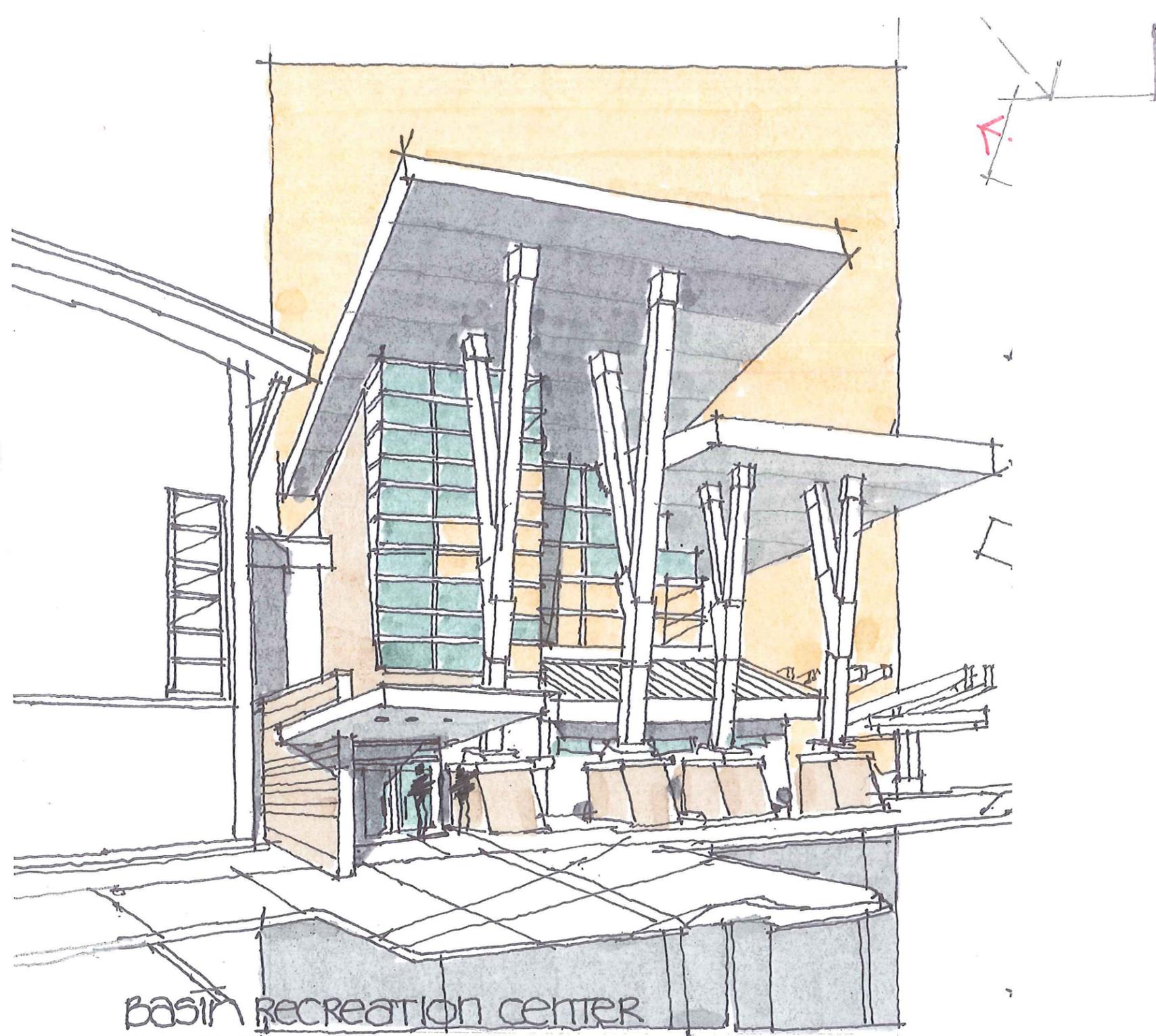
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 JOB NO: 212030-1  
 DWG REF:

**A102**  
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Basin Recreation Center  
Phase Two  
View Looking Northwest @ Fitness Expansion  
11.30.2012

eola



Basin Recreation Center  
Phase Two  
View Looking Southeast @ new entrance  
eda architects  
8.20.2012



To: Matt Strader  
Recreation Facilities Manager

From: Jayson Cluff, P.E., PTOE  
John Dorny, P.E.

Date: December 05, 2012

Memorandum  
PG-949-1208

Subject: Basin Recreation Fieldhouse Parking Study

### Introduction

Horrocks Engineers was asked to perform a parking study for the proposed 7,640 sq. ft. addition to the Basin Recreation Fieldhouse. The Fieldhouse is located at the Newpark development at Kimball Junction. Figure 1 shows the current parking lot layout of the study area. A previous parking study was performed in the same area in 2011, and the parking data related to the Fieldhouse from that study is still valid and will be used in this memorandum. The previous study data was supplemented with parking data for Lot R which was collected August 14 and 16, 2012.

Figure 1: Parking Lot Layout



## Existing Weekday Newpark Parking Demand

Actual parking data was collected for several existing buildings in the Newpark development because shared parking is allowed and required to meet the parking demand. This data was originally collected by representatives of Cottonwood Partners on July 15 and 20, 2011. Horrocks Engineers counted parked vehicles at the project site on Tuesday August 16 and Wednesday August 17, 2011. Weekday parking count data for Lot R was collected August 14 and 16, 2012. Existing parked vehicles were counted throughout the day to determine the peak parking demand. A summary of the data is presented in **Tables 1 and 2.**

**Table 1: Existing Actual Weekday Parking Data**

Weekday (Tuesday - Thursday)																
	Lot Q		Lot T-1		Lot T-2		Lot S		Lot R		Ute Blvd.		N. Center		S. Center	
	Stalls	110	Stalls	50	Stalls	34	Stalls	107	Stalls	103	Stalls	14	Stalls	23	Stalls	25
Time	Empty	Full	Empty	Full	Empty	Full	Empty	Full	Empty	Full	Empty	Full	Empty	Full	Empty	Full
9:00 AM	9	101	0	50	20	14	65	42	45	58	0	14	8	15	5	20
11:00 AM	8	102	0	50	23	11	69	38	40	63	0	14	7	16	6	19
2:00 PM	16	94	3	47	22	12	75	32	42	61	1	13	11	12	10	15
4:00 PM	27	83	6	44	24	10	75	32	58	45	5	9	10	13	6	19

**Table 2: Existing Actual Weekend Parking Data**

Friday 7/15/11																
	Lot Q		Lot T-1		Lot T-2		Lot S		Ute Blvd.		N. Center		S. Center			
	Stalls	110	Stalls	50	Stalls	34	Stalls	107	Stalls	14	Stalls	23	Stalls	25		
Time	Empty	Full	Empty	Full	Empty	Full	Empty	Full	Empty	Full	Empty	Full	Empty	Full		
9:00 AM	24	86	2	48	20	14	58	49	3	11	9	14	4	21		
11:00 AM	14	96	2	48	22	12	79	28	3	11	11	12	6	19		
2:00 PM	25	85	7	43	23	11	88	19	3	11	11	12	11	14		
4:00 PM	46	64	5	45	24	10	89	18	9	5	13	10	9	16		

The parking demand data was analyzed to determine the existing maximum parked vehicles. The maximum parking demand was used to give a conservative analysis. It was assumed that 10 of the S. Center stalls, 11 of the N. Center stalls, and 13 stalls from Lot S are used by the Rosignol Office Building. It was also assumed that 25 of the Lot S stalls are allocated to the Lot Q office building. The previous study stated that the Basin Recreation Fieldhouse only has parking rights for 38 percent of Lot S from 7:00AM to 5:30PM on weekdays. Using these assumptions, the actual parking count data for Lot S, N. Center, and S. Center were allocated proportionally between the Rosignol building, the Lot Q office building, and the Fieldhouse. **Table 3** below shows the existing maximum weekday parking demand by building.

**Table 3 Existing Weekday Parking Demand by Building**

Building	Lot	Maximum Parked Vehicles				Average	Max
		9:00 AM	11:00 AM	2:00 PM	4:00 PM		
Lot Q Office Building	Lot Q	101	102	94	83	95	102
	Lot S	10	9	7	7	8	10
	Lot T-1	50	50	47	44	48	50
	Ute Blvd	14	14	13	9	13	14
	<b>Total</b>	<b>175</b>	<b>175</b>	<b>161</b>	<b>143</b>	<b>164</b>	<b>175</b>
Newpark Studios	Lot T-2	14	11	12	10	12	14
	<b>Total</b>	<b>14</b>	<b>11</b>	<b>12</b>	<b>10</b>	<b>12</b>	<b>14</b>
Rosignol Office Building (Lot R)	Lot S	5	5	4	4	5	5
	S Center	8	8	6	8	8	8
	N Center	7	8	6	6	7	8
	Lot R	58	63	61	45	57	63
	<b>Total</b>	<b>78</b>	<b>84</b>	<b>77</b>	<b>63</b>	<b>76</b>	<b>84</b>
Basin Recreation Fieldhouse	Lot S	27	25	21	21	24	27
	S Center	12	11	9	11	11	12
	N Center	8	8	6	7	7	8
	<b>Total</b>	<b>47</b>	<b>44</b>	<b>36</b>	<b>39</b>	<b>42</b>	<b>47</b>
<b>Area Total</b>		<b>314</b>	<b>314</b>	<b>286</b>	<b>255</b>	<b>292</b>	<b>314</b>

### Projected Parking Demand

A combination of actual Newpark parking data and *ITE Parking Generation Manual, 4<sup>th</sup> Edition* data was used to determine parking demand for Lots Q and R office buildings, Newpark Studios, and the Fieldhouse with the 7,640 sq. ft. addition. The ITE manual contains figures specifying ranges of values, applicable periods, number of studies, and the appropriate independent variable for estimating parking generation. It also provides a fitted curve equation together with the correlation coefficient. The equations use national parking data relating to each land use area. Where available, the actual parking data collected for this study was used instead of ITE data to determine parking demand.

For the Fieldhouse, the independent variable, square feet of building area, is used to determine the maximum parking demand for weekday and weekends. **Table 4** shows the projected parking demand.

**Table 4: Projected Parking Demand**

NEWPARK UPDATE PARKING DEMAND TABLE							
Parcel	Use	SF	Description	Weekday 8am-5pm	Weekday 6pm-8am	Weekend 8am-5pm	Weekend 6pm-8am
R	General Office	-	Rosignol Office Building	84	21	5	1
Q	General Office	62,091	Lot Q Office Building	175	44	10	3
S	Recreational	54,492	Basin Recreation Fieldhouse	55	90	150	141
T	Residential	20,240	Newpark Studios	14	32	14	33
<b>Total Peak Parking Demands</b>				<b>328</b>	<b>187</b>	<b>179</b>	<b>178</b>

## Parking Rights

The peak demand time for parking differ by the land use. The peak parking demand for office buildings is between 8:00AM and 5:00PM during work days, while ITE parking site data shows the peak parking demand for a recreational facility to be between 7:00PM and 8:00PM on weekdays and between 11:00AM and 12:00PM on the weekends. With these offset peak parking periods, parking spaces can be shared for both land uses.

Newpark has dedicated parking rights to the different land uses. The Lot Q office building has parking rights to Lot Q, Lot T-1, adjacent street parking and rights to 25 stalls at Parcel S from 7:00AM to 5:30PM on weekdays. The Newpark Studio Flats has parking rights to Lot T-2 all day weekdays and weekends. The Basin Recreation Fieldhouse has parking rights to 41 stalls from Lot S from 7:00AM to 5:30PM on weekdays and is assumed to have rights to adjacent street parking. During evenings and weekends it has parking rights to all of Lot S and 75 percent from each of Lot Q, Lot T-1 and Lot P. **Table 5** compares the parking demand with the space available.

**Table 5: Parking Supply/Demand Comparison**

Building	Weekday 8am-5pm			Weekday 6pm-8am		Weekend 8am-5pm		Weekend 6pm-8am	
	Current Stall Demand	Projected Stall Demand	Stall Supply						
Lot Q Office Building	175	175	199	44	54	10	54	3	54
Lot P Office Building	-	175	175	44	52	10	52	3	52
Newpark Studios	14	14	34	32	34	14	34	33	34
Basin Recreation Fieldhouse	47	55	64	90	332	150	332	141	332
<b>Total</b>	<b>236</b>	<b>419</b>	<b>472</b>	<b>210</b>	<b>472</b>	<b>184</b>	<b>472</b>	<b>180</b>	<b>472</b>

As shown in the table, the parking spaces available for the Basin Recreation Fieldhouse with the 7,640 sq. ft. addition are adequate to provide for the parking demand. During the busiest weekday period, the Fieldhouse is estimated to have approximately 9 more parking stalls available than the demand. During other periods and weekends there is estimated to be a minimum 180 more parking stalls available than the demand.

1. **The application complies with the Snyderville Basin General Plan as outlined in Section E of this report.**
  2. **The application complies with Section 10-3-18 of the Snyderville Basin Development Code as outlined in Section F of this report.**
- The motion was seconded by Commissioner Velarde and passed unanimously, 5 to 0.**

4. **Public hearing and possible recommendation for a final site plan for Basin Recreation Fieldhouse expansion; Snyderville Basin Special Recreation District – Kimber Gabryszak, County Planner**

Planner Gabryszak presented the staff report and indicated the location of the fieldhouse and surrounding neighborhood on an aerial map. She explained that the fieldhouse is part of the Newpark development agreement, which allotted 112,000 square feet to the fieldhouse. The current fieldhouse is approximately 40,000 square feet. The current proposal is for a 6,772-square-foot expansion to the south and west of the existing structure. She indicated the location of the current entrance and the proposed entrance. This proposal has been reviewed in work session, and there were no service provider concerns for this phase of the development. The proposal complies with the Newpark development agreement, and based on the development agreement language, a final decision will go to the County Council. She noted that the staff report address the concerns raised at the work session. One item raised at the previous work session was why the building was not originally constructed according to the plans presented at the time of approval. Staff's research showed the exhibit attached to the staff report at the time of approval which included a clerestory element, but the building permit file does not contain the original building plans, so she was unable to determine what was actually approved. However, the County did sign off on the building permit and certificate of occupancy as built. Therefore, Staff and the Legal Department do not believe it would be possible to require the elements shown in the staff report at the time of approval. Staff has found that the General Plan intent for the neighborhood is met with this proposal and that it also meets the development agreement standards. Staff also pointed out that the Building Department had additional concerns, and recommended that the conditions be modified to include the Building Department's requirements. Staff recommended that the Planning Commission conduct a public hearing, take public input, and choose to forward a positive recommendation to the County Council with the findings and conditions in the staff report. Other options would be to continue the decision or forward a negative recommendation with specific findings.

Jake Hill with EDA Architects explained that he has been working on this addition and was involved in the initial building design. He stated that energy efficiency is second nature for his firm, and they have tried to make this expansion as energy efficient as possible. They plan to collect the roof rainwater and divert it into the storm drain, which should minimize any drainage impact. Since the expansion is minimal, he did not anticipate much disturbance. A lot of windows will be included to collect as much sunlight as possible to provide heat gain. They plan to match the materials already on the

building to make it look like part of the original building. With regard to the clerestory on the original plans, he recalled that it was presented early in the process, but as they worked with the structural engineer, the original design did not lend itself to the large openings, and the fact that they did not bring it back for review was an oversight.

**Chair Taylor** opened the public hearing.

Stanton Jones stated that he wanted to talk about principle and his distaste for the use of this space and how his local government uses his tax dollars to try to better compete with private industry. He noted that the parking site data shows the peak parking demand for a recreational facility to be between 7 and 8 p.m. on weekdays, but it is not logical to believe that will be the peak demand time. If that is the basis on which parking was determined, it is inaccurate, and the parking study is a farce. The new 6,700 square feet is intended specifically for uses that are already provided and competes with private industry. He read from the minutes when the fieldhouse was originally approved and observed that he had expressed concern and asked if the new recreation complex would compete with the private sector. His concern at that time was with cardiovascular training, weight training, and aerobic instruction classes. Bonnie Park had indicated that it was not the intention of the Recreation District to compete with the private sector. Mr. Jones stated that, whether Ms. Park was sincere in saying that, the result of this facility, especially the weights, cardio, and aerobics classes, is the exact opposite of her stated intentions, and the proof is that two private-sector businesses went out of business because of this facility. He stated that he went to all the Recreation District meetings and suggested that they make the facility larger to provide the fields the community needs, but putting in cardio, weights, and classes put two private-sector businesses that employed a number of people out of business. The community needs more indoor fields and more basketball courts, and he did not understand why 6,700 square feet has to be dedicated to areas where the private sector already fulfills the need. It puts more pressure on private industry and means less people being employed by private industry. This tax-exempt facility gets off scot free while he has to pay his tax bill of \$138,000 to support this facility to compete with him. He emphasized that this facility does not need more cardio, weights, and aerobics.

**Chair Taylor** closed the public hearing.

**Chair Taylor** recalled that he had expressed concern about construction of a facility that strongly resembled but did not match what was approved. Some of the items deleted from the building were specifically referred to in the minutes as being part of the submission. He was not looking for the addition of those elements, but he wanted an explanation as to how something slipped through. He did not believe it was a good example for the County to have a facility that gets away with a deviation and then try to enforce no deviation on private developers.

**Commissioner Klingenstein** agreed with Commissioner Taylor's concerns and acknowledged that the County did not do a good job in their review. However, if it were

a private development, he did not believe they would go back and enforce, because it would be the County's fault it was missed. He did not believe the Recreation District is getting special treatment, because it is the County's job to be sure the review takes place. He asked for an explanation of the issue brought up by Mr. Jones regarding parking. Ms. Brackin explained that the County does not try to second guess a parking study once it has been signed off on and is found to be appropriate. However, peak demand for a public facility may be different from a private business because of the programming. Rena Jordan Snyderville, Basin Special Recreation District Director, stated that because of the complications with the easements and shared parking arrangements, the District spent the money to do this in a more inclusive way to get a better picture of what the parking needs are. She confirmed that the busiest time of day at the fieldhouse is between 6 and 9 p.m. **Commissioner Klingenstein** referred to Mr. Jones's comments and explained that, as a Planning Commissioner, he does not look at interior uses; he looks at the overall use of the facility, which is a recreation facility. He acknowledged Mr. Jones's concerns and stated that he is satisfied with the application as it stands.

**Commissioner Lawson** referred to the study and noted that the peak use was out of the manual, not something that was generated by the engineer's surveys. They simply quote what was in the ITE manual. He agreed that Chair Taylor's concerns about missing plans needs to be worked on. He hoped this would be a good example for improving the review process. He stated that he does not have a problem with what is proposed.

**Commissioner Franklin** noted that there was only one week between when the Planning Commission forwarded a positive recommendation and the Board of County Commissioners took action on the original building, which is not adequate time for Staff to get minutes to the County Commission. He believed they need to be aware of that.

**Chair Taylor** stated that he believes the facility is great and does a wonderful thing for the community, but it sets a horrible precedent. He acknowledged that the design issue is not the applicant's fault, but they cannot go down that road again. He struggles with the idea that they had to scale things down because of costs, and now all of sudden they have money to build an addition, especially because the County should lead the charge on how it maintains and enforces and lives by a General Plan and Code. He wanted to be sure that everyone is aware that he does not want that to happen again going forward. They represented to the public what they would get, and that is not what they got. That is what he struggles with, and he absolutely does not want that to happen again, especially when it is a County facility. He asked what they could say to a private developer who could point their finger and say that the County got away with it. **Commissioner Klingenstein** suggested that they address this under Staff Items.

**Commissioner Klingenstein made a motion to forward a positive recommendation to the Summit County Council for the proposed Snyderville Basin Recreation District Fieldhouse Expansion, Phase II, with the following findings and conditions outlined in the staff report dated October 3, 2012,**

**with the clarification that Condition 1 regarding service provider requirements being met shall include the Building Department:**

**Findings:**

1. **The expansion complies with the standards in the Redstone Parkside/Newpark Development Agreement as outlined in Section F of this report.**
2. **The expansion complies with the Snyderville Basin General Plan as outlined in Section E of this report.**

**Conditions:**

1. **All Service Provider requirements, including those of the Building Department, shall be met prior to plan recordation.**
2. **Any others as stated by the SBPC.**

**The motion was seconded by Commissioner Franklin and passed unanimously, 5 to 0.**

**5. Approval of Minutes: July 17, 2012**

**Commissioner Lawson** referred to page 2 of 20, third sentence, and stated that what is reflected in the minutes is not exactly what he meant. He would like to correct the minutes to read, “No matter what public input is received, the Snyderville Basin Planning Commission should follow the Staff recommendation.” **Chair Taylor** explained that they do not have the right to change what the minutes and the recording may have said. Commissioner Lawson could say that the intent of his comment is not represented in the minutes, and then it could be looked at as a clarification. **Commissioner Lawson** stated that the minutes do not reflect his intention, and he would like to have the minutes reflect what he intended to say. He stated that they are back to the issue of the public hearing being held and then proceeding with the Staff recommendation, and he is not comfortable with Staff making a recommendation prior to the public hearing. He asked about the purpose of the public hearing if it is just to hear people talk and then do what Staff recommends. He was not comfortable with how the process is written and orchestrated to have a Staff recommendation with the implication that they will disregard what the public has to say.

**Commissioner Klingenstein** stated that he has a question on page 19 of the minutes and recalled that he and Ms. Brackin had an exchange about general plans. He thought Ms. Brackin had stated that judges expect General Plans to be lofty generalizations, and that is not reflected in the minutes. He requested that the recording be checked to make the verbiage more accurate.

**Commissioner Klingenstein made a motion to continue approval of the minutes of Tuesday, July 17, 2012, to allow the secretary time to clarify the remarks on pages 2 and 19 of the minutes. The motion was seconded by Commissioner Franklin and passed unanimously, 5 to 0.**

**WORK SESSION**