

## MANAGER'S REPORT

February 13, 2013

To: Council Members

From: Robert Jasper

<u>Department</u>	<u>Description of Updates</u>
Administration	<p>Submitted by Robert Jasper, County Manager:</p> <p>◆ Documents and transactions are listed on the Manager Approval list dated 2/7/13, 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><u>Criminal Division Activity</u></p> <p><b>CRIMINAL CASES FILED</b></p> <p>District Court: 5 Justice Court: 25</p> <p><b>CRIMINAL FILINGS OF INTEREST</b></p> <p><b>131500027</b></p> <p>The County Attorney charged a man with aggravated kidnapping, four counts of aggravated sexual assault, and aggravated burglary. The suspect allegedly detained his estranged wife at gunpoint inside a rental property that he broke into. During the detention he sexually assaulted her. Assigned Prosecutors: Matthew Bates and Joy Natale</p> <p><b>131500028</b></p> <p>The County Attorney charged a man with drug trafficking. The suspect was stopped by the Utah Highway Patrol on I-80 I Summit County for a traffic violation. During the stop, the trooper developed cause to believe that the suspect was transporting drugs. The trooper searched the car and found 166 pounds of marijuana. The marijuana was vacuum-sealed, greased with oil, and then placed garbage bags and stored in five large duffle bags. Assigned Prosecutor: Joy Natale</p> <p><b>CRIMINAL CASES SENTENCED</b></p> <p>District Court: 9 Justice Court: 13</p> <p><b>PLEAS, TRIALS, AND SENTENCES OF INTEREST</b></p> <p><b>ARVIN VICTOR MOORE 061500096 and 101500137</b></p> <p>On Monday, Arvin Victor Moore pled guilty to and was sentenced to prison for three sexual offenses against children. In 2003, Moore was accused of molesting a thirteen year-old boy and showing him pornography. A jury convicted Moore, but the Utah Supreme Court later determined that Moore's trial attorney had been ineffective and reversed his conviction in a written opinion, <i>State v. Moore</i>, 2012 UT 62. The court remanded the case to the district court for a new trial. But while the case had been on appeal, two new child victims came forward and reported that Moore had shown them pornography. The county attorney charged Moore with two counts of dealing in material harmful to a minor based on those allegations.</p> <p>Moore pled guilty in his first case to one count of attempted sexual abuse of a child, a third degree felony. He pled guilty in his second case to two counts of dealing in material harmful to a minor, also third degree felonies. The court sentenced Moore to concurrent indeterminate prison terms of 0-5 years for each of the three counts. Assigned Prosecutor: David Brickey</p> <p><u>Civil Division Activity</u></p> <p><b>PENDING OFFICIAL PROCEEDINGS</b></p> <p>State District Court: 9 Federal District Court: 1</p>

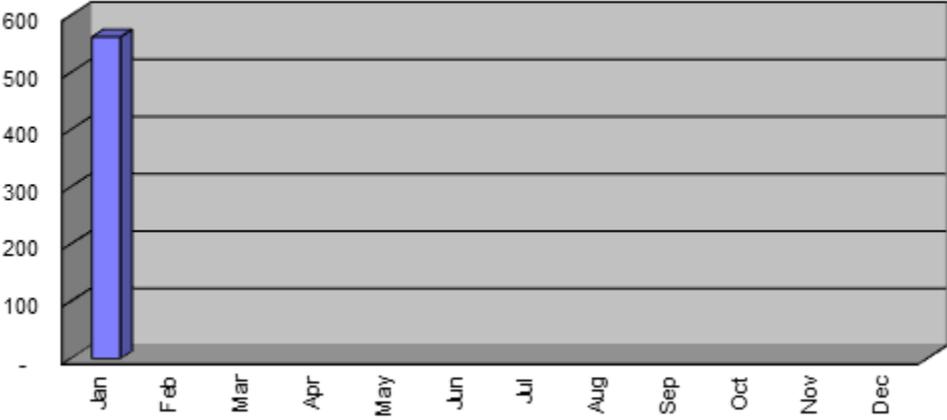
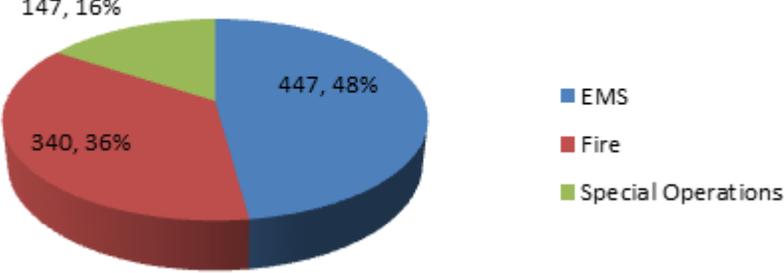
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	<p>Appeals: 1 Tax Commission: 3</p> <p><b>SIGNIFICANT ACTIVITY</b></p> <ul style="list-style-type: none"> <li>Completed open meetings training for all boards, commissions, and special service districts.</li> <li>Closed on the Toll Canyon Open Space real estate transaction.</li> </ul> <p>Contact Attorney for Civil Issues: Dave Thomas</p> <p><b>Victim Advocate Activity</b></p> <p style="text-align: center;"><b>Summit County Victim Assistance Activity 2/4/13</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td><b>Victim</b> contact and <b>Notification Packet</b> sent out following offender being charged</td> <td style="text-align: center;">2</td> </tr> <tr> <td><b>Victim Impact Statement</b> assistance provided and <b>Packet</b> sent to victim with instructions</td> <td style="text-align: center;">2</td> </tr> <tr> <td><b>Sentencing letter</b> sent to victim with court sanctions and explanation</td> <td style="text-align: center;">0</td> </tr> <tr> <td><b>Board of Pardons</b> letter and <b>registration</b> of victims information for parole hearings</td> <td style="text-align: center;">0</td> </tr> <tr> <td><b>Court Assistance</b> provided to clients</td> <td style="text-align: center;">1</td> </tr> <tr> <td><b>Hearings</b> attended on behalf of victims and results of outcomes provided</td> <td style="text-align: center;">9</td> </tr> <tr> <td><b>Court Prep</b> and orientation in anticipation of testifying</td> <td style="text-align: center;">1</td> </tr> <tr> <td><b>Protective Order</b> assistance in filing, service of order and hearing assistance</td> <td style="text-align: center;">2</td> </tr> <tr> <td><b>Civil Stalking Injunction</b> assistance in filing, service of order and hearing assistance</td> <td style="text-align: center;">0</td> </tr> <tr> <td><b>Child Protective Order</b> assistance in filing, service of order and hearing assistance</td> <td style="text-align: center;">0</td> </tr> <tr> <td><b>Pre-Trial Protective Orders/Jail No Contact Agreements</b> contact victims and request order</td> <td style="text-align: center;">1</td> </tr> <tr> <td><b>Callout with law enforcement</b> i.e., unexpected death, rape, after hour calls, etc.</td> <td style="text-align: center;">0</td> </tr> <tr> <td><b>Client Mtgs</b> i.e., walk-ins and appointments</td> <td style="text-align: center;">7</td> </tr> <tr> <td><b>Children's Justice Center</b> appointments with family or guardian during interview</td> <td style="text-align: center;">0</td> </tr> <tr> <td><b>Restitution assistance</b> i.e., submit claim forms to the Utah Office for Victim's of Crime, etc.</td> <td style="text-align: center;">1</td> </tr> </table>	<b>Victim</b> contact and <b>Notification Packet</b> sent out following offender being charged	2	<b>Victim Impact Statement</b> assistance provided and <b>Packet</b> sent to victim with instructions	2	<b>Sentencing letter</b> sent to victim with court sanctions and explanation	0	<b>Board of Pardons</b> letter and <b>registration</b> of victims information for parole hearings	0	<b>Court Assistance</b> provided to clients	1	<b>Hearings</b> attended on behalf of victims and results of outcomes provided	9	<b>Court Prep</b> and orientation in anticipation of testifying	1	<b>Protective Order</b> assistance in filing, service of order and hearing assistance	2	<b>Civil Stalking Injunction</b> assistance in filing, service of order and hearing assistance	0	<b>Child Protective Order</b> assistance in filing, service of order and hearing assistance	0	<b>Pre-Trial Protective Orders/Jail No Contact Agreements</b> contact victims and request order	1	<b>Callout with law enforcement</b> i.e., unexpected death, rape, after hour calls, etc.	0	<b>Client Mtgs</b> i.e., walk-ins and appointments	7	<b>Children's Justice Center</b> appointments with family or guardian during interview	0	<b>Restitution assistance</b> i.e., submit claim forms to the Utah Office for Victim's of Crime, etc.	1
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Community Development	<p><u>Submitted by Don Sargent, Community Development Director:</u></p> <p><b>Snyderville Basin</b></p> <ul style="list-style-type: none"> <li>The Planning Commission is scheduled to conduct a continued public hearing on Phase I of the Draft General Plan February 12<sup>th</sup> to address input received from the public to date in finalizing the document for a recommendation to the County Council. A work session on the Neighborhood Plans will also be held on that same date to clarify edits made by the Planning Commission in preparation for a public hearing on February 26<sup>th</sup>.</li> </ul> <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 present the working copy of the draft outline to the entire Commission for review and discussion on February 7<sup>th</sup>.</li> </ul> <p><b>Department Administrative Items</b></p> <ul style="list-style-type: none"> <li>The department received 4 new planning applications and 13 new building applications this past week as follows:</li> </ul>																														

<u>Department</u>	<u>Description of Updates</u>		
	<b>New Planning Applications Submitted Jan 31-Feb 6, 2013</b>		
	<b>Snyderville Basin</b>		
	<b>Project Name</b>	<b>Submittal Date</b>	<b>Planner</b>
	<b>Shepherd of the Mountains</b> John Newell                      Conditional Use Permit 4051 North Highway 224, PP-102-D-2-C-X	1/31/2013	Sean
	<b>Poston Hidden Cove BOA</b> Rich Pittam                      Board of Adjustment 8765 Gorgoza Dr.              HG-1-71	Feb 01, 13	Jennifer
	<b>Newpark Vested Rights Determination</b> Chris Retzer                      Vested Rights Newpark Town Center        NPRK-R-1	Feb 05, 13	Kimber
	<b>Park City Food &amp; Wine Classic 2013</b> Ginger Ries                      Special Event Forum @ Canyons	Feb 05, 13	Kimber
	<b>New Building Applications Submitted January 30 through February 6, 2013</b>		
	<b>Snyderville Basin</b>		
	<b>Project #</b>	<b>Project Name</b>	<b>Submittal Date</b>
	13-806	Betty Sterling                      Furnace Installation                              77 Aspen Dr. Park City, UT	Jan 30, 13
	13-807	Don Tolman                              Accessory Building                                      1271 E. Oakridge Rd, Park City, UT	Jan 30, 13
	13-808	Steven Dobrowolski                      Electrical Permit                                              745 Parkview Dr., Park City, UT	Jan 30, 13
	13-810	Tim Bastic                                      Basement Finish                                              5867 N Fairview Dr., Park City, UT	Feb 04, 13
	13-812	Boyer Company                              Tenant Improvement 1798 Olympic Parkway, Park City, UT	Feb 04, 13

Department	Description of Updates		
	13-813	Tim Tetarenk Bathroom in unfinished basement 9105 Promontory Ridge, Park City, UT	Feb 04, 13
	13-815	Richard Sheinberg Photovoltaic / Solar Panels 5305 N Old Ranch Road, Park City, UT	Feb 05, 13
	13-816	Steve Sievers Plumbing and Electrical 7571 N Westhills Trail, Park City, UT	Feb 05,13
	13-817	Promontory Trappers Cabins                      Temporary Power 8178 Western Sky, Park City, UT	Feb 05,13
	13-818	Mike Fox Barn / Accessory Building 5379 Old Ranch Rd, Park City, UT	Feb 05,13
	13-819	Munson Mechanical, Inc Plumbing and Finish Work 6699 Landmark Dr, Tanger Stores, PC UT	Feb 05,13
	<b>Eastern Summit County</b>		
13-809	Friends of Animals Electrical Generator 6466 N Highview Rd. Oakley, UT	Feb 01, 13	
Engineering	<p><u>Submitted by Derrick Radke, Engineer:</u> Below is a summary of our office's activities over the last week</p> <ul style="list-style-type: none"> <li>• Road and Bridge Inventory Review</li> <li>• 4 Subdivision Plat reviews</li> <li>• Traffic Model Update</li> <li>• Corridor Preservation Application Acceptance/Review</li> <li>• Completed Traffic Report 2012</li> <li>• Eastern Summit County Transportation Master Plan</li> <li>• Newpark Round-About Design</li> <li>• Lower Village Road Design/Coordination</li> <li>• Overlay Project Development</li> <li>• Seal Coat Project Development</li> <li>• Summit Park Design</li> <li>• Residential Permit Activity <ul style="list-style-type: none"> <li>○ 0 over the counter</li> <li>○ 6 plans reviewed</li> <li>○ 2 driveway inspections</li> <li>○ 1 erosion control inspections</li> </ul> </li> <li>• Right-of-Way Permit Activity <ul style="list-style-type: none"> <li>○ 2 new applications</li> <li>○ 5 site inspection</li> </ul> </li> </ul>		

<u>Department</u>	<u>Description of Updates</u>
	<ul style="list-style-type: none"> <li>• Development Site Inspections               <ul style="list-style-type: none"> <li>○ 7 Development Site Inspections</li> <li>○ Various routine inspections</li> </ul> </li> </ul>
Facilities	
Health Department	
I.T.	<p><u>Submitted by Ron Boyer, Director of IT:</u></p> <p>Met with Weber County Planning department on software that is implemented in Weber County. Webmaster attended conference/vendor presentation on civic engagement website. Library filtering has been changed over to UEN devices from county devices. IT installed new wireless access points in Richins Building.</p> <p>Accounts Receivable database has been implemented in Public Works.</p> <p>IT upgraded the network switch on the 1<sup>st</sup> floor of the Courthouse. This will require upgrades to wiring jacks at employee work areas. This is going to be a corrected backup and replication on Coalville servers that was causing problems with user authentication.</p> <p>Support tickets for period Jan. 19 – Feb 1: 159 Opened, 183 Closed.</p>
Justice Court	
Library	<p><u>Submitted by Dan Compton, Library Director:</u></p> <p>I met with Ron Boyer and Anita Lewis last week to begin planning what we would like to do for National County Government Month (NACO) in April. We want to display posters about what each department does in different County buildings to inform the public. I've designed a template for Department Heads to use for this. The theme this year is Smart Justice, so we are trying to meet with Judge Kerr, Sheriff Edmunds, and a few others to plan a program we can offer at the Richins Building. There is also the possibility of us visiting some local government classes at the local high schools.</p> <p>Here is some information for a program we are offering this Friday at the Kimball Junction Branch:  <b><u>The Princess &amp; The Frog - A Valentine Puppet Show featuring Coralie Leue and her puppet pals</u></b>        Fri, February 8, 5pm – 6pm</p> <p>In this charming fairy tale, an ugly ogre turns a handsome prince into a frog. But! Along comes a spoiled little princess with the power to free him with just one smooch. . . . Will the princess really let her pouty lips touch his slimy skin? Come and find out! For children of all ages</p> <p>I have my first UEN Advisory Council meeting next Tuesday.</p>
Mountain Regional Water	
Park City Fire Service District	<p><u>Submitted by Paul Hewitt, Fire Chief:</u></p> <p>Monthly Fire Training for January was our annual line of duty case reviews. This year, each station reviewed an incident where caregivers, while responding to a <b>medical call</b>, suffered a fatal or serious injury. The crews then created a presentation, reviewing the events that led to the injury or death and analyzing the incident with other crews. PCFD has gained valuable insight through this popular training event and many operational changes have been implemented as a result. Part of the training is a discussion as to how the incident could happen here in Park City and what we can do to prevent it. The training proved to inspire an open discussion and sharing of information regarding how to best protect our personnel. The added benefit to the training is the actual creation of the presentation, which requires the use of multi-media, and helps to develop speaking and teaching skills for individuals.</p> <p>Additional training consisted of a rescue incident involving a crushing injury. Crews received a review of the medical implications of crushing injuries and were then challenged with adjusting their rescue strategy to prevent crush injury syndrome.</p>

<u>Department</u>	<u>Description of Updates</u>
	<p>The 2013 PCFD Training Guide was completed and distributed to all stations and BC's. The 2013 EMT recertification process is underway with 27 PCFD employees involved in the activity. Eighteen Firefighters were submitted for recertification to the Utah Certification Council. These individuals far exceeded the training requirements for the State of Utah of 25 hours a year.</p> <p><b>EMS Summary</b>  Reviewed EKG (12 lead) interpretation and presented numerous case studies using the projector. Assessment of the patient, equipment use, and pad application were also reviewed. All attendees had the opportunity to analyze and interpret a rhythm strip and discuss a course of action. A short discussion followed reviewing some recent patient contacts.</p> <p>Anatomy of the cardiovascular and airway systems was this month's CME. Chief Harwood delivered a one-hour lecture followed by a one-hour hands-on anatomy course. Anatomy, physiology, and concepts of treatment were covered initially to reaffirm our understanding of the effects of trauma and illness on the human body. Crews were then able to explore structures of the heart and lungs, allowing them to apply emergency interventions in a hands-on fashion. Pig anatomy (hearts, lungs and tracheas) are used because of their amazing likeness to that of humans.</p> <p><b>Special Operations Summary</b>  Ice rescue training was continued from December. The training was for both awareness and operations level. This updated training will allow us to provide a nationally recognized ice rescue certification through Dive Rescue International.</p> <p>New ice rescue equipment was purchased for station 33. Currently the district ice rescue equipment, consists of water resistant ropes, rescue sleds, and exposure suits and is located at station 38, 36, and 33. This configuration provides 3 exposure suits for each station, providing a timely response if someone requires rescue in the county or city.</p> <p><b>UTTF1</b>  Throughout January, Utah Task Force 1 allowed open enrollment for membership on the Federal USAR Team. Currently, PCFD has 15 active members involved with several more applying during this enrollment period. For selection, the applicants will be screened, evaluated, and ultimately selected based on their experience and training.</p> <p>BC Huntzinger instructed 14 UTTF1 members in a recent rope rescue technician course at the Magna Training Center in Salt Lake. The 70 hour course provided advanced rope rescue training to 9 members of UTTF1 and 5 Montana National Guardsmen. This training is in preparation for a 3 week trip to Kyrgyzstan this summer. During the trip, those involved will be providing rescue training to the Kyrgyzstan military.</p> <p>All Hazmat Technicians at 33, 36, and 38 attended monthly training on identification and medical aspects of hazardous materials. A review of the Haz-Mat IQ system was included in the class.</p> <p><b>Significant Incidents:</b>  1/13 - E37, E33, A37, A35, A34, and BC3 responded on a multi-car MVA on the Hwy 40/I-80 flyover. There were a total of 5 patients with several requiring transport to the hospital.</p> <p>1/19 - R36, E31, A31, A35, and BC3 responded on a 4 car MVA on Hwy 224 and Canyons Drive. Minor injuries were reported and 2 patients were transported to PKMC for further treatment.</p>

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	<p>1/25 - E36 and A38 responded on a patient in full arrest in the Aspen Springs area. Despite the efforts of the crews, the patient did not respond and was pronounced dead.</p> <p>1/26 – Another busy day with all ambulances out due to Sundance population and skiing related transports. In addition, high CO levels above 35 ppm were discovered at a White Pine Canyon residence when their CO detector alerted them to a problem. E36 identified a disconnected dryer exhaust pipe allowing exhaust from the gas powered dryer to vent inside the home. Questar and an independent contractor were notified to resolve the issue.</p> <p>01/28: PCFD units responded to I-80 at Parley’s Summit where a car hit a UDOT snow plow. The plow blade peeled the car open like a can opener. PCFD used extrication tools to remove the driver from the vehicle. Remarkably his injuries were minor.</p> <p>* On twelve days in January, all on duty PCFD ambulances were assigned to simultaneous medical calls. On four of those days, a fifth ambulance was also placed in service and assigned a medical call.</p> <p>* Extremely cold weather lead to numerous water evacuations due to frozen pipes, resulted in flooding of a property. Crews worked hard to remove the water and limit the overall damage to multiple properties.</p> <p style="text-align: center;"><b>Monthly Calls - 2013</b></p>  <table border="1"> <caption>Monthly Calls - 2013</caption> <thead> <tr> <th>Month</th> <th>Calls</th> </tr> </thead> <tbody> <tr> <td>Jan</td> <td>~580</td> </tr> <tr> <td>Feb</td> <td>0</td> </tr> <tr> <td>Mar</td> <td>0</td> </tr> <tr> <td>Apr</td> <td>0</td> </tr> <tr> <td>May</td> <td>0</td> </tr> <tr> <td>Jun</td> <td>0</td> </tr> <tr> <td>Jul</td> <td>0</td> </tr> <tr> <td>Aug</td> <td>0</td> </tr> <tr> <td>Sep</td> <td>0</td> </tr> <tr> <td>Oct</td> <td>0</td> </tr> <tr> <td>Nov</td> <td>0</td> </tr> <tr> <td>Dec</td> <td>0</td> </tr> </tbody> </table> <p style="text-align: center;"><b>Total Training Hours by Category - January 2013</b> Park City Fire District</p>  <table border="1"> <caption>Total Training Hours by Category - January 2013</caption> <thead> <tr> <th>Category</th> <th>Hours</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>EMS</td> <td>447</td> <td>48%</td> </tr> <tr> <td>Fire</td> <td>340</td> <td>36%</td> </tr> <tr> <td>Special Operations</td> <td>147</td> <td>16%</td> </tr> </tbody> </table>	Month	Calls	Jan	~580	Feb	0	Mar	0	Apr	0	May	0	Jun	0	Jul	0	Aug	0	Sep	0	Oct	0	Nov	0	Dec	0	Category	Hours	Percentage	EMS	447	48%	Fire	340	36%	Special Operations	147	16%
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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>Met with the Sheriff’s Office and PCFD regarding emergency management.</li> </ol>
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	<ol style="list-style-type: none"> <li>2. Pulled more information for lawsuit.</li> <li>3. Participated in OSHA webinar training provided by ULGT</li> <li>4. Provided Seminar on Decision Making and Problem Solving for 18 employees</li> <li>5. Created and processed applications for 6 job openings               <ol style="list-style-type: none"> <li>a. PIO</li> <li>b. Fair Administrator</li> <li>c. Contract Attorney</li> <li>d. Dispatcher</li> <li>e. Plans Examiner</li> <li>f. Justice Court Clerk</li> </ol> </li> <li>6. Set up interviews for Corrections Officer position</li> <li>7. Processed two Worker's Comp claim               <ol style="list-style-type: none"> <li>a. Slip and fall on ice</li> <li>b. Wrenched back</li> </ol> </li> </ol> <p><b>Animal Control</b></p> <ol style="list-style-type: none"> <li>1. 6 dogs are in the shelter along with 12 cats               <ol style="list-style-type: none"> <li>a. 16 new animals were received by Animal Control this week</li> <li>b. 7 dogs were transferred</li> <li>c. 5 cats were transferred</li> </ol> </li> <li>2. Stationing Officers at trail heads to educate citizens regarding leash laws.</li> <li>3. Officers ran 48 details for the week.</li> </ol>
Public Works	<p><u>Submitted by Kevin Callahan, Public Works Director:</u></p> <p><b>Landfill</b>          Completed evaluations of five landfill employees left over from Blonquist regime          Prepared list of performance objectives for Solid Waste Superintendent for first three months          Authorized a burn of all of the vegetative debris piles at Three Mile Canyon          Directed staff to clean out office area at Three Mile in advance of a major cleaning of the trailer</p> <p><b>Emergency Management</b>          Met with Sheriff's staff and other for an equipment audit of the Emergency Operations Center          Reviewed adopted Emergency Operations Plan and determined existing deficiencies          Outlined process for contacting local agencies with FEMA funding allocations</p> <p><b>Fleet Management</b>          Secured a list of all department requested vehicles for 2103 budget          Requested Republic Services transfer additional CNG trash trucks to Summit County service          Met and briefed Lisa Yoder on basics of County plans to integrate CNG vehicles into fleet</p> <p><b>Transit</b>          Requested discussion of transit service to the County Justice Center at the Feb 7 JTAB meeting</p>
Recorder	<p><u>Submitted by Alan Spriggs, County Recorder:</u></p> <ol style="list-style-type: none"> <li>1. WE HAVE BEEN WORKING WITH KARSTEN IN THE I.T. DEPARTMENT TO MAKE SOME UPDATES ON THE SUMMIT COUNTY WEB SITE.</li> <li>2. WE WILL HAVE A FORM THAT CAN BE USED TO UPDATE AN OWNERS MAILING ADDRESS FOR ASSESSMENT AND TAXATION PURPOSES THAT WILL BE RECEIVED BY E-MAIL IN OUR OFFICE.</li> <li>3. WE WILL ALSO HAVE LANGUAGE TO ANSWER MANY COMMON QUESTIONS THAT WE OFTEN ANSWER OVER THE PHONE.</li> <li>4. I HAVE CHECKED THE SUBSCRIPTION FEES CHARGED BY SEVERAL COUNTIES AND COMPARED THE DATA AVAILABLE ON THEIR SITES WITH OUR OWN.</li> <li>5. OUR DATA IS MORE EXTENSIVE THAN MOST OF THE COUNTIES THAT I SURVEYED, AND I RECOMMEND THE FOLLOWING FEES:</li> <li>6. WEB ACCESS A TYLER SEARCH PROGRAM PLUS ACCESS TO SURVEYOR AND RECORDER RECORDS AVAILABLE ON SIRE. \$ 5.00 PER DAY; \$ 150.00 PER MONTH; \$ 900.00 FOR 6</li> </ol>

<u>Department</u>	<u>Description of Updates</u>
	<p>MONTHS; \$ 1,800.00 PER YEAR. THIS INFORMATION WILL BE AVAILABLE EVERY DAY OF THE YEAR</p> <ol style="list-style-type: none"> <li>7. DIRECT ACCESS BY DEDICATED LINE TO THE RECORDERS AND SURVEYORS OFFICES, USED MAINLY BY TITLE COMPANIES WHO DO COMPLETE SEARCHES WILL ALSO BE AVAILABLE EVERY DAY OF THE YEAR; \$2,400.00 FOR 6 MONTHS; \$ 4,800.00 PER YEAR; DIRECT ACCESS FEES INCLUDE MAINTENANCE FEES THAT ARE PAID TO TYLER EACH YEAR. WE HAVE CHARGED SIMILAR FEES FOR SEVERAL YEARS.</li> <li>8. NEW CLIENTS WILL ALSO BE CHARGED A ONE TIME INSTALLATION FEE AND A ONE TIME LICENSE FEE</li> <li>9. IN ADDITION TITLE COMPANIES MAY OBTAIN ACCESS TO SIRE DOCUMENTS BY PAYING AN ADDITIONAL 6 MONTH FEE OF \$ 900.00. OR A YEARLY FEE OF \$1,800.00.</li> <li>10. ALL FEES WILL BE COLLECTED BY INSTANT PAYMENTS INC WITH NO CHARGE TO THE COUNTY AND DEPOSITED DAILY INTO OUR ACCOUNTS.</li> <li>11. CORRIE IN THE TREASURES OFFICE HAS APPROVED INSTANT PAYMENTS INC AND THE PROCESS FOR COLLECTION OF FEES.</li> </ol>
Treasurer	
Sheriff	<p><u>Submitted by Justin Martinez, Bureau Chief:</u></p> <p>The Sheriff's office will be sending out a press release soon regarding the switch to a "Verified Alarm" response system. The order, that will include the discontinued response to VIN checks, shall be in effect around March 1, 2013. Hold-up, panic, and duress alarms will still be handled as we have in the past.</p> <ul style="list-style-type: none"> <li>• The office will be organizing an in-house committee to meet with Captain Martinez once a quarter to discuss ideas and suggestions. This will be similar to the old P.A.C. (patrol action committee), however will be a department wide committee. Each division should designate one or possibly two delegates. If there are issues that need to be addressed, solutions will need to accompany the issues.</li> <li>• Communications has repaired the in-house PA system in the office. For those working in the office, you may now hear a tone or a message come across the PA advising of a priority call. This is NOT a "drop everything and go" type notification. It is meant for those inside not monitoring the air to monitor and possibly respond to a scenario IF NEEDED.</li> </ul>
Snyderville Basin Recreation	
USU Extension	<ul style="list-style-type: none"> <li>- USU/Summit County Extension Service starts a 10 week master gardener course this week for 25 homeowners in Summit and Wasatch counties.</li> <li>- USU/Summit County Extension will offer a farm safety/pesticide law class for farmers in Summit County next week.</li> <li>- USU/Summit County Extension is currently offering VITA (Volunteer Income Tax Assistance) income tax preparation to low income residents in Summit County</li> </ul>

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# MINUTES

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**SUMMIT COUNTY**  
**BOARD OF COUNTY COUNCIL**  
WEDNESDAY, DECEMBER 12, 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*

**WORK SESSION**

In the absence of Chair Ure, Vice Chair McMullin assumed the chair and called the work session to order at 10:00 a.m.

- **Discussion with County Fair Advisory Board and Populous, the firm hired to conduct the feasibility study on the existing Summit County Fairgrounds**

Assistant Manager Anita Lewis explained that the purpose of this meeting is to provide the information Populous has assimilated in the last two days and their recommendations for moving forward.

Fair Board Chair Dirk Rockhill confirmed that a good number of people attended the meetings, and his eyes were opened to the needs and desires of people in the community regarding the County Fair.

County Manager Bob Jasper reported that he contacted Mike Crystal in facilities to determine how much the County spends to maintain the fairgrounds property which is used as a park in the summer. His response was that the County spends about \$50,000 per year to maintain the park.

Vice Chair McMullin requested that the Snyderville Basin General Plan revisions be placed on the website as updates are made and that a means be provided for people to provide public comment through the website.

Charlie Smith with Populous reported that they met with 25 groups and had 70 to 80 conversations with individual people. Public open houses were held in Kamas, Coalville, and Park City, and they met with the mayors of Kamas, Oakley, and Coalville, and the Park City Council. He discussed the various aspects of the fairground site and some of the things they discovered. With regard to property ownership, they had thought that Coalville City owns the

property, but they learned that in 1999 the City transferred ownership of all the property and the ball fields to Summit County, and the County maintains those facilities. The property belongs to the County unless the County does not have a fairground on the property, in which case the property will revert back to Coalville City.

Mr. Smith reviewed the Chalk Creek flood zone map, which was an important revelation to them. There is also a mink smell on the property that needs to be dealt with if the fairground remains in this location. He explained that there is the potential for an additional access point back to Chalk Creek Road. He commented that the setting is very nice, and the stream could be cleaned up to become an amenity. He confirmed that there is expansion potential on the site. He explained that he would show several concepts for how the County Fair could function well on this site, which would include the relocation of the ball fields, perhaps adjacent to the elementary school. In order to make the County Fair function on this site, they will need all the existing property plus some expansion area. He explained that David Forkner will review three options for the existing site and a hypothetical option that could be placed anywhere else in the County and discuss the cost of renovating this site versus a new fairground elsewhere in the County. Vice Chair McMullin confirmed with the consultants that the proposed relocation of the ball fields would be the same property the North Summit Recreation District wishes to purchase.

David Forkner explained that they looked at all of Summit County as the market area for the fair. The current market penetration rate is about 51% based on the reported attendance of 19,000, but a typical county fair should have a penetration rate of about 70%, which would be a potential fair attendance of 27,000. He explained that a hypothetical fair would last five days rather than 14 days. One of the most important numbers is the number of people on the fairgrounds on the peak day, which in this case would be about 5,000 people on the grounds. He noted that the Quonset hut is between 5,000 and 6,000 square feet, with the hospital being used for some of the arts and crafts. Using the consultants' model, the County needs an exhibition building of about 18,000 square feet. The County fairground currently has about 24,000 square feet of livestock space, part of which is in tents, and the model suggests that they need 24,000 square feet of livestock space, which needs to be in buildings rather than in tents. Mr. Smith noted that the Fair pays between \$10,000 and \$15,000 a year just to rent the livestock tents. Mr. Forkner explained that the type of building suggested for livestock would be a big, open shed paved with asphalt or concrete and discussed some of the potential uses of that type of structure during other times of the year. He explained that the exhibition hall could be used for a number of functions year round.

The Council Members discussed the accuracy of the fair attendance numbers. The consultants and Mr. Rockhill explained that is the best information they have available currently. Mr. Rockhill explained that the Fair started tracking numbers several years ago, including who comes to the Fair, where they come from, and how many come, and he believes the numbers are accurate.

Mr. Forkner stated that about 40% of the attendees are estimated to shuttle to the site from other parking areas. He recalled that a request was made to cover the seating for the existing rodeo arena. He presented three options for the existing fairground and stated that they have reached the conclusion that, with the purchase of additional property for parking, the Fair at the existing site in Coalville is capable of accommodating an attendance of 27,000. The cost to do that, including the purchase of property, is between \$11 million and \$12 million. They have also

developed a hypothetical plan using the same components as those proposed for the Coalville site, with the estimated cost of developing a new site between \$18 million and \$19 million. If they do relocate to a new site, they would recommend that the County purchase more property than what is at the current fairgrounds. Council Member Elliott asked how much property they would need. Mr. Forkner replied that it should be between 28 and 30 acres. Mr. Rockhill confirmed that the current fairground consists of 18 acres, with the immediate capability of purchasing another 10 acres, and they could go further if necessary.

Council Member Robinson asked if the consultants see a problem with the fairground being on the outskirts of the County away from the population center and whether the attendance figure of 19,000 is comparable with what they see in other areas where a large number of people may attend the fair a number of times. Mr. Forkner explained that the model assumes that the market area is the entire County, which assumes that the fair has elements that are attractive to the entire population. Another part of the process could be to find out what people want, but this model assumes the fair program reflects the interests of the people. Therefore, it is not necessarily location sensitive. The trend now is to include an events center, and the fair attracts attendance to that facility, which provides a more finished product. He explained that an event center would open the fairgrounds up to a greater market which may be more dependent on the population areas. Mr. Smith explained that they like to see fairs generate 50% of their revenue from the fair and 50% from non-fair activities. The current facility is probably 98% fair and 2% non-fair, and that is why they want to show buildings that are good for year-round usage. A good fair park will do 80% year-round business and 20% fair. Council Member Robinson confirmed with the consultants that, with the proper facilities, the fairground in Coalville could generate 50% of its revenue from events other than the fair. Mr. Smith explained that the issue is location and programming, and they have sized the buildings right for this community and this population.

Mr. Jasper asked about the energy efficiency of the buildings. Mr. Smith explained that, in order to be affordable, the buildings would basically be prefabricated, but they would use a concept called decorating the box. He stated that the buildings would be well insulated and energy efficient.

Mr. Forkner explained that, in terms of population growth, rather than projecting the population out 20 or 30 years, they look at the 4-H population, which is a big driver of the fair. He acknowledged that there is an unknown factor there. Mr. Smith explained that other variables can be used to affect fair attendance, such as adjusting the number of days. The more days there are, the more the attendance will be spread. They can do specials on week nights to bring in people who would normally come on the weekend peak days. The Fair Board has the option to change programming, which would be better than building something so large that it could take several years to grow into it. Another management tool is pre-shows and post-shows.

Council Member Hanrahan recalled that the Council just approved funds for the North Summit Recreation District to buy the fields next to the elementary school, so that space is not available. He noted that they would have to find a place to move the fields and purchase the land, because the County cannot go without the two fields on the existing site. Mr. Rockhill stated that the school district gave them the impression that they would build the additional fields adjacent to the elementary school that would in part replace one of the two existing fields.

Council Member Hanrahan asked about the average cost recovery through revenues for a county fair. Mr. Jasper commented that he has never been anywhere that a fair paid for itself. Mr. Smith explained that there are fairs that have to pay their way and make a profit. People pay for things at those fairs that this County gives away for free, such as entry gate fees, paid parking, paid entertainment, etc. Council Member Hanrahan commented that the stated goal of this process is to provide a better fair experience for more County residents and asked if there is a secondary goal to increase revenues. Mr. Rockhill explained that the first goal is to provide an adequate experience, because they cannot do that with the current facility.

Council Member Robinson asked how serious the mink smell is. Mr. Rockhill replied that it is not a fatal problem during a rodeo or livestock show, but it can definitely be a problem during a wine-tasting contest. If they end up with a bigger fair that involves more exhibits and events, it could be a serious problem. Mr. Jasper explained that if they try to make use of the fairgrounds for other events, the neighborhood might complain about noise, traffic, etc. Mr. Smith replied that lighting, dust, and traffic control will have to be considered for other events.

Council Member Hanrahan asked about the Fair Board's other priorities. Mr. Rockhill replied that another priority is to have a facility where they can put on an excellent fair and draw people from throughout the County.

Council Member Elliott commented that she has been advocating for a USDA meat processing facility in Summit County, and people tell her there is not a big enough market. She felt that, if they had a USDA facility co-located with a county fairground where people could have easy access, they could do year-round meat sales, processing, and sales of Summit County agricultural products. She believed it would be a place where they could celebrate what is unique about food in Summit County, which has a lot to do with county fairs.

Council Member Robinson requested the Fair Board's opinion about whether to stay with the existing site or find a new site. Mr. Rockhill stated that he did not believe the Council would want to hear his opinion today, because he is not yet 100% behind it.

Sterling Banks, a Fair Board member, commented that, if they stay at the existing site, some infrastructure already exists. His expressed about a new site is that the Council may come to the Fair Board after one building is finished and say that the money is gone and they cannot finish the fairground. If the Council is willing to financially support building a new facility off-site for \$19 million, he believed that would be the preferred option. Mr. Jasper stated that he did not believe the funding would come from the municipal fund or general fund. The County keeps 10% of the room tax, and many counties use that money to construct and operate fairgrounds. They could also use a portion of the restaurant tax. They currently have about \$8 million in fund balances and could get another \$18 million from a 20-year revenue bond. Council Member McMullin asked what the Fair Board's opinion would be given that answer.

Marla Howard, a member of the Fair Board, stated that from what she has been hearing from people, it is her opinion that they should move the fairground to another site and build a multi-function building for the whole County. She stated that they have a difficult time including Park City in Coalville, because there is nothing else to draw people there. She felt they would have a hard time drawing people to Coalville for an event when there are not a lot of other things there. She did not have a suggestion as to where the other site might be.

Ken Kresser, another Fair Board member, explained that Coalville does have a hotel, and other than Park City, there is no other lodging in the County. He stated that the fair is the prime fundraiser for the Coalville Lion's Club, and it would be harder to do that in another location. Council Member Elliott noted that they would probably make more money at another location. Mr. Kresser agreed that they need better facilities so they can hold other events, whether the fair is in Coalville or somewhere else. One problem is that people look at this as a Coalville facility, not a County facility, and they do not understand why the County should improve a Coalville facility.

Farah Spencer explained that she has not been involved in the process the last couple of days and is basing her opinion on what was presented today. She was not certain that they are ready to build an events center yet, but that is the direction she thinks they should go. She stated that they want a multi-use facility, not just one for use 14 days of the year, and she did not believe they could do that at the current location. She believed they need easier access and that the mink smell is a big issue. She believes people do not go to the fair because they think it is a Coalville event, and being from the Kamas area, sometimes people from Kamas are treated like it is a Coalville event and that they are not as welcome to do certain activities there. She believed Wanship would be a good location and expressed concern that, if they move it too close to Park City, it would detract from what the fair is about, which is small town and rural. She believed they would get more use for the building year round in the Park City area, but she did not think they would have the agricultural facility on the western side of the County.

Mr. Rockhill stated that his emotional side says the fair should stay in Coalville, and it has always been in Coalville. He heard 19 people at the Coalville meeting say that they need a covered arena and a place to hold meetings and events, and he agrees that they do. When he went to the Kamas meeting, he heard the officials there say that when they needed those types of facilities, they bonded locally to do it. The people in Park City said that they bonded and built facilities for their use as well. He was not certain that Kamas and Park City want to ask their constituents to come up with money for facilities for Coalville to use, because they have already asked that of their constituents. When he takes the emotion out of it, he has a different opinion. Depending on where the money comes from, how it is spent, and looking at the long-term view, they will get more people and more events, but it will no longer be an agricultural county fair. They could move the fair to Oakley and rent their facility for two weeks, because it has everything they need, but the question is whether that would be a County Fair. They would have a great facility at a minimal cost, but he questioned whether it would still be the County Fair, because people from Coalville will not come to Oakley for the Fair. Council Member McMullin asked if the people from Coalville will go to anywhere other than Coalville for the County Fair. Mr. Rockhill replied that they will not.

Mr. Banks stated that he believes people will go to where the facilities are located as long as they are in place and on the east side of the County. He believed Wanship would be a good option if land is available. Although they have come up with options for the existing site, the configuration is still restricted. If financing is not an issue, they could go to a new site, start from scratch, and build a multi-functional facility that is designed properly and could be used year round. At the existing site there are geographic restrictions and other issues they have to deal with. It was his opinion that, if money is not the issue, they would be better off moving the facility within the east side of the County, and Wanship would be a good option, because it is

central in the County. He believed people in Coalville would go to the facility if they have people involved in the events. Mr. Rockhill asked if they would attend if the fair is in Oakley. Mr. Banks replied that the group he represents would. Mr. Rockhill explained that the numbers show that 75% of the attendance at the County Fair is from Coalville and very few from Kamas.

Council Member Elliott stated that at one time the County Fair was in a different location, and originally the County seat was in Wanship, because that was the ideal central location for a county seat. NaVee Vernon stated that she agrees with Mr. Banks, and historically the fairgrounds were in Wanship by the dam. It was not Coalville's fault that it ended up in Coalville, because it was voted to be moved to Coalville in 1909. When the dam was built, they had to move the fairground, so they purchased the land in Coalville. She believed the fair has almost become a detriment to Coalville, because it has become their celebration, and the citizens of Coalville work hard to put on the fair. If there is money available and they can move it to another site on the east side of the County, she believed they should do so. She believed Wanship would be a good location and stated that she would go to Oakley for the Fair because of the convenience of the location. She believes they need to look to the future and think about 20 or 30 years down the road. She stated that she has visited many fairgrounds, and Summit County should be embarrassed about what they have compared to what other counties have. She stated that they will never get rid of the mink ranch as long as the owner wants to continue to raise mink, and he will increase it if he can, because the mink price is high right now.

Ms. Lewis stated that she has been going to the Fair for 50 years and spends a lot of time there doing events. She stated that the day of the barrel race event this year the temperature was 100 degrees, and people could not sit in the bleachers and enjoy the event. She stated that every year she attends another county fair somewhere, and she believes Summit County does a great job as far as their fair activity, but they have a terrible facility. She does not believe it would hurt Coalville if the fairground is moved to make the County Fair truly unique, and Coalville would have an opportunity to make their fields and have a potential amphitheater. She believes they have a beautiful facility they can market and put on quality events like the other cities do. She believed they would want the existing facilities so they can determine their own destiny, because right now that land is in the County's hands.

Ms. Vernon added that with an indoor arena, the County could put on events year round, such as barrel racing, that they cannot do in the snow and the cold.

Ms. Lewis reported that at the dinner on Tuesday evening, the Fair Board members suggested that it might be a good idea to do an economic feasibility study for the fair. Ms. Spencer stated that they need some direction from the Council regarding whether they should proceed to look at other sites. Mr. Jasper stated that he believes the next step is to see what the options might be and whether there are other sites the County might be able to acquire. Then the Fair Board could bring back some recommendations to the County Council.

Mr. Smith offered to put together some site selection criteria and encouraged the County to put together a committee to identify and evaluate several sites. Concurrently or shortly after that, he would recommend doing a market demand/economic study comparing the existing site to a selected site.

Council Member Hanrahan noted that there is property available now at the junction of Highway 40 and I-80 that has been foreclosed on and is adjacent to the Bitner Ranch. It is at the base of the only equestrian neighborhood in the Snyderville Basin and closest to the east side of the County.

Council Member Robinson stated that he would like to see this process move forward as expeditiously as possible.

The Council Members took a break from 11:30 a.m. to 2:55 p.m.

Chair Ure resumed the chair.

### **CLOSED SESSION**

**Council Member Hanrahan made a motion to convene in closed session for the purpose of discussing litigation. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0. Council Member McMullin was not present for the vote.**

The Summit County Council met in closed session from 2:55 p.m. to 3:20 p.m. to discuss litigation. Those in attendance were:

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

**Robert Jasper, *Manager***  
**Anita Lewis, *Assistant Manager***  
**David Brickey, *Attorney***  
**Dave Thomas, *Deputy Attorney***  
**Stephanie Dolmat-Connell, *Sustainability***  
**Kim Carson, *Council Elect***

**Council Member Hanrahan made a motion to dismiss from closed session to discuss litigation and to convene in closed session to discuss property acquisition. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0. Council Member McMullin was not present for the vote.**

The Summit County Council met in closed session from 3:20 p.m. to 3:35 p.m. to discuss property acquisition. Those in attendance were:

**David Ure, *Council 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***  
**Kim Carson, *Council Elect***

**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, 4 to 0. Council Member McMullin was not present for the vote.**

## **WORK SESSION – (Continued)**

- **Interview applicants for two vacant positions on the Mountain Regional Water Special Service District Administrative Control Board**

The Council Members interviewed Todd Hopkinson, Chris Eggleton, Mike Kobe, and Theron Miller for two vacant positions on the Mountain Regional Water Special Service District Administrative Control Board. Questions included whether the applicants have time to serve on the board, why they wish to serve, skills and experience they would bring to the Board, their management style, and whether they would have any conflicts of interest with serving on the Board.

## **CLOSED SESSION**

**Council Member Robinson made a motion to convene in closed session for the purpose of discussing personnel. The motion was seconded by Council Member Elliott and passed unanimously, 4 to 0. Council Member McMullin was not present for the vote.**

The Summit County Council met in closed session from 4:15 p.m. to 4:20 p.m. to discuss personnel. Those in attendance were:

**David Ure, Council 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, 4 to 0. Council Member McMullin was not present for the vote.**

## **WORK SESSION – (Continued)**

- **Discussion regarding proposed 2013 budget**

Mr. Jasper explained that Staff would like to be certain that they understand and have implemented the changes to the budget requested by the County Council and be sure that they have some consensus on options regarding the proposed budget.

Council Member McMullin asked what would happen if they pass a budget assuming a tax increase that would be frozen until the time for a petition is past and there is another successful petition or what would happen if there is not a successful petition. Mr. Jasper replied that they could get road projects ready for bid and then hold off on them. If they do not get them done in the summer or the fall, at least they know they can get them done the following season and will not fall further and further behind with maintenance. With regard to positions, he noted that he has frozen three positions and made other cuts to try to minimize the impact on the 2012 budget. He stated that they will do the same thing in 2013, which could result in a decrease in some service levels, but he would recommend that they try to hold onto all the money they can by freezing positions or deferring projects and purchases in order to buy time to see what happens

with a tax petition. Council Member McMullin commented that, if they hold an election in June on the 2012 tax increase and the voters ratify it, they could repeal the 2013 tax increase and start spending it in June. Council Member Hanrahan commented that a downside to that is that opponents of the tax increase would raise the question of whether people trust the Council to repeal the second tax increase.

County Auditor Blake Frazier stated that, if they hold an election in June on the 2012 tax increase and it passes, the \$1.4 million would be a lifelong increase. The \$1.4 million would have to be in the 2013 budget in order to collect it. If they include the \$1.4 million in the 2013 budget and the initiative passes, they cannot increase taxes in 2013, because it would not be included in the budget. Regardless of whether they have a June election or propose another tax increase in 2013 and repeal the 2012 tax increase, it would still only be a \$1.4 million increase.

Council Member Robinson asked if they were to certify the rate in 2012 based on the assumption that the referendum passes but do not include the \$1.4 million in expenditures in the budget, whether they would have to hold another truth in taxation hearing the following year because they did not spend it in 2013. Mr. Frazier clarified that, if the referendum on the 2012 tax increase were to pass but they do not budget for the \$1.4 million in 2013, the rate would automatically drop to the budgeted amount. He explained that this is all new ground, and there are no firm answers, even with the State Tax Commission, because they have never been through this type of process before. The real question is whether the Council wants a \$1.4 million tax increase or not. Council Member Robinson stated that another question is whether they want to gamble that the referendum will pass. If they budget for the increase, they need to give strict orders that absolutely none of it will be spent until the increase is completely out of the woods.

The Council Members and Mr. Frazier discussed the possibility of amending the 2013 budget if the referendum passes to account for the \$1.4 million. Mr. Frazier noted that the certified tax rates go out the beginning of July, and County Clerk Kent Jones explained that the special election would be the fourth Tuesday in June. Chair Ure stated that it was his opinion that they should proceed with the budget as previously discussed with the assumption that they will put the referendum on the June ballot.

Matt Leavitt with the County Auditor's Office pointed out that the departments requested over \$62 million for 2013. The Council budget is now down to \$45.4 million. He reviewed the changes in the operating budgets and capital road projects that allowed the Council to get down to \$45.4 million. He pointed out that, even the total \$1.4 million tax increase would not fund everything that has been cut from the budget for 2013.

Mr. Jasper noted that the budget as currently proposed includes a 1% employee salary increase to offset health insurance increase. Council Member Hanrahan verified with Mr. Leavitt that all the cuts the Council talked about at the December 10 meeting have been included in this budget. Council Member Elliott stated that she was not certain they want a 1% raise, and she believed 1% would be a slap in the face. If they are going to give a raise, she believed they should give 2%. Council Member McMullin recalled that they did not make the decision on Monday because Council Member Robinson was not present, and there were advocates for no increase and some for 2%. Mr. Leavitt explained that the split for employee raises would come 20% from the general fund, 40% from the municipal fund, and 40% from assessing and collecting. Council

Member Robinson stated that he likes the way this is written and believed 1% would be a nice compromise for the employees.

Mr. Frazier commented that, if they plan to hold the election in June, they should look at whether the suggestions in Mr. Leavitt's report regarding where the \$1.4 million should be spent are reasonable. He noted that there would be another 1% salary increase for a half year in July if the tax increase passes. Chair Ure stated his opinion that what the Auditor's Office has suggested for the \$1.4 million is appropriate and fair if the tax increase passes. Council Member Robinson stated that he would be inclined to approve this budget and see what happens with the ballot. If it is approved, they could open the budget and would not be hamstrung by any pledges made at this time. When they know they have the money to spend, they can amend the budget and decide where to spend the money at that time. Mr. Jasper noted that, if the tax passes, they have not accounted for the two frozen positions in the Sheriff's budget, which is a policy decision. He explained that he froze those two positions to give some room in the budget, and if the tax increase is adopted, he would suggest they unfreeze all three frozen positions. Council Member Hanrahan stated that he would not be comfortable determining what would be added back into the budget if the tax increase passes without another lengthy discussion. Mr. Frazier explained that the information presented to the Council Members will show the public what will not be funded without a tax increase.

Chair Ure stated that he believed it would be important for the public to know what the Council has decided to do about the referendum. Council Member Robinson stated that questions for him are whether to live with the existing ballot language and the need to make it clear to the voters that they are not accepting two tax increases. They need to make it clear that, if they vote for it in 2013, they do not have to pay double to get caught up in 2012. As long as those two things are clarified, he would agree with putting it on the ballot. He would also agree with rescinding the 2012 tax increase and putting a new tax increase in place after the truth in taxation in 2013.

Council Member Hanrahan recalled that another issue raised on Monday but left undecided is that, with all the cuts that have been made, they have decreased the general fund by \$260,000 and the municipal fund by about \$160,000. He would like to change that so the general fund stays whole and any deficit would come out of the municipal fund, because that is where the tax increase is targeted. Council Member Robinson asked if he is suggesting that the fund balance in the municipal fund should be drawn down because that fund has a more robust fund balance than the general fund balance, which has a weaker balance. Council Member Hanrahan stated that is part of the argument, but the other part is that the general fund has a State-mandated minimum balance, and the municipal fund does not. Another reason is that the predicament they are in is because the tax increase for the municipal fund was put on hold. Mr. Jasper verified that Council Member Hanrahan is saying that this is not just a matter of splits, but they will not budget as much money to surplus, which will affect the splits between the two funds. After further discussion, Council Member Hanrahan verified with Mr. Frazier that the budget as presented includes a \$480,000 contribution to the general fund surplus.

Chair Ure confirmed with the Council Members that they are instructing the Auditor's Office to present the budget with the adjustments shown on page 5 of Mr. Leavitt's presentation. Council Member Elliott stated that is being done over her objections.

Mr. Jasper stated that he would like one more opportunity to review the policy regarding how the Council wants to handle the tax increase. Chair Ure requested that be placed on the agenda for December 19 before the public hearing. Council Member Robinson verified with the other Council Members that they will adopt the budget with these adjustments, and if they get a tax increase through a referendum or other process, they will amend the budget at that point.

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

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

The meeting of the Summit County Board of Equalization was called to order at 5:34 p.m.

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

**Board Member McMullin made a motion to approve the 2012 stipulations as presented. The motion was seconded by Board Member Hanrahan and passed unanimously, 5 to 0.**

### **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 regular session. The motion was seconded by Board Member Hanrahan and passed unanimously, 5 to 0.**

The meeting of the Summit County Board of Equalization adjourned at 5:35 p.m.

### **REGULAR MEETING**

Chair Ure called the regular meeting to order at 5:35 p.m.

- **Pledge of Allegiance**

### **APPOINT TWO MEMBERS TO THE SNYDERVILLE BASIN SPECIAL RECREATION SERVICE DISTRICT**

**Council Member Hanrahan made a motion to reappoint Brian Guyer and to appoint Cathy Kahlow to the Snyderville Basin Special Recreation District, with their terms to expire December 31, 2016. The motion was seconded by Council Member Elliott and passed unanimously, 5 to 0.**

### **APPOINT ONE MEMBER TO THE SNYDERVILLE BASIN PLANNING COMMISSION**

**Council Member Hanrahan made a motion to appoint Mike Barnes to the Snyderville Basin Planning Commission to fill the unexpired term of Martyn Kingston, with his term to expire February 28, 2016. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.**

**ADVICE AND CONSENT OF COUNTY MANAGER TO APPOINT FIVE MEMBERS TO FILL VACANCIES ON THE SUMMIT COUNTY HISTORICAL SOCIETY**

**Council Member Hanrahan made a motion to consent to the County Manager's recommendation to reappoint Casey Wilde, Celeste Gates, and Brad Marchant to the Summit County Historical Society with their terms to expire October 31, 2014, and to consent to the County Manager's recommendation to appoint Jenette Purdy and Lauren Strachan to the Summit County Historical Society, with their terms to expire October 31, 2015. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.**

**DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE #787 AMENDING TITLE 1, CHAPTER 12B OF THE SUMMIT COUNTY CODE REGARDING RESIDENTIAL PROPERTY TAX EXEMPTION; DAVE THOMAS, CHIEF CIVIL ATTORNEY**

County Assessor Steve Martin explained that the County Code follows the personal property deadlines, which does not make sense for real property exemptions. This is a clean-up item to update the language in the Code to match the ordinance. He explained that the Code indicates that the final date for filing applications is November 30, but the application deadline for a primary residence should be May 15, with the Board of Equalization appeal date being September 15.

Mr. Jasper asked if the dates were changed after the packet was distributed, which showed other dates. Mr. Martin confirmed that Deputy County Attorney Dave Thomas has amended the ordinance to change the dates. Chair Ure stated that they should not vote on the ordinance unless the Council has a correct copy of it before them.

**Council Member Elliott made a motion to postpone the adoption of Ordinance #787 to a time when the information is complete. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.**

**DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE #788 AMENDING TITLE 1, CHAPTER 14-10 OF THE SUMMIT COUNTY CODE REGARDING THE OPTIONAL PLAN OF GOVERNMENT CONSISTENT WITH THE BALLOT PROPOSITIONS (COUNTY MANAGER AMENDMENTS)**

**Council Member Elliott made a motion to adopt Ordinance #788 amending Title 1, Chapter 14-10 of the Summit County Code regarding the Optional Plan of Government consistent with the ballot propositions. The motion was seconded by Council Member McMullin and passed unanimously, 5 to 0.**

Mr. Jasper explained that this changes the Optional Form of Government so the Council must approve of the Manager's disposal of real property with a fair market value in excess of \$500,000, and the voters have approved that. The voters also approved the proposition that the Council must approve the Manager's monetary and land use claim settlements in excess of \$500,000. He explained that this reduces his authority to settle claims and sell property.

**DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE #789 AMENDING TITLE 2, CHAPTER 4, OF THE SUMMIT COUNTY CODE REGARDING THE SUMMIT COUNTY FAIR ADVISORY BOARD; ANITA LEWIS, ASSISTANT COUNTY MANAGER**

Dirk Rockhill, Chair of the Summit County Fair Advisory Board, explained that the purpose of this ordinance is to change some of the seats and the roles of some seats on the Advisory Board. He explained that they previously had FFA advisors for both North and South Summit, and that will be combined to one position. They will delete the office of secretary from the Board, because the administrator will serve as secretary. The third change will remove the word “employee” and leave the appointment to the County Fair Administrator.

**Council Member Hanrahan made a motion to adopt Ordinance #789 amending Title 2, Chapter 4, of the Summit County Code regarding the Summit County Fair Advisory Board. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.**

**MANAGER COMMENTS**

Mr. Jasper reported that he has provided the Council with written comments, and has nothing to add to them.

**COUNCIL COMMENTS**

Council Member Elliott thanked Mr. Jasper for his staff report.

**COUNCIL MINUTES**

OCTOBER 31, 2012

**Council Member Elliott made a motion to approve the minutes of the October 31, 2012, Summit County Council meeting as written. The motion was seconded by Council Member Hanrahan and passed unanimously, 5 to 0.**

The Council Members took a break from 5:45 p.m. to 6:10 p.m.

**PUBLIC INPUT**

Chair Ure opened the public input.

Mark Lindemann thanked those who have worked to bring Toll Canyon to the attention of the community and consider it for an open space purchase. He supports that piece of land that remains undeveloped in Park City. This is a full canyon, with its own micro-climate, which he believes would otherwise be at risk for development. He was impressed that the Sorensens are offering it for sale and that they see the value of it for everyone, not just for a few trophy homes.

Craig Eroh thanked those who have been involved with the Toll Canyon purchase. He stated that this is an important piece of land, and open space is very important to him and other people in the community. They value open space and the process of bonding for open space and applaud the actions of the Council in regard to the Toll Canyon purchase.

Nancy Bradish, a resident of Summit Park for 20 years, commented that since she has lived in Summit Park, she has seen the wildlife diminish. She stated that the deer that used to sleep at the back of her house are gone, and she would hate to see anything diminish the future and wellbeing of wildlife in this area. As a social worker, she stated that the effects of overcrowding on the human psyche are well documented. She stated that the world is in danger of the misuse of natural resources, and although they cannot do a lot about that, they can do something in their own community. She is passionate about trying to save the Toll Canyon area and does not believe the compromise that might be needed for overdevelopment is worth it for human beings. They need a place to recreate and they need open space.

Tim Fehr, a member of the Wildlife Protection Society, stated that Toll Canyon is a very important migration area and habitat for wildlife, and it is very appropriate to consider protection for the wildlife and their ability to migrate through the area. He thanked them for considering Toll Canyon for open space and looking after them.

Nicholas Schapper stated that when they purchased the open space, it brought down the crime rate, because it does not cost the Sheriff's Department a lot. They do not have to plow it, and it will save a lot of money because the Planning Commission does not have to spend a lot of time regulating and arguing about what should go on that open space. He stated that when the County does this type of thing with its money, it is the best investment they can make, and it is thinking ahead and being a part of something bigger than just themselves today.

Ed Rutan, a resident of Summit County for 10 years, stated that this is a wonderful place to live for anyone who loves the outdoors. He commented that Toll Canyon is an incredible resource for everyone and is used by many people in many different ways. He felt it would be a tragedy if this asset is not preserved for all generations and the larger community along the Wasatch Front.

Ursula Pimentel, a resident of Summit Park, spoke in favor of acquiring Toll Canyon as open space. She believed it is critically important for those who live in the area and for the wildlife. It has a perennial stream and is contiguous to Millcreek and the Cottonwood canyons, which makes it an important migration area. She thanked the Sorenson family for having given everyone free access to the area for many years. She stated that she is in favor of preserving Toll Canyon.

Garrett Strong with the Park City Home Builders Association stated that they consider the building inspectors and Building Department to be their second eyes and ears and an integral part of what they do. He and his colleagues are seeing a rise in construction jobs, and with only four inspectors in the field, the planning examiner being out now, and the chief building official trying to cover for him, he expressed concern that they will not have enough inspectors to take care of all the jobs that are coming up. He stated that this is a public safety issue, and he would not want the inspectors to be rushed in what they do. He noted that many of the building officials are getting older and closer to retirement, and they are down about five inspectors from where they were several years ago. He wanted to be sure that the County is looking to the future and be sure that they are able to get the people they need as things come up.

Richard Pimentel, a resident of Summit Park, thanked the Council for the creative financing they put together to purchase the land in Toll Canyon. He reminded the public that they are not all the way there yet, and the public also has to come up with some money within three weeks. He appreciated Park City and Summit County for coming up with this creative land swap.

Bill Evans, a resident of Timberline since 1978 and a member of the Timberline Special Service District Administrative Control Board since 1984, thanked the Council for the opportunity for the public to express support for Toll Canyon becoming open space. He stated that Timberline held a meeting last night and had outstanding support for open space for Toll Canyon.

Chair Ure closed the public input.

**PUBLIC HEARING TO CONSIDER ADOPTION BY THE SUMMIT COUNTY COUNCIL OF MOUNTAIN REGIONAL WATER SPECIAL SERVICE DISTRICT'S PROPOSED 2013 OPERATING, DEBT SERVICE, AND CAPITAL BUDGETS AND ITS PROPOSED AMENDED 2012 OPERATING, DEBT SERVICE, AND CAPITAL BUDGETS**

Scott Green, Financial Officer for Mountain Regional Water Special Service District, presented the 2013 budget and the amendments to the 2012 budget for Mountain Regional Water. He recalled that they had a rate increase last year due to the wet weather and the slow economy, but in 2012 the hot weather returned, and it is projected that revenues for the District will be about \$430,000 over budget this year. He stated that a key issue in the 2013 budget will be the Lost Canyon production facility that pumps water from Rockport Reservoir to their treatment plant and into Park City. That production will triple between 2011 and 2013, which will require additional manpower. He reported that they were able to refund their bond at a much lower interest rate, which brings down the debt service costs by \$250,000 per year, and their debt ratio will be about 1.55 rather than the 1.25 minimum requirement. There will be increases in debt in 2013 and 2014, but they should be able to absorb that at the existing rates. He noted that the hot weather has helped them bring their cash balances back up to where they would like them to be in 2012. He explained that the economy has had a significant impact on their rate of customer growth. He pointed out that they expect a revenue increase in 2013 of about \$500,000.

Mr. Green reported that they are asking for one additional operator in 2013 to work at the Lost Canyon booster station, which is now the major provider of water into the Snyderville Basin. Their Administrative Control Board recommended a 2% cost of living increase and 1.5% average merit increase, but after taking into account reduced health care benefits and co-pays, the net increase will be an average of 2.54%. In the last three years they have given only a total of 2% in raises, while the Consumer Price Index (CPI) went up 8.4%. Even with the raises, the existing staff in 2013 will cost almost \$100,000 less than in 2011 because they were able to join the County's health insurance pool. In 2013, employees will start to participate in the cost of the health insurance premiums, and in 2014 they will implement a wellness program whereby the employees can receive a discount on their health insurance premiums.

Mr. Green explained that net income for 2013 is projected to be \$302,800, and he reviewed the projected operating and non-operating revenues and expenses as shown in his report. He explained that they should be able to catch up with the cuts in their operating and maintenance budgets due to declining revenues in past years and to work on some planned capital projects.

Council Member Robinson congratulated Mountain Regional on an excellent budget and how they have worked to get their finances in order.

Chair Ure opened the public hearing.

There was no public comment.

Chair Ure closed the public hearing.

**Council Member Elliott made a motion to adopt the Mountain Regional Water Special Service District proposed 2013 operating, debt service, and capital budgets and the proposed amended 2012 operating, debt service, and capital budgets. The motion was seconded by Council Member Robinson and passed unanimously, 5 to 0.**

**PUBLIC HEARING REGARDING ADOPTING A BUDGET FOR THE CALENDAR YEAR 2013 AND ADJUSTMENTS FOR THE 2012 CALENDAR YEAR**

Mr. Leavitt provided a presentation and discussed the history of fund balances over time. He recalled that there was a negative fund balance in the general fund in 2009, and in 2011 the County asked the voters to approve a transfer from the tax stability fund of \$2 million. He noted that the 2012 figures are estimated based on October 31 data. He explained that the municipal fund balance has been drawn down over time, some of which was done intentionally, because the County did not want to put the onus on the taxpayer at that time and tried to do projects with the money that had accumulated in savings. He reviewed the budget process, which includes the department requests, budget committee recommendation, and Manager's recommendation, with the County Council then reviewing that information and setting the final budget. He reviewed cuts in the budget that occurred between the Manager's recommendation and the Council's proposed budget. He indicated that a number of capital projects have been deferred to a future date in order to meet estimated revenues. He indicated which projects could be added back for 2013 if half of the recommended tax increase were adopted and which could be added back if the entire tax increase were adopted. He noted that, even with the full \$1.4 million in revenues that a tax increase would provide, there would still have to be some cuts.

Mr. Leavitt reviewed the operating revenues over time and the proposed Council budget. He noted that, as the population has grown, the amount of revenue per capita has decreased, which includes all revenue sources, not just property taxes. He explained that operating revenues from 2009-2012 have dropped an average of -1.2% while the CPI has grown 2% and the County's population has grown 1.6%, leaving revenues per capita at a loss of -2.6%. He noted that the population data was provided by the Governor's Office of Management and Budget.

With regard to the benefits that would be received from a tax increase in the municipal fund, Mr. Leavitt explained that the municipal fund includes public works, including snow removal and road maintenance; public safety, including sheriff's patrol, speed monitoring, drug enforcement,

and criminal investigations; and planning and zoning, including building inspections. He compared the Summit County municipal rate with tax rates in the incorporated cities in the County and noted that the municipal rate is less than half the lowest incorporated city's rate, and after the proposed tax increase, it would still be significantly less than the lowest incorporated city's rate.

Mr. Leavitt reviewed the operating expenses in the budget from 2009 to the proposed 2013 budget and noted that the County's budgets and spending have decreased during that time. Part of that decrease has come from a reduction in staff from 318 employees to 297 in 2013. He noted that the demand for services is increasing, and the people available to provide those services is decreasing.

Mr. Leavitt reviewed the requests for capital road projects in the municipal budget and indicated which projects could be completed within the proposed 2013 budget. He reviewed the fund balances in Service Area 6 and explained that the County likes to accumulate some fund balances so that, when a significant project becomes available, they can use some of those funds. As some major projects were done between 2009 and 2011, the fund balance has significantly decreased, and it is time to start building them up again. He explained that the County's pay-as-you-go policy has saved money, because they do not have to pay for bonding costs and long-term debt costs.

County Engineer Derrick Radke presented graphs depicting how pavement deteriorates over time and explained that this information comes from the Federal Highway Administration. He explained that the graph shows that they should try to maintain roads before deterioration becomes significant so they can spend minimal amounts to maintain the road and not have to pay six to ten times that amount to rebuild the road. He explained that there are 81 miles of road in Service Area 6, 39 of which are school bus routes or major roads. There are about 26 miles of problematic roads that need more attention than the other roads. He indicated which areas are included in Service Area 6 and the bus routes and major roads contained within those areas. He explained that every two years the County evaluates every road in the County and assigns it a remaining service life, depending on its condition. Generally, a new road is rated as having a 20-year service life, but they still have to do maintenance, or the road will fall apart in five or ten years. For 2012, 36% of the roads in Service Area 6 were found to be in excellent condition, with a remaining service life of 16 to 20 years. He explained that maintenance includes crack sealing or a seal coat. In Service Area 6, 53% of the roads have a remaining service life of between 11 and 15 years, and about 10% of the roads have a remaining life of 5 to 10 years and need an overlay, and less than 1% need reconstruction. In this case, it is Parkview Drive in Summit Park. After making that evaluation, they assign a dollar amount per square foot to maintain or reconstruct the roads. In order to maintain the roads as they should be maintained, Service Area 6 needs about \$600,000 per year, but \$300,000 is the most they have ever had in the past. That means there will continue to be additional deterioration of the roads in Service Area 6. He explained that there are 24 miles of road in Service Area 6 with a remaining life of 12 years, and seal coating all of them would cost \$750,000. If they wait two to four years to maintain them under normal conditions, they will need an overlay, and the cost would increase to \$4.5 million. There are 2.8 miles of road that have a remaining service life of eight years, and if they were overlaid all at once, it would cost \$500,000. If they wait until they have deteriorated further, it will cost \$3.1 million to reconstruct them. He explained that the increase in costs is six-fold if they do not do the lightweight maintenance up front. He provided a chart showing

that revenues in Service Area 6 are flat and the expenditures using surpluses to try to catch up on some maintenance. They spent more than what was coming in, but they used some of the surpluses they had built up. The Manager proposed a \$1.1 million budget for Service Area 6, assuming an increase in the tax rate, but Public Works was asked to put together a budget for projected revenues of \$930,000 total at the current tax rate. In doing that, they are looking at two alternatives. One would be to minimize the number of projects they do and keep staffing levels the same, or the other would be to reduce staff by two people and increase projects to about \$289,000. He noted for comparison purposes that Service Area 3, which is the Silver Creek Subdivision, has 3.6 miles of paved road, 20 miles of gravel road, and their tax rate is 3 times higher than that of Service Area 6 and would be 2.5 times higher than Service Area 6 with the proposed tax increase. Mr. Radke reviewed the projects proposed for Service Area 6 in 2013. He explained that if they do not get a tax increase or additional revenue of some sort, it may not impact the District significantly this year or next year, but deferred maintenance could cost them six times as much over time. If they reduce staffing levels, snow plowing on main roads could be delayed by an hour or so, and side roads could be delayed up to 4 hours or even a day. Because of the inefficiencies of having to clear the main routes and then go back to the side roads, the costs of plowing would cost a little more.

Council Member Robinson asked if Public Works is recommending that they cut staff or cut projects. Public Works Director Kevin Callahan stated that his recommendation is that they adopt the tax increase. Mr. Jasper commented that, if they have to defer projects they know they need to do in order to hang onto staff, they have not really cut the budget. They will just increase costs later. As much as he would hate to reduce service levels, it does not make sense to increase the costs later and dig themselves deeper in the hole. He would rather reduce staff and service levels than to defer projects.

Mr. Radke reviewed the municipal roads, which are all roads in the County outside the incorporated areas, including the roads in Service Area 6. He explained that the State collects a gas tax on Class B roads, and the County gets a portion of that. A portion of the Class B tax money also goes into Service Area 6 and the municipal fund. This year about \$300,000 in Class B money will go into projects throughout the County. He explained that in 2004, the County had 314 miles of road to take care of, including about 70 miles of gravel road, and in 2013 they have about 334 miles of road to maintain, including about 75 miles of gravel road. He provided a map showing the roads maintained by the County. Looking at the remaining service life, the condition of roads overall in the municipal area is not quite as good as in Service Area 6, and costs would increase significantly if those roads are allowed to deteriorate. He reviewed the projects proposed for 2013 and stated that \$2.5 million to \$3 million per year is needed to maintain the existing levels of service in the municipal fund. The eight projects proposed without the tax increase would cost \$1.69 million. With the tax increase, they could add one more project, which would bring the cost to \$2.1 million. They would like to complete 13 projects, for a total of about \$3 million. Capacity projects totaling \$3 million are also proposed, all of which will be funded from other sources. He noted that the Council has discussed delaying the Old Ranch Road reconstruction, except for the corridor preservation portion of that project.

Council Member Robinson asked how much of the revenue from a potential tax increase would be used on capital road projects. Mr. Radke replied that it would be about half, or approximately \$700,000.

Council Member Hanrahan asked Mr. Radke to address the changes between 2011 and 2012. Mr. Radke explained that between 2011 and 2012, the County has seen about a 2% change in the road condition. That is not huge, but over ten years that would be a 10% deterioration, which all adds up.

Chair Ure asked what a tax increase in Service Area 6 and the municipal fund would mean for a business and a home valued at \$230,000. Mr. Leavitt explained that the notice for the municipal fund shows that the tax increase on an average home, valued at \$485,000, would be approximately \$64 per year for a primary resident, and a business with a value of \$485,000 would pay an additional \$116.21 per year. For Service Area 6, the tax increase on an average home valued at approximately \$500,000 would be \$24.27 per year, and for a business or secondary residence of that same value, it would be \$44.21.

Mr. Jasper explained that these are components of the overall County tax rate. Although these taxes would increase, the general fund, which is the largest portion of the property tax, will not increase. Mr. Leavitt explained that, if they were to combine the general, municipal, and Service Area 6 taxes, the increase would be approximately 14.7% of the total property taxes. Council Member Robinson noted that, although the increase in the municipal fund may represent a 52% increase, it will not increase the funds in the municipal fund by 52%, because there are other sources of revenue for the municipal fund besides property taxes. Mr. Leavitt explained that property taxes are comprised of a number of different rates, and if they consider them all combined, the increase would be approximately 2-3% of the overall property taxes.

Mr. Jasper noted that the Service Area 6 tax rate was originally set in 1977 and has not increased since then, and in retrospect, it would probably have been better if it had gone up a little bit every year. The municipal fund tax rate was adopted in 1983 and has not been increased since then.

Council Member Elliott explained that the system the County has is something they have to live with because of State requirements. She acknowledged that people are resentful that the Council passes a budget in December with a truth in taxation hearing, and they have to have another truth in taxation hearing in August when they are more than halfway into a budget, where the whole year could be stopped by a petition that was successful. She explained that they are going to ask the legislature for some help in changing this, because she does not understand why it is set up that way. She stated that she also does not understand why people who are opposed to taxes who are not affected by the tax increase could make it so difficult on those who are being affected by their actions, and they are going to ask the legislature to fix that problem as well. She stated that she lives within the incorporated area of Park City, and when the County takes money from the general fund to pay to plow roads in Service Area 6 because Service Area 6 funds are exhausted, it costs her money for services she does not receive, and she finds that unfair and annoying. She is not philosophically opposed to government, and it can do some wonderful things. She is also not philosophically opposed to paying taxes and is pleased when she hears a siren because someone is speeding down her street or when she hears the snow plows coming or sees her street lights. She stated that she is sorry that people who circulated a petition and do not live in the Service Area did what they did, because they have made it very hard on those who have to balance a budget, on the people who will be fired, and on the people who live in steep areas and would like to have their streets plowed by their service district. She stated that people who are opposed to a municipal tax and want to continue to profit by Park City's high tax base to continue to subsidize their service from the Summit County general fund really annoy her.

Chair Ure opened the public hearing.

Mike Andrews, a resident of Pinebrook, commented that the referendum is controlled by State law, and the law needs to be changed as Council Member Elliott discussed. He stated that it should not be possible for non-residents to initiate a petition, that it should be a timely vote, and the petitions should be collected by citizens who are not paid for the purpose of gathering signatures. He claimed that \$1,250 was expended by the group, including money to large numbers of people to solicit signatures, and he believed petitions should be motivated by interest, not by money. He asked why the County did not ask for an increase in taxes for Service Area 6 earlier when it has run continuous and growing deficits for the last six years. He believed they helped create this fiscal crisis by refusing to acknowledge the need for additional revenue rather than borrowing from one fund to pay another. He claimed that this crisis is being perpetrated by a small group of radical tea party citizens who have no stake in the outcome of the impacts of their actions or the quality or efficiency of essential services. The impacts are reduced service, the condition and safety of their roads, their school buses, and their children, with the resulting cost of repairs to their vehicles as a result of deteriorated roads. He stated that this is designed to not only cripple Area 6, but all of County government for several years, and it was well calculated by the initiators. If the level of service in last week's snow storm indicates the level of service for the rest of the winter, they will be in big trouble. Mr. Andrews explained that his street is a bus route, with buses three times a day, and it was a nightmare on Monday morning. He urged the Council to adopt the full budget and the tax increase for 2013 and to not cut vital services that create the quality of life in this community they have worked for more than 20 years to build. He reminded those who signed the petition that the economy and taxes of the citizens of Service Area 6 and Park City provide and underwrite many of the services on which they freeload, and he asked them to stay out of government affairs in this area.

Jacqueline Smith stated that since Council Member Elliott was primarily talking to her, and she may be very unpopular in this room, she wanted to tell people that most of what they have been hearing from the Council on the radio and in the paper is a bunch of lies. She stated that she did exactly what she was told legally to do to stop a tax increase. She lives in Summit County, and this tax increase affected her personally. She stated that people who live in Service Area 6 requested to have that petition done as well. One person who lives in Service Area 6 gathered over 600 signatures herself. She stated that she would love to see the law changed so they can actually have people who are affected by a tax be the ones who vote on the tax instead of the entire County. She believes it is unfair that State law makes her have to get so many signatures when only a few people were affected by this, and it was very difficult to get those signatures. She acknowledged that they did pay two people who live outside the County \$50 each to collect those signatures. Other than that, the people who received money all lived in the County, and they did that as a measure of good faith. The money came from business leaders and personal donations of Summit County residents to try to get the tax overturned. She stated that it is unfair to have a tax increase when they are putting \$100,000 donations in health savings accounts, which is an increase to everyone in the County, and when they say they have to cut personnel in important areas, such as the Sheriff's Office and the roads department. She suggested that they look at who they pay in the budget and stated that she has compared Summit County's wages with private and public sectors according to the Department of Labor. She stated that Summit County averages 73% higher than the private sector in their wages and compensation, which she believes is ridiculous. She stated that the public sector should be a place where people stop on

their way in their careers, not a place where they end up and stay. It is public service. She stated that she does like government and agrees with taxes, but she does not agree with tax and spend policies when they are in the middle of a recession. She also does not agree with continuing to increase salaries and benefits on an administrative level when they are cutting benefits and salaries in areas that are essential services the County is supposed to provide. She stated that, if Service Area 6 wants to raise their taxes again, she would not do anything about it, but she would do it again on the municipal budget. She lives in the municipal area, and people who live in the city pay extra by choice to live in the city so they can get extra services in that city. She stated that the County has an Assistant County Manager, but nothing in State statute says that is required by law, and she does not believe they need one. She stated that she also understands the County is paying \$25,000 for a feasibility study to see if they should move the County Fair location and asked if that is something they really need in the budget right now. She understands that the person in charge of the fair is a County employee, whose main job is to oversee the County Fair, but they are talking about removing her from that job and hiring someone else, and she does not understand that. She believes there are places they can cut the budget and things they can do that will not hurt County services at all, and they can have a world-class County service area without continuing to raise taxes. She stated that she hoped the Council would keep the tax rate the same, which they are already considering, and to see this through until they can increase their revenues.

Patty Deden stated that she has lived in Service Area 6 for the last 25 years and that she circulated the petition along with several other people who live in Service Area 6 because they are in a recession, and without the two proposed tax increases, her property taxes went up more than \$225 per year. If this proposed tax increase goes through, she will be looking at another \$100 next year. In circulating the petitions and talking to thousands of people, she talked to many who are second home owners who would like to have signed but do not vote in this area. She stated that no one wants to see their taxes go up, and none of them are against taxes, but they want to see some efficiency rather than just asking for more money to keep on spending. She commented that it is well known that government in general will just keep spending if you give them more money. She believed they need to look more closely at what they spend the money on. She claimed that one of the Council Members has passed a memo to presidents of HOAs in Service Area 6, which is a political move rather than a representative move, and she does not like that. She stated that she is confused, because prior to the election they were hearing all kinds of scare tactics about how services would be cut and the Sheriff's Office would be cut if the taxes are not increased. One of the Council Members clearly stated during the debates prior to the election that no jobs would be cut, that there is no deficit, and they were just trying to build up the reserves. She asked why, when the voters have spoken through the referendum that they do not want their taxes increased, and they have been told that the tax increase is just to build up the reserves, they would immediately vote for the same tax increases. Now she is reading in the paper that the deputies will be cut, which is the same scare tactic again.

Ann Daniel suggested that the Council Members think about outsourcing some of their services, such as housekeeping. If they were to outsource, they could find people who would do the job for less and do it better and more economically. She referred to the proposed 2% raise for the employees and stated that she just got a Social Security raise of 1.7%. If that is good enough for Social Security, it is good enough for everyone.

Mike Washington, a resident of Service Area 6 for 21 years, stated that he feels comfortable with the budget for the first time in 20+ years. He believes the Council has done a good job of looking through it, being on top of it, and understanding it. He hoped they would accept the Manager's recommendation and propose the tax increase so they can maintain what they now have. He stated that they are not asking for big improvement, but they could use improvement, because the Service Area 6 roads stink and are old and beat up. He believed this is a reasonable thing to do and that there is a lot of logic behind it. He did not think taxes are outrageous in Summit County, and for a high-end community, he believed they should have a good level of service and not cut corners now and have to pay more two years from now.

Jennifer Castelli asked if the proposed tax would be in place of the 2012 tax or if it would be in addition to. The Council Members confirmed it would be in place of the 2012 tax increase.

Sue Pollard congratulated everyone for being here, because last year she was the only citizen who argued against the tax increase. She did that not because she does not believe in taxes or that they need money in their coffers, but she did it because they are in a recession, and many people in the community are hurting. They have not come out of the recession and are about to hit another taxageddon at the Federal, State, and County level. She stated that she is not hearing what efficiencies they are going to find in their community. One of Mr. Jasper's comments on the budget was to include \$325,000 in the miscellaneous fund for pay increases, plus \$100,000 for health benefits. That money comes out of the citizens' pockets, and she personally will have a huge tax increase. She stated that they have an effective tax rate, and every year when they look at their property taxes, they are not the same, and they are not lower than they were the year before. They increase to keep up with the cost of living. She declared that when the County keeps saying they have not raised taxes, that is not truthful. She stated that she would like the County Council to look at this budget thoroughly and with a lot of integrity and tell her whether this is what they need to do. She did not want them to touch the deputies or plowing services, and to have someone from Public Works extort people from the HOAs to say they will not have plow services is reprehensible. She stated that the deputies do a fabulous job, and the County should not use threats and scare tactics that they will be cut. They need to cut the non-essential things. Looking at custodial services, it would provide tax revenue if that were outsourced, and she was not certain that there is another county with its own custodial services. She stated that the Council needs to go through the budget with integrity and find things to cut before raising taxes on people.

Terry Moffitt, a resident of Silver Springs, stated that she feels it is a privilege to live where they can pool their money as citizens and receive the benefits they could not in any other way. These are beneficial and necessary things, some of them lifesaving, that affect their quality of life. The cost of business goes up and population grows, and the desire for these things still exists, so if there is a deficit or gap in funding, she believed they should invest in the entity that provides those services. No matter where anyone lives in Summit County, they benefit from the public institutions, public works, and the thoughtful planning that goes toward the future. She stated that they are lucky to live here where their combined tax dollars create such benefits, and she feels it a duty and an honor to pay for those things.

Larry Moffitt, a resident of Service Area 6 for 21 years, stated that he lives here for a reason—to live in the best county and area anywhere. He stated that he has lived in the northeast and knows what happens to roads when they do not take care of them in the wintertime, and it is ugly. He

commented that he does not ever want to drive on those roads again. He stated that he has a copy of his 2008 tax bill, and his taxes did go down, so he has proof that they do go down. He lives in an average house, and his taxes will go up \$35 if the tax increase is approved, which is pretty good, and he is willing to pay for the increase. He walks on the roads for exercise, and the children walk to school in the morning, and if the roads are not plowed properly they get narrower, which affects the safety. He stated that he supports the tax increase and appreciates the services they provide.

Jenny Dorsey, representing the Summit County Public Art Advisory Board, encouraged the County to adopt the budget and to continue to fund their volunteer board. She stated that they were established in 2009 and diligently work to create a public art program that unites east and west, creates a sense of place, and highlights the County. All of those goals align with the strategic goals set forth by the County. They are funded by grantors and donations as well as the County, and she encouraged the County's continued support, because other grantors would hesitate to fund a board that is not supported by its creator.

Lisa Yoder, a resident of Service Area 6, stated that she was a State employee for 10 years and received two pay increases during that time. Each time the budget came up for approval by the legislature, the outcry for employee benefit cuts and employee wage cuts occurred. She applauded the County Council for their ability to decrease the budget. She pointed out that in 2009, operating revenues were \$51 million and they have dropped as proposed to \$45.5 million. Employees have been reduced by 21 people, and there are probably not many more to cut. At the same time, the population has increased by 6.3%, so the revenues per person have gone down about \$250. She did not know how the County Council or the Manager could decrease the budget at all, and she urged them to consider approving the Auditor's budget, which is higher. She stated that when people look at specific items in the County budget, such as weed control, they do not understand all that goes into providing those services or what would happen without them. She stated that they need to place some trust in the County Manager and County Council, because the items in the budget are oversimplified, and the citizens are reacting to numbers without enough information.

Sheila Raboy, a resident of Trailside, stated that she represents probably 30% or more of the people who signed the petition, and she wanted to apologize. She stated that the primary reason is that they need to look carefully at the people who signed the petitions and how many were misled into signing. She noted that the petitions went around before some of the debates were initiated, and it was represented to her that it would be a 53% increase. When she was at a public meeting, Tim Douglas went over the numbers showing what a small increase it would be on the overall property taxes. She stated that she was leaving Wal-Mart and was accosted by people asking if she lived in Summit County who told her that she had to sign the petition because the County is out of control, so she signed it. She assured the Council that there are many others who feel the same way she does, that they were pushed and bamboozled into signing the petitions. She urged the Council to vote for a tax increase to compensate for the things the community needs.

Alisa Schofield, a resident of Service Area 6 for 10 years, stated that she would be sad during the next snowstorm if a car were to careen down a slick street in Summit Park and hit a young child. She stated that the last snowstorm proved to the Summit Park residents what a difference in service would be like, because they experienced reduced service and noticed a difference. She

thanked the County for the great snowplow service they have had in the past, because Summit Park is not easy to plow and work in, and she acknowledged the difficulty of working there. She stated that she and her husband support a tax increase for Service Area 6 and would like to see services maintained at their past level for the safety of their children.

Jill Lesh, a homeowner and permanent resident of Old Town in Park City, stated that she strongly supports adequate funding for County services, particularly for the Sheriff's Department. This is an issue of public safety that affects all County residents, including those in the municipalities. Without sufficient funding for deputies and Staff, all public safety functions they rely on would be compromised. She urged people to invest in the future by supporting tax increases for Summit County services.

John Chambers, a resident of Service Area 6, stated that he has been in public service his entire working life. He has dealt with a lot of budgets during his time in public service and has never done anything to oppose meeting a budget which he has been charged with fulfilling. He thanked the County Council for their work but noted that the citizens of the County give them the money to give them the best possible government they can get. When they prepare a budget, they have to set priorities. He was glad that he signed the petitions, and he believed every citizen has a right to sign petitions. He stated that the Council Members should not lecture people for having signed a petition, which is their legal right to do, and they should try to live within the budget the people give them. He noted that \$317,420 is budgeted for biological terrorism and asked why the County would have that kind of line item, because this is not a high threat area for biological terrorism. He asked for an explanation of that item. He also noted that \$181,693 is budgeted for TVs, which he believes is a false choice to jeopardize the number of deputies, plowing, and roads rather than these types of low priority items.

Ursula Pimentel stated that she is in favor of the tax increase. When she looks at her tax form from the County, she looks at the entire amount, and most of her taxes go to school funding. She has no children, so she could selfishly ask why she should have to support school funding. She willingly pays those taxes, because she believes education is an important basis for economic prosperity. She does not question the proposed tax increases, because she asks herself what is in it for her. She lives in Summit Park in Service Area 6, receives snow removal, and is grateful that the crews come at 6:00 a.m. so she can get out and go to work. She is also grateful for fire protection and the deputy sheriffs and is totally in favor of the tax increase, which is very modest. If they put it in perspective, the money she would pay in taxes is probably equivalent to what she would pay to go to the movies twice with a bowl of popcorn.

Steve Lewis, a resident of Service Area 6 as a full-time resident and business owner in Summit County, stated that what he has seen tonight is ample evidence that the County Manager, Council, and Staff have reacted appropriately during a difficult recessionary period. Budgets and Staff have been reduced of necessity, and responsibly the Staff and Council have done what they need to do to preserve essential services in a period of declining revenues. He believed they have seen evidence of deferred maintenance on the roads, and it was distressing to him to see that the operating reserves that were built up in better times have been pretty much depleted. That is a serious issue, because being able to use those reserves saves considerable expense related to what would otherwise have to be borrowed money, and it is not prudent to continue on that course. Another indication that the tax increases are prudent and necessary is the obvious

significant difference between municipal tax rates and the County tax rate. The modest increase proposed seems amply justified, and he fully supports the decision to increase taxes.

Kristen Brown stated that she understands why they need government and why they need taxes, and she appreciates all that taxes pay for. However, she concurs that they are being given a false choice between deputies and road maintenance and other things. She noted that the Council is proposing an increase in administration of \$170,000 from the estimated 2012 budget, and she would be interested in knowing what that is for. She also does not consider sustainability to be an essential government service, yet they are proposing an increase in that item by \$233,000. Between those two items there is a \$400,000 increase in the budget, and she would be interested in hearing the justification for that. She stated that she lives in Service Area 6.

Walt Brett, a resident of Service Area 6 for more than 15 years, commended the process that has been going on. He believes they are fortunate to live here and enjoy many good things as a result, and he would appreciate it if they could continue to have what they have become accustomed to. As painful as tax increases are, he would encourage the Council to move forward with an adequate budget to provide the services they need and have become accustomed to.

Richard Pimentel stated that he lived in Salt Lake County for 15 years and moved to Summit County in 2001. They purchased a more expensive home, and their property taxes dropped by \$1,000. If people shop around, they will find that the taxes in Summit County are pretty good. He stated that he worked in private industry for 18 years and is used to budgets. People can always find inefficiency in a budget and places where they should spend more money. There seems to be a belief that private industry can do things better and cheaper than government, but that has not been his experience. He has seen more inefficiency in private industry than in Federal or State government. He noted that private industry must make a profit on top of what is paid for their services, and it is disingenuous to think they can always outsource and pay less. He commented that it is easy to cut and cut until they reach a point where they are penny wise and pound foolish. If they let roads deteriorate, they will pay six times more, and they need to figure out when they are at that point. He stated that people can only be pressured to do so much additional work before they give up, and when people no longer care, there is catastrophic failure. He asked the Council to not drive them to that point.

Craig Eroh, a resident of Service Area 6 in Summit Park, stated that the road department does a great job of plowing in that very difficult district. He supports an increase in taxes to continue those services, but he was concerned that waiting until they needed a 50%+ increase was probably not an ideal way to do this. In hindsight, it may have been more palatable to the voters to have smaller increases sooner, especially given the difficult economic times. He did not believe the scare tactics are productive, because the electorate is smart, and they see through those ruses. He believed not putting an opposing view on the State-mandated mailer when there was an opportunity to vote on not paying back the rainy-day funds was an insult to the electorate. He stated that the electorate is incredibly intelligent, and they are becoming increasingly organized. Times are changing, and he encouraged the new County Council members to embrace increased transparency in government and more public involvement, which he believed would provide an opportunity to work together and have more cooperation, such as through a formal envisioning process. He believed that would help them better identify where they want to go and what they want the community to become so they can make better use of scarce resources and work together without as much combativeness. He believed there is an opportunity for the

new County Council Members to make inroads for transparency and cooperation so the community can move ahead together without as much friction as they have now.

Phil Tisovec, a resident of Service Area 6 and representing his HOA of 18 condominium unit owners, explained that they have paid the Service Area 6 tax since 1981 when the HOA was founded but have never received road maintenance, plowing, or street services. They are trying to work through that with the Public Works Department, but they are opposed to the tax increase because they do not receive services, and they need to take care of some of the inequity for their homeowners.

Chris Hague, a resident of Silver Summit and Service Area 6, thanked Mr. Callahan for the great job he has done in providing service to the citizens. He did not know whether they could make cuts in Service Area 6 and still maintain the quality of service they have had in the past, and he stated he would leave that to the experts. He expressed concern that, even with the cuts made by the County Council, he is not in favor of freezing the budget the way they have been required to do. He believed the process they have gone through has been important to help the County get rid of some of the fat that can be found in any government budget. He was concerned about the County Attorney's Office and Community Development budgets. During the last year, his community went through the process with the Nadine Gillmor application development on Silver Summit Parkway, and, fortunately, the Council was able to buy the property and preserve it from what could have been outrageous development. During that process, they ran into two serious problems, and he hoped the new Council would try to address them. He noted that the County Attorney's budget is proposed to go up 2.5%, but he claimed that the County Attorney's Office gave bad advice and false advice during the Nadine Gillmor process. Of the two County Attorneys assigned to the Community Development Director's Office, one lives in Evanston, Wyoming, and one lives in Davis County. Mr. Hague stated that the Council has the opportunity to cut the County Attorney's budget so the County Attorney will have the ability to make changes in his office without any repercussions. He also expressed concern about the Community Development Department. One position has been eliminated because someone left, but despite the fact that there have been fewer development applications over the last three or four years and that department is substantially less stressed with new development, the budget has not been cut enough to reduce the number of planners. He stated that there are too many planners in the Community Development Department, and he suggested that the Council require that the department make some additional changes. He stated that he has sat in on a number of the budget meetings and believes the Council has done a pretty good job and gave them credit for making cuts where no one wants to make cuts. However, there is still fat, and there are still changes that can and should be made. The Council now has the opportunity through this process to make those changes, and he requested that they take another look at the budget.

Richard Callahan, a resident of Silver Springs in Service Area 6, stated that he has lived in Park City for more than 30 years. After 30 years, he has now learned that he is in Service Area 6 and that he was being taxed by the municipal fund. As many truth in taxation hearings as the various entities in Summit County have had in the last 30 years, this is the first time there has been a referendum to say halt and listen to the taxpayers. If this process has accomplished nothing else other than to get them into a room together to listen to each other's side, it has been a valuable exercise, and they should not be lectured about participatory democracy in the United States and Summit County. He stated that there is a referendum, which has been deemed to be legal and valid, and asked if it will in fact be placed on the ballot in November or not and whether it has

been cast aside. He asked the legal grounds for ignoring it. He also asked when the new taxes would take effect and whether they would receive another tax statement in January 2013 and noted that there has been no discussion of that procedure or policy. He thanked the Council, stated that they are doing an excellent job, and commented that it is a tough job.

Fran Amendola, a resident of Service Area 6 for 18 years, commented that he has heard tonight that their rates have been constant for many years, which in part explains why they are in the situation they are today. He stated that if people look around, it is easy to figure out that things have changed, and they continue to require more services to maintain what they have. The community is aging, and so are the roads and infrastructure, and they need to maintain those systems and services to continue to live a high quality life. He stated that they get a lot of snow in Jeremy Ranch, similar to Summit Park, and there are steep roads and no sidewalks. Their children are on the streets in the mornings in the dark under treacherous conditions, and they need to protect them. He stated that he also heard tonight that, if they do not do preventive maintenance on the roads, they will get to a curve where they will start to decline quickly. They need to stay off that curve, which will save money in the long term. It is a cost avoidance mechanism and very important to continue to do that. Tax rates are half of what other areas pay, and they need to step up and make sure they get the right services. He did not want to outsource jobs from the County to someone who might come from Salt Lake and do the job cheaper. He believes they need to shop locally and provide their services locally. He stated that he wants to maintain their property values and quality of life, and if it comes down to \$25 or \$50 a year, he will pay. It is a good place to invest, but he also wants to insure that the increases will be directed to the areas where they are needed, to public servants, deputies, County Staff, and maintenance people.

Deb Melle thanked the Council for their work on the budget. She stated that she moved to Service Area 6 some 23 years ago, and her children went to school here. She moved here for these services and wants them to continue. She is not a budget person, but in looking at this, it makes sense, and she is happy to pay more taxes. What she does not want is to be taxed for people who do not pay taxes. She asked the County to tax the cities that receive services and are not taxed for them, because they have the benefit of the deputies, health department, and road services without being taxed for them.

Maddy Sher stated that she has lived in Service Area 6 for 10 years and that she supports the tax increase. As far as the road issues, she feels bad for people who live in steep areas. She lives in a flat neighborhood, but she has also noticed the change in service during the last snowstorm. The children walk in her area with no sidewalks, and it is scary if the roads are not cleared. She believed the budget presentation today was very enlightening and that the questions that have been raised have been very informative. She believes people want information so they know what is happening rather than imagining what is happening. The clearer the County can be with the constituents, the more support they will get for a tax increase, and she wants her services to continue.

Joanna Charnes, a resident of Service Area 6 for 23 years, stated that she is thoroughly in favor of the tax increase. She commented that most of the residents have come here from somewhere else, and something weird happens when they get here. They want all the perks, and she is willing to pay for that. She acknowledged that the Council knows budgets better than she does,

and she is certain that they have looked at it thoroughly and from every aspect, and she trusts their judgment.

Glen Wright stated that he does not live in Service Area 6 or the municipal area, but he believes this issue is important. He saluted the Council on how they have handled it and stated that he believes the Council has done very well having been handed this referendum after the road projects were already under way for the year. He observed that there are three options before the Council, one of which is to shift money from the County general fund. He believes that is a bad idea, and it is in his self-interest to see that does not occur. The County does not pay for maintenance, plowing, and police services on his street, and he did not believe he should pay for them in Service Area 6 or the municipal areas. He stated that it is bad public policy to move funds around to try to make a budget work, and the people who receive the services should pay for them. The second option would be to do nothing about the tax increase and reduce Sheriff's service, road service, and snow plowing, but those are not good options, either. The case has been made by Public Works that not doing road maintenance will cause them to have higher expenses down the road, so an increase of maybe \$100 per house this year may have to become \$200 or \$300 per house five years from now. He noted that Park City is blessed to have three of the top ten ski resorts in the country, and he questioned how well those ratings would hold up if the roads deteriorate and are full of potholes so tourists cannot get to the resort when it snows and the deputies cannot help them when they have difficulties. That could affect their reputation and overall tax collections, because much of the budget comes from tourists who come to the area and second home owners. His conclusion is that they need to raise taxes, which are relatively low. Of the 29 counties in Utah, Summit County's tax is rated number 28, and the municipal tax rate is lower than any of the municipal taxing areas in the County, so they are getting a good deal. A \$100 tax increase is about \$8 or \$9 a month, and if someone in this taxing area were to miss work for one day because their roads are not plowed, they would have already lost more money than the tax increase would have cost them. He concluded that the Council should raise taxes in the municipal and Service Area 6 areas.

Max Greenhalgh asked about the role of the budget committee and who it is comprised of. He stated that he understands there is a 1% sales tax available to help fund municipal services and asked if it is put into the municipal fund or the general fund. Mr. Leavitt answered that it goes directly into the municipal fund and that it would be illegal for them to put it in the general fund. Mr. Greenhalgh stated that he was planning director and assistant to the County Commissioners in 1977 when Service Area 6 was created. It was created in response to the fact that the County was not plowing roads in Summit Park, and they sued the County for not providing snow maintenance. The judge determined that, since the County had accepted the plats with a note on the plats that the roads were dedicated for public purposes, and since the County had provided snow maintenance at one time, they were required to provide road maintenance, including snow maintenance. Based on that decision, it was his opinion that there is no way the County can reduce its level of service and compromise the health, safety, and welfare of its citizens. He assumed that the budget committee is primarily made up of people within the County, since their recommendations were higher than the Manager's or the Council's budgets. He encouraged the Council to use some of the opposition's enthusiasm by involving them in creating the budget. He believed the more people are involved in creating something, the more they will support it. Mr. Greenhalgh stated that he did not sign the petition, but as a candidate, he heard from many people who supported the idea of protesting tax increases across the board, and he viewed the tax protest as an opportunity. He believed it was mostly a symbolic gesture of protesting a tax

increase during a recession and that with an energized budget committee they could establish a local citizen commission that would help look at the budget, find efficiencies, and look at possibilities for outsourcing. He encouraged the Council to use this as a positive experience. As the chair of BOSAC, he congratulated the citizens who taxed themselves for the preservation of open space. He believed the likelihood of bond funds being approved in the future depends on how efficient they are with their other budgets. On behalf of BOSAC, he expressed appreciation for being able to work with Council Members Elliott and Hanrahan and the support BOSAC has received from them.

Nicholas Schapper stated that one of the wisest men he ever worked for told him that no one wakes up every morning and comes to work trying to make a mess of things. Everybody is trying to do the right thing. He stated that he is from Service Area 6 and supports this budget, but in his mind, a budget is a contract with the County officials. They need consistent execution of the budget, and they have a contract that they will stick to that budget. That is the contract he is looking for in return for his support as a citizen. When they say it is a municipal budget, they need to pay for municipal services and not reduce garbage services by 30%. The contract with the Sheriff's Department is to increase the patrolling budget and not put that money into other areas. He stated that he does not want to see the Planning Department make more roads for the Public Works Department to plow within the confines of the law. He asked the Council to approve this budget, be good stewards of it, and not change the plowing plan because it is cheaper to not plow the steep roads first. He stated that the referendum is a good thing, because it got the Council to see that there is a commitment in the community to supporting them and what they do.

Tom Spencer, a resident of Jeremy Ranch in Area 6, stated that he wants the County to increase his taxes. He did not believe they could cut the snow plowing, because that will not work. They cannot postpone road repairs and road maintenance, otherwise it will cost significantly more to reconstruct the roads two or three years from now. He stated that he appreciates the Sheriff's Department and the work they do and believes that department is underpaid. He noted that western Summit County is an urban area, and they have all the urban pressures of crime. When Park City and Canyons hold multiple events on the same weekend, the deputies are spread too thin and cannot service the rest of the County. He believed it would be wise for the Council to do a comprehensive review of salaries and pay scales for certain positions but keep in mind that they want the best people in Summit County.

Dave Edmunds, a Summit County citizen and the County Sheriff, stated that the Council is looking at cutting the Sheriff's Department budget by \$250,000, in addition to approximately \$200,000 that is already frozen. If that goes through, he will have lost seven deputies since 2010 at a time when calls for service have increased 21%. He stated that requests for service have gone up since 2010 in every area where he is statutorily required to perform by law, and he has repeatedly asked the Council for additional deputies and has not received them. In order to cut his budget by another \$250,000, the inmate working program will have to end. The special enforcement unit, which is primarily responsible for proactive traffic enforcement, will have to be abolished. That has a direct correlation with the number of DUI arrests, the number of traffic collisions, and the number of auto-pedestrian and bicycle accidents in the County. Reducing his budget will take this from a proactive agency to a reactive one. He noted that the County Engineer has made a compelling argument for maintaining roads, and a similar compelling argument could be made for criminal justice operations. If they go into disrepair and the

criminal element is allowed to take hold, there will be additional problems. He reviewed statistics showing what the Sheriff's Office has done to reduce violent crime and reduce response times in the last decade. He stated that if they continue to erode the budget for the most essential service that the County provides, there will be dire consequences on real estate values and other things they value in the community. He noted that for a long time the County has subsidized municipalities, especially when it comes to law enforcement services, and his data shows that about \$900,000 is spent subsidizing Summit County's municipal agencies for law enforcement services. By statute, the mayors are responsible for providing that either through the municipality itself or by coming under contract with the County to do it. The County does not have the resources to do that any more, and if his budget continues to be reduced, he will be forced to charge the municipalities for non-emergency calls. He stated that they cannot continue to provide the services they are providing, and they are world-class services.

Chuck Klingenstein stated that he is a resident who is not directly affected by Service Area 6 or the municipal services district, but these issues and funds directly or indirectly affect the entire County. As a citizen of Summit County, he thanked the petitioners for causing a community dialog and noted that it seems they always show up when they are upset rather than being participants in the process they should be interested in from the beginning. For the first time, he tried to participate in the County's budget discussion and has heard the anguish and frustrations the Council experiences. He thanked them for what they do and stated that many people have little knowledge or experience of what they go through. He stated that both the public and private sectors face the same issues. The difference in the private sector is that they eventually go out of business if they cannot manage their budgets, but government going out of business is not acceptable. He asked the Council and Manager to maximize efficiencies and productivity, cut costs when fat can be identified, and raise taxes as a last resort. He commented that they are the gatekeepers and the ones most responsible to the citizens. He suggested that they raise taxes in these funds to correct past practices, since the general fund should not be used to balance these funds. Service Area 6 has not had a tax increase since 1977, and the municipal fund has not had an increase since 1983, and they all know that with inflation the cost of business has gone up. He suggested that they look at the funds and determine whether it would be better to disband them and reformat them to make them more efficient. He would like the Council to take a look at what the funds do and whether they are historically still relevant. He agreed that it is time to get a legislative fix.

Bruce Taylor stated that he is a Park City resident and taxpayer citizen of the County, and he asked the Council to keep them safe, whether that means water, law enforcement, garbage collection, etc. As chairman of the Snyderville Basin Planning Commission, he asked the Council to remain proactive in the planning aspect of the County. They are currently trying to rewrite the General Plan and stay ahead of the curve of future development, and they need to be ready, because the developers will be. He applauded the Council's efforts to keep the two planning positions that were under consideration so they can stay ahead of the curve when development comes.

Council Member Hanrahan explained that the \$371,000 for bioterrorism is a Federal grant that must be spent on bioterrorism. He agreed that it seems strange for Summit County to get that money from the Federal government, but they do, and they have to spend it or not accept it. They accept it because they can be creative, such as creating a crisis response center that provides benefits well beyond bioterrorism. The problem with picking out individual line items

in the budget is that there are always backstories, and the backstory on this is that it is a Federal grant and does not affect taxpayers on the County level. Mr. Jasper explained that one reason the government offered this money to the County is because so many tourists and high level people visit Summit County, and there is some fear that they could have a problem.

Rich Bullough, Director of the Health Department, explained that this seems like a lot of money, but when they think about an event like Sundance and the individuals who attend that event and the fact that this is an Olympic city, there is risk. He stated that three cities in Utah were identified as high risk, Park City/Summit County, Tooele, and Salt Lake. Park City has been identified because it is high profile and hosts big risk events. He stated that they try to be creative and productive and use the funds for responsible things that move their initiatives forward. He believed they would be foolish to turn the money back to the Federal government, and there are specific requirements tied to how the money can be spent. If they do not meet those requirements, they lose the money, and it cannot be spent for anything else.

Council Member Hanrahan expressed gratitude for those who have attended and explained that it helps the Council prioritize how they do things with regard to the budget.

Mr. Jasper explained that the TV item is not for TV sets but for television transmitters that run the public safety system, and citizens cannot get television in the County without those transmitters. The Council has twice discussed the possibility of doing away with that, but many people rely on that system, and most importantly, it is part of the County's emergency system. That money is used to maintain the system, not so everyone can have a TV.

Council Member Hanrahan explained that funds for the County Fair do not come from property taxes. They come from the transient room tax, which is a tax on people who stay in lodging in Summit County for less than 30 days. That money must be spent to increase the bed base, and the Council believes the County Fair attracts visitors to the County. With regard to the salary comparisons, the Human Resources Director does a salary comparison every year with other counties. When doing the salary comparisons last year, the Council determined that the Sheriff was significantly underpaid compared to sheriffs in similar counties, and the justice court judge was also underpaid, so they increased those salaries. He noted that the salaries referred to by one of the citizens include total compensation including benefits, not just wages. He noted that the Department of Labor Statistics also does not factor in the cost of living in this area, so it is difficult to make an apples-to-apples comparison. The Department of Labor Statistics is a mean wage average and does not include benefits. He reiterated that they need to be very careful with information, because there is always a backstory. He clarified that some people on the County's list, such as the Council Members, do not actually receive the benefits shown on the list, so it is not entirely accurate.

Council Member Elliott responded to the question regarding why they let things go for six years and have been using general fund money to pay for Service Area 6. She explained that the County Commission/Council did not know that was happening. When the citizens voted for the optional form of government, it allowed them to hire professional management. The Manager has asked some difficult and pertinent questions, and they are now much better managed than ever before.

Chair Ure closed the public hearing.

Council Member Robinson commented that this is a refreshing change from last year when Sue Pollard and Glen Brown were the only ones who attended the budget hearing. He does not fault the petition and referendum process, which has resulted in a very helpful dialog. He clarified that they have not yet decided whether to reinstate a tax increase in 2013, but they had to notice a truth in taxation hearing to leave that option open if they choose to. Currently the referendum is in limbo, and they are not certain whether it will be put on the ballot for the municipal elections in 2013 or the general election in 2014. They also have the option of rescinding the 2012 tax increase and placing a new tax increase in the 2013 budget. He explained that in 2012 they enacted a tax, adopted a budget based on that tax, and in the middle of the year the rug was pulled out from under them, and they were unable to collect the tax. Now they are readjusting after having already expended some of those funds. It is his advice that the Council assume there will be no tax increase in the 2013 budget, and if there is a referendum or they rescind the 2012 tax increase and reinstate the two taxes in 2013, they can amend the budget when the tax increases are in the clear and they know they have the money and can spend it. Looking at the raw percentage of the tax rate increase in the municipal fund, it is a 52% increase. However, there has been no increase in that rate since 1983, and it is unfortunate that they did not increase it previously. For many years before this Council took office, the County sustained a growing economy where the tax base was increasing, and they generated enough revenue to deal with the growth without a tax increase. With regard to comments about using scare tactics by saying they will cut snow plowing and public safety, he explained that the shortfall is in the municipal fund. They could cut a number of other things in the budget, but they are not in the municipal fund. The items in the municipal fund are community development, public safety, and road maintenance on municipal roads, and they cannot make an impact on the municipal fund by cutting in other areas of the budget.

Chair Ure explained that the options for putting the referendum on the ballot would be to hold a special election in June or the municipal election in November 2013, or they could place it on the ballot for the general election in 2014.

Mr. Frazier explained that the budget committee consists of himself as the Auditor, the accounts payable clerk in his office who is responsible for budget items, the County Treasurer, the Human Resource Director, the Assistant Manager, and the IT Director. Mr. Leavitt explained that certain positions on the budget committee are required by the form of governance. Council Member Hanrahan asked if there is any reason they cannot add positions from the community at large and stated that it sounds like a great idea. Mr. Jasper agreed that they could bring in citizens to assist on the budget committee. Chair Ure explained that the budget committee has spent at least 100 hours on the budget, and people need to be aware how much time is involved if they want to be on the committee.

Council Member Hanrahan addressed the increase in the sustainability budget and explained that those are grants that the County anticipates it will receive, and the money will not be spent if the grants are not received. They have to account for the potentiality of grants, because if they do not, they cannot spend the money if it is granted. Council Member Elliott commented that, since the County has started to make effective green changes to its buildings, they have more than paid the cost of having a sustainability employee. Mr. Leavitt explained that the non-grant portion of the sustainability budget is about \$70,000.

With regard to the \$170,000 increase in the administrative budget, Mr. Leavitt clarified that the Council added money to the Manager's budget for economic development and a contract public information officer. It also includes a \$25,000 business expansion and retention program grant and \$50,000 in salary and benefit adjustments. Mr. Jasper explained that item is related to a reorganization. He is moving one person from facilities into the Manager's Office, but that is not an added position. Chair Ure clarified that is a transfer of funds from one department to another that comes with the transfer in personnel. The remaining increase is for materials and supplies, travel and training, cell phones, gas and maintenance, etc.

Council Member Hanrahan confirmed that the Sheriff's Office has lost five deputies since 2009, and with this year's budget, that would increase to seven. However, that is not because the Council has cut the public safety budget but because there was a reorganization within the Sheriff's Office that transferred deputies to the major crimes unit. Mr. Jasper stated that they are down by one undersheriff. Council Member Robinson stated that he would like to keep this in perspective and asked Mr. Leavitt what percent \$250,000 represents compared to the whole public safety budget. Mr. Leavitt confirmed that of those divisions in the Sheriff's budget that are funded by municipal services, \$250,000 represents 4.6 % of that budget. Council Member Hanrahan clarified that the Sheriff has indicated that, according to his knowledge, there has been a decrease of two positions. Because of the tax revenue, two additional deputy positions have been frozen so they will not hire to fill those vacancies, which brings the total to three or four positions. The additional \$250,000 the Council has proposed be removed from the municipal fund would equate to three more deputies. If the Sheriff's Office is providing \$900,000 in services to the municipalities, the County needs to work on collecting that money, because that could solve the shortfall in the Sheriff's budget.

Council Member Robinson pointed out that the cuts which have been proposed for this year are not a good long-term fix, because there are a number of road projects they should be doing that they will not be able to do.

Chair Ure explained that next week the Council will hold another public hearing at 6:00 p.m., including the truth in taxation hearing, for the 2013 budget. The public is encouraged to come, and by then the Council will have decided what the budget will be and how the referendum will be taken care of. He thanked those who came to the meeting this evening and the petitioners, commenting that a petition drive is a constitutional right.

The County Council meeting adjourned at 9:50 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, February 6, 2013  
**Meeting Date:** Wednesday, February 13, 2013  
**Author:** Sean Lewis, County Planner  
**Project Name:** Linder Setback Special Exception

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**EXECUTIVE SUMMARY:** The applicants are requesting a Special Exception from the 30 foot front setback requirement from Flanders Way as found in Section 10-2-4 of the Snyderville Basin Development Code (the Code). The applicants are requesting the exception to accommodate a second story expansion of a single family home on parcel WDCS-F-1, located in the Willow Draw Cottages at Sun Peak Subdivision. The Summit County Board of Adjustment (BOA) denied a variance request for this project in December 2012.

**Staff is recommending denial of up to a 6 foot 2 inch exception from the 30 foot front setback requirement.**

A. **Project Description**

- **Project Name:** Linder Setback Special Exception Request
- **Applicant(s):** Lance Duffield
- **Property Owner(s):** Jason and Erin Linder
- **Location:** 3995 Voelker Court
- **Zone District:** Rural Residential (RR)
- **Setbacks:**
  - **Front:** 30 feet from property line
  - **Rear/Side:** 12 feet from property line
- **Adjacent Land Uses:** Residential/Golf Course
- **Existing Uses:** Residential
- **Parcel Number and Size:** WDCS-F-1, 0.20 acres
- **Lot of Record Status:** WDCS-F-1 is considered to be one (1) Lot of Record

B. **Background**

Recorded in 1996, The Willow Draw Cottages at Sun Peak Plat F Subdivision is located west of Highway 224 and is adjacent to Canyons resort. There are 15 lots within the subdivision. The subdivision plat has never been amended.

The applicant originally applied for a plat amendment to vacate Flanders Way to accommodate expansion of their exiting home. However, service providers such as

Questar, Rocky Mountain Power, and the Park City Fire District among others, were not in favor of the proposal due to access and easement issues. The applicant has changed their plans to build a second story instead of laterally and is now requesting a Special Exception from the front setback to allow the vertical expansion to match the existing structure that was inadvertently built in violation of the setback. As the setbacks are identified on the Willow Draw plat, approval of a Special Exception would be conditioned upon approval of a plat amendment by the Snyderville Basin Planning Commission.

The existing structure was built in 1998 at an angle across the Flanders Way setback line. The structure encroaches into the setback line by less than one foot on the east and by approximately 3.5 feet on the west.

C. **Community Review**

The BOA heard a similar request for this applicant on December 20, 2012. Following a public hearing, the application was denied by the BOA. The BOA found that there was no hardship associated with the site.

This item appears on the agenda as a public hearing and a possible decision of the SCC. Notice of the public hearing was published in the February 2, 2013 issue of *The Park Record*. Courtesy postcards were mailed to all property owners within 1,000 feet of the subject parcel.

At the time of writing this report, Staff has received no public comment regarding the proposed variance.

D. **Identification and Analysis of Issues**

*Plat Amendment Required:*

The Willow Draw Cottages at Sun Peak Plat F plat identifies setbacks for each lot similar to a building envelope. The applicant is asking the SCC to approve an exception to the Code setback requirements. Staff is asking that if approved, the exception be conditioned upon approval of a plat amendment by the Snyderville Basin Planning Commission.

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

In order to be considered for approval, The SCC shall make findings, based upon the evidence presented to it in each specific case, that all of the provisions found in Section 10-3-7 of the Code apply. Below, Staff has evaluated how this application meets each of the criteria. The applicant has provided their own analysis of the criteria that can be found in Exhibit D of this report.

1. The special exception is not detrimental to the public health, safety, and welfare.

***Expansion of the existing home at this site would not cause a detriment to public health, safety, or welfare.***

2. The intent of the Development Code and General Plan will be met.

***As this is a corner lot, the plat does require a larger setback on the Flanders Way side of the property than is required for other lots within the subdivision. The existing house was built outside of the plat required setbacks. Where the existing structure does not meet the setback requirement, Staff does not endorse allowing expansion to an existing non-conforming structure.***

3. The applicant does not reasonably qualify for any other equitable processes provided through the provisions of [the Code].

***The applicant has previously applied for a plat amendment to vacate portions of the road and, as discussed above, was dissuaded from continuing that application based upon the negative response from various service providers.***

***The applicant then applied for a variance. However, that application was denied by the BOA due to a lack of a hardship as required by both State and County Code.***

4. There are equitable claims or unique circumstances warranting the special exception.

***Staff is unaware of any equitable claims or unique circumstances that would warrant granting of a Special Exception in this instance.***

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

Staff recommends that the SCC conduct a public hearing to gather public comment regarding this application. Staff further recommends that the SCC review Staff's analysis, and choose Option 1 from the following options:

**OPTION 1:**

Vote to deny the request for the Special Exception for Lot 11 based upon the following findings:

1. The application does not meet the intent of the Snyderville Basin Development Code: As this is a corner lot, the plat does require a larger setback on the Flanders Way side of the property than is required for other lots within the subdivision. The existing house was built outside of the plat required setbacks.

**OPTION 2:**

Vote to continue the item to another meeting, with specific direction to Staff and the applicants on information needed to aid them in making a decision.

**OPTION 3:**

Vote to approve the request for up to a 6 foot 2 inch special exception based upon a metes and bounds survey of the existing structure and proposed expansion from the required 30 foot front setback based upon the findings articulated by the SCC and with the following conditions

**Conditions:**

1. Approval of the exception is dependent upon subsequent approval of an amendment to the Willow Draw Cottages at Sun Peak Plat F Subdivision plat by the Snyderville Basin Planning Commission. If the Snyderville Basin Planning Commission does not approve a plat amendment within one year of this exception approval, the special exception shall be null and void.
2. The applicant shall obtain all required permits from Summit County prior to construction.
3. All Service Provider requirements shall be met prior to issuance of a Building Permit.

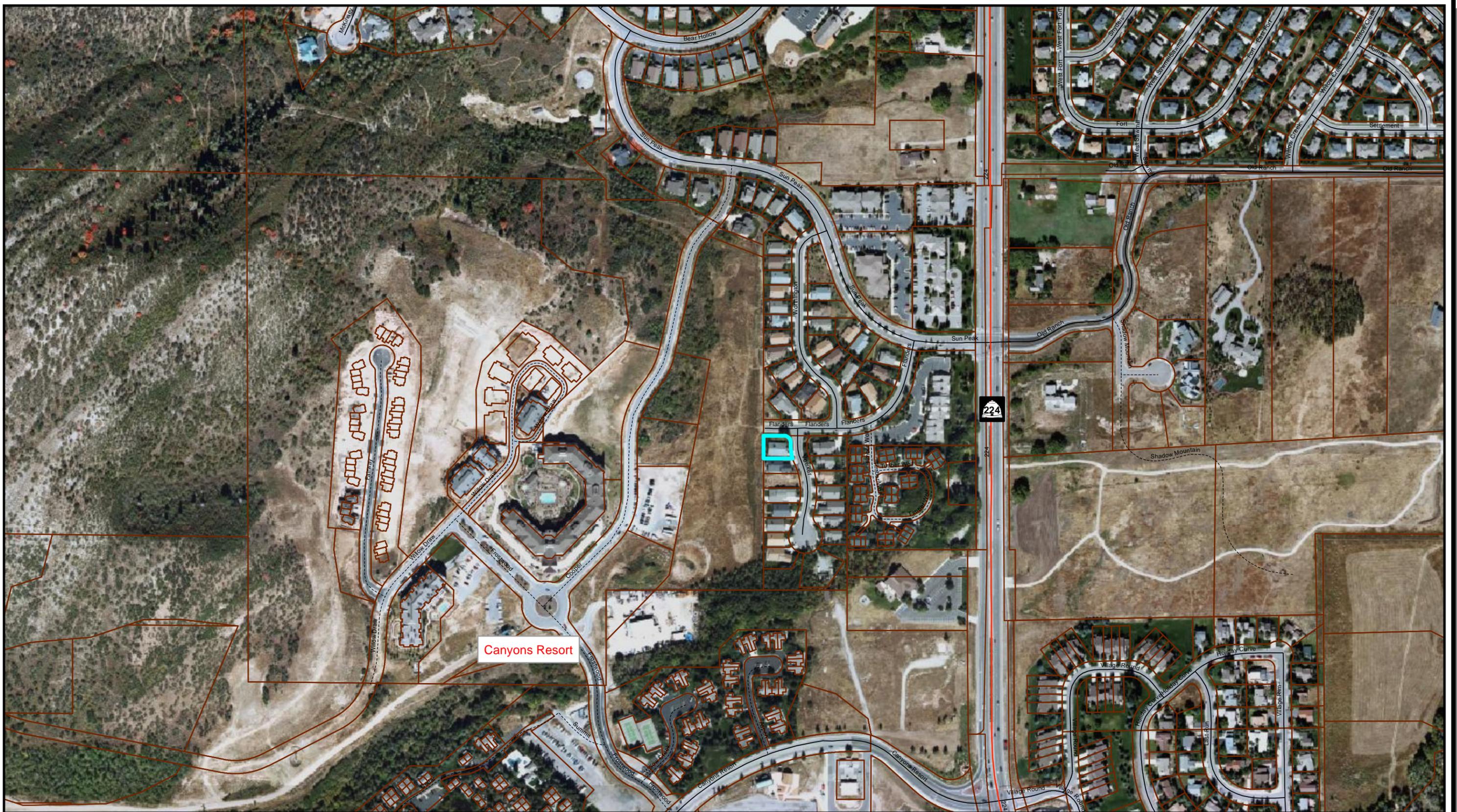
**Attachment(s)**

Exhibit A – Vicinity map

Exhibit B – Zoning map

Exhibit C – Proposed site plan

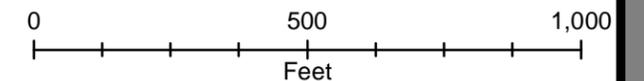
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**Parcel WDCS-F-1**  
Vicinity Map

Prepared December 2012 by Summit County Community Development Department

- Subject Parcel
- Parcels



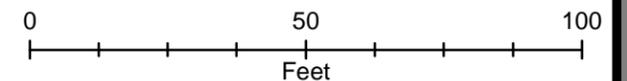
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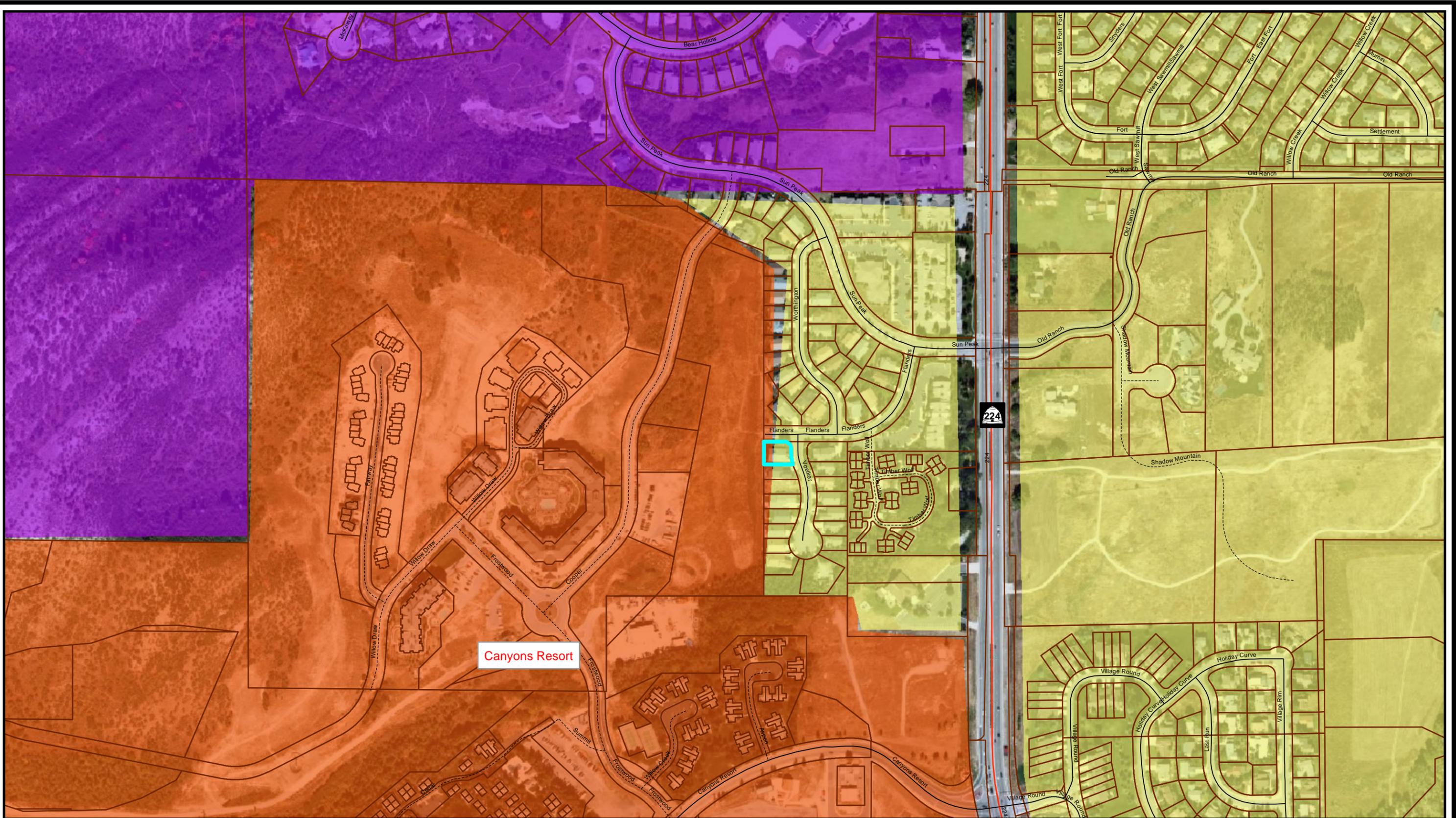
# Parcel WDCS-F-1 Vicinity Map

Prepared December 2012 by Summit County Community Development Department

- Subject Parcel
- Parcels



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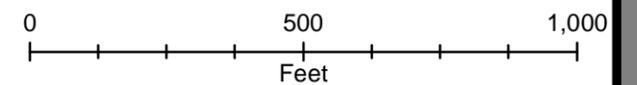


**Parcel WDCS-F-1**  
Zoning Vicinity Map

Prepared December 2012 by Summit County Community Development Department

- Subject Parcel
- Parcels
- Rural Residential (RR)

- Hillside Stewardship (HS)
- Resort Center (RC)



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.

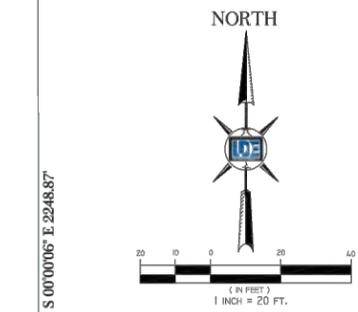
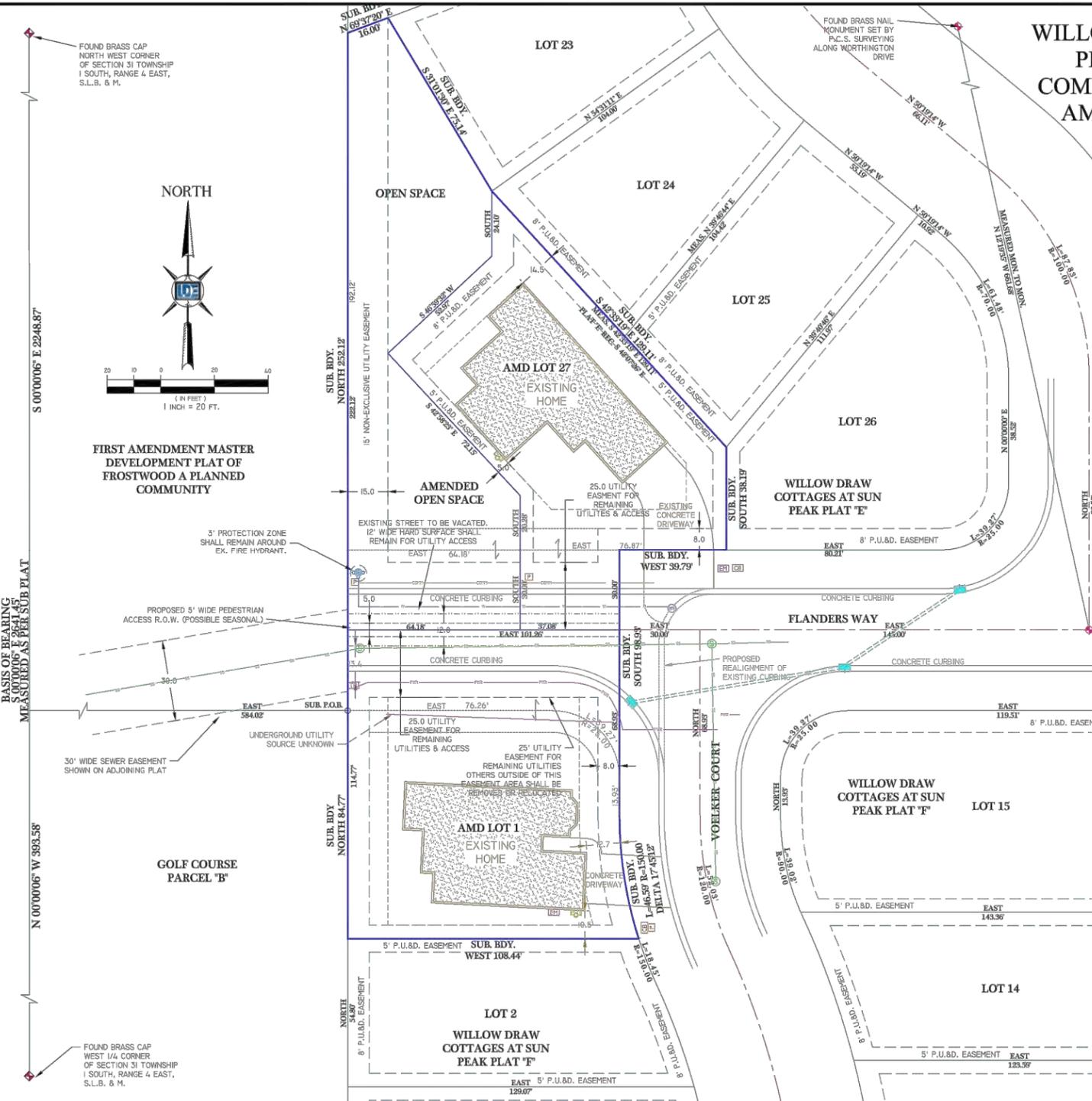
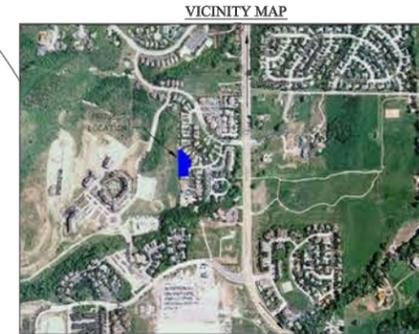


Lance Duffield, Building Designer  
5852 North 1700 West  
Cedar City, Utah 84721  
702.241.1121  
lance@lduffield.com

LINDER Residence  
3995 Voelker Court  
Park City, Summit County, Utah

A-0

# WILLOW DRAW COTTAGES AT SUN PEAK, AMENDING LOT 27 & COMMON AREA OF PLAT "E", AND AMENDING LOT 1 OF PLAT "F"



FIRST AMENDMENT MASTER DEVELOPMENT PLAT OF FROSTWOOD A PLANNED COMMUNITY

FOUND BRASS CAP NORTH WEST CORNER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 4 EAST, S.L.B. & M.

FOUND BRASS CAP WEST 1/4 CORNER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 4 EAST, S.L.B. & M.

- ### LEGEND
- ◆ SECTIONAL CORNER
  - ◆ STREET MONUMENT
  - FOUND REBAR AND CAP
  - ◆ SET REBAR AND CAP
  - REPRESENTS PROPERTY LINE
  - ▲ SURVEY CONTROL POINT
  - ⊕ EXISTING FIRE HYDRANT
  - ⊕ EXISTING WATER METER
  - ⊕ EXISTING WATER VALVE
  - ⊕ EXISTING SEWER MANHOLE
  - ⊕ EXISTING GAS METER
  - ⊕ EXISTING MT. BELL MANHOLE
  - ⊕ PHONE UTILITY SERVICE
  - ⊕ CABLE BOX
  - ⊕ ELECTRIC METER
  - ⊕ EXISTING TRANSFORMER
  - ⊕ EXISTING CATCH BASIN

### SURVEYORS CERTIFICATE

I, R Shane Johanson, do hereby certify that I am a Land Surveyor, and that I hold certificate No. 7075114, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, hereafter to be known as WILLOW DRAW COTTAGES AT SUN PEAK, AMENDING LOT 27 & COMMON AREA OF PLAT "E", AND AMENDING LOT 1 OF PLAT "F" and that same has been surveyed and shown on this plat.

The purpose of this survey is to locate the boundaries of the above described parcel and set the corners thereof or reference points to the corners, and amend the size and location of the Buildable area as shown hereon.

DATE: \_\_\_\_\_

### BOUNDARY DESCRIPTION

All of Lots 1 and a portion of a vacated street Plat "E" and all of lot 27, an Open Space Common area, and a portion of a vacated street Plat "E" of the 1996 Willow Draw Cottages at Sun Peak subdivision on file within the official records of Summit County's Recorder's office, Utah. More precisely described as follows:

Beginning at the P.O.B. of Plat "E" of the described Subdivision, which point is located South 00°00'00" East a distance of 2248.87 feet, and East a distance of 584.02 feet from the Northwest corner of Section 31, Township 1 South R. 4 East, S.L.B.&M.

Running thence North a distance of 252.12 feet; thence North 69°37'20" East a distance of 16.00 feet; thence South 31°01'30" East a distance of 75.14 feet; thence South 42°33'19" East 129.11 feet; thence South a distance of 38.19 feet; thence West a distance of 39.79 feet; thence South a distance of 98.93 feet; thence 48.59 feet along a 150.00 foot radius curve of tangency to the left, having a central angle of 17°45'12"; thence West a distance of 108.44 feet; thence North 84.77 feet to the point of beginning.

Containing 0.725 Acres

### SUBDIVISION NOTES

- This amended subdivision does not amend agreements and other lots descriptions as previously defined in the subdivisions of record except as shown hereon.
- This amended subdivision adopts any existing Declaration Covenants and Restrictions. This amendment intends to remain under the guidance and care of the H.O.A.
- Refer to the original 1996 Willow Draw Cottages at Sun Peak, Plat "E", and "F" (entry # 468215), and (entry # 468653) for additional notes and, or information.
- A proposed 5' wide pedestrian access r.o.w. runs 2.5' each side of a mutual lot line of lots 1, 27, Open Space amended. Said 5' wide easement pertains to and has a possible expiration when adjoining land to the west of this subdivision is developed, and is subject to use and permission of that adjoining parcel.

### OWNER'S DEDICATION

Know all men by these presents that we, the undersigned owners of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as WILLOW DRAW COTTAGES AT SUN PEAK, AMENDING LOT 27 & COMMON AREA OF PLAT "E", AND AMENDING LOT 1 OF PLAT "F", do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use except as shown hereon. The owners warrant, defend and save the County harmless against any easements or other encumbrance on a dedicated street which will interfere with the County's use, maintenance and operation of the street.

Signature	Date	Signature	Date
Owner(s) print Lot 1 Amd			
Owner(s) Print Lot 27 Amd			

STATE OF UTAH )  
COUNTY OF SALT LAKE ) ss  
On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, Signer of the foregoing agreement, who duly acknowledged to me that they executed the same.

My commission expires: \_\_\_\_\_ Notary Public \_\_\_\_\_  
residing in: \_\_\_\_\_

STATE OF UTAH )  
COUNTY OF SALT LAKE ) ss  
On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, Signer of the foregoing agreement, who duly acknowledged to me that they executed the same.

My commission expires: \_\_\_\_\_ Notary Public \_\_\_\_\_  
residing in: \_\_\_\_\_

WILLOW DRAW COTTAGES AT SUN PEAK, AMENDING LOT 27 & COMMON AREA OF PLAT "E", AND AMENDING LOT 1 OF PLAT "F"  
LOCATED IN THE NORTHWEST 1/4 OF SECTION 31  
T.1 S., R. 4 E., S.L.B.&M. UTAH.

LAND DESIGN ENGINEERING  
P.O. BOX 701168  
SALT LAKE CITY, UTAH, 84170-1168  
OFFICE: (801) 495-2541  
lidesurvey.com

Governing Body Approval & Acceptance  
Approved this \_\_\_\_\_ day, of \_\_\_\_\_  
A.D., 2011; On behalf of Summit County Council, per Summit County Development Code Section \_\_\_\_\_  
Snyderville Basin Planning Commission Chair

Summit County Engineer  
Approved this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D., 20\_\_\_\_  
Summit County Engineer

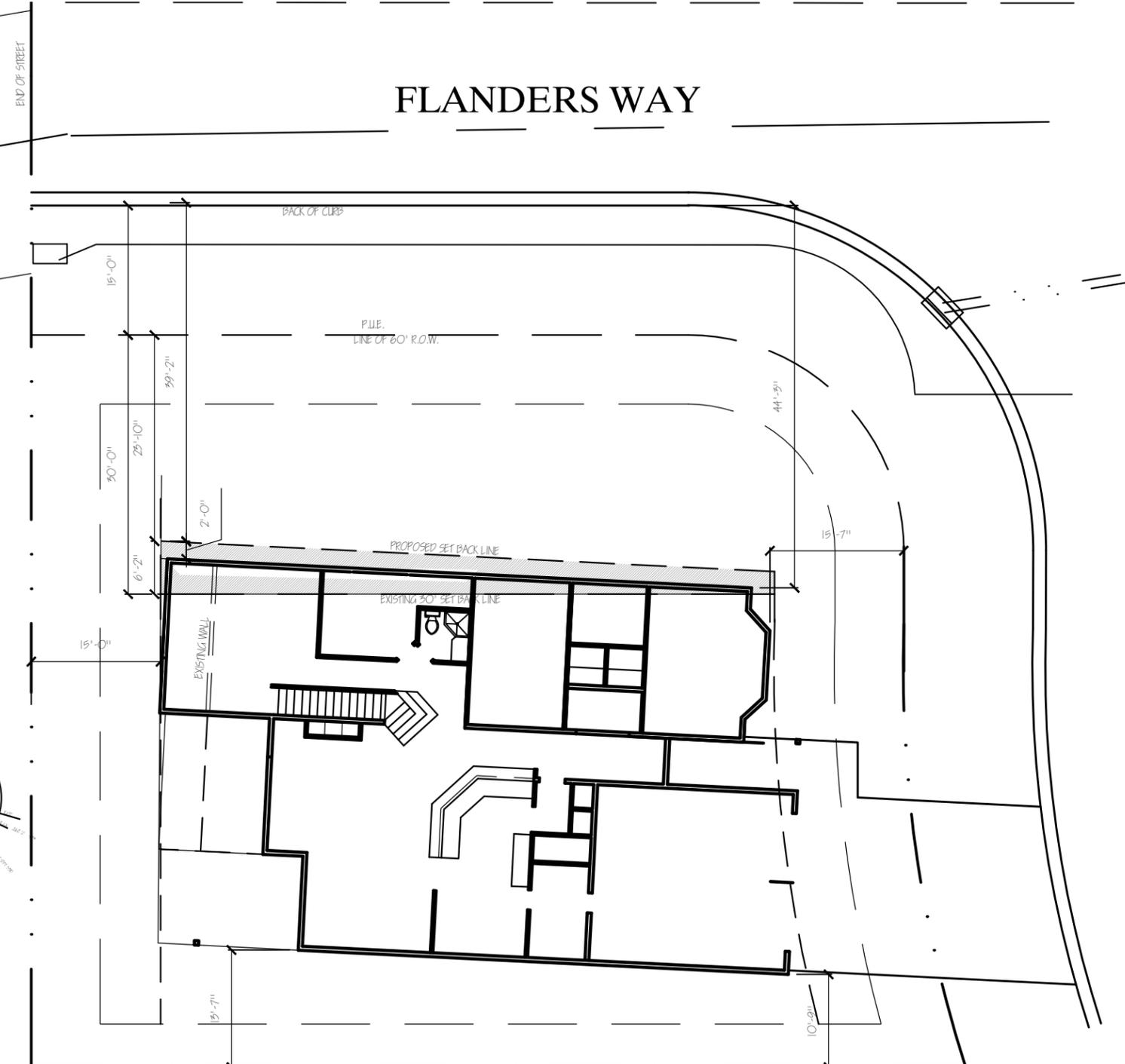
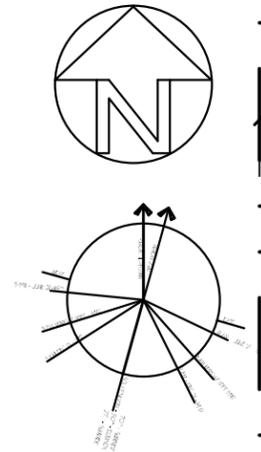
Summit County Attorney  
Approval as to form this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D., 20\_\_\_\_  
Summit County Attorney

Summit County Assessor  
Approval as to form this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D., 20\_\_\_\_  
County Assessor

Recorded # \_\_\_\_\_  
State of Utah, County of Summit, recorded and filed at the request of \_\_\_\_\_  
Date \_\_\_\_\_ Time \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_  
Fee \$ \_\_\_\_\_ Summit County Recorder

FINAL  
E-09-109  
1 OF 1

GOLF COURSE



SITE PLAN  
SCALE - 1/16" = 1'-0"

DATE: 11-6-12  
JOB NO.  
BY: lfd

Lance Duffield, Building Designer  
5852 North 1700 West  
Cedar City, Utah 84721  
702.241.1121  
lance@lduffield.com

LINDER Residence  
3995 Voelker Court  
Park City, Summit County, Utah

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