

Interview Schedule
Snyderville Basin Special Recreation Service District
Administrative Control Board
Wednesday February 24, 2021

Via Zoom Meeting
(1 vacancy; 1 applicant)

1:10 PM Nate Brown

The vacancy is a result of Nate Brown's term expiring on December 31, 2020.

Interview Instructions (Zoom)

For your interview with Council, please use one of the two following options:

1. By phone only: Dial 1-301-715-8592, Meeting ID: 772 302 472
2. By video chat: Join Zoom meeting: <https://zoom.us/j/772302472> When you join the meeting, set up your audio preferences. You will be muted upon entering the meeting.

When Council finishes the interview prior to yours, the moderator will unmute your microphone so you can interview with Council.

If you have any questions or are not going to be able to participate in the interviews, please let me know. Thank you.

Nancy Hooton
435-336-3042



STAFF REPORT

To: Summit County Council
From: Emily Quinton, Sustainability Program Manager
Dave Thomas, Chief Civil Deputy
Date of meeting: February 24, 2021
Subject: Discussion of potential Professional Services Agreement with Sustainable Real Estate Solution, Inc. (C-PACE Program)

REQUESTED COUNCIL ACTION

Review and discuss allowing County Manager to execute services agreement with Sustainable Real Estate Solutions, Inc. (SRS) to enable C-PACE implementation in Summit County, per Track B pathway.

BACKGROUND

Commercial property assessed clean energy (C-PACE) provides a mechanism for property owners and developers to access financing for new construction and retrofits to enhance building energy performance and install renewable energy systems. Since November 2018, County staff have engaged with Council to consider allowing C-PACE in Summit County. These conversations have evolved as Utah's C-PACE program has experienced changes and matured.

In early 2021 staff began reengaging in this conversation to work through any remaining concerns and details of how C-PACE can be administered in Summit County. In addition, staff have connected directly with SRS, with whom the State Office of Energy Development and individual jurisdictions contract to administer the Utah C-PACE program through SRS's PACEworx™ Platform¹ and processes refined through several completed C-PACE applications in Utah and other states.

The motivations to advance this conversation in Summit County and move towards adoption of C-PACE includes the following: (1) solutions to potential concerns and a more streamlined process have been identified; (2) C-PACE is in direct alignment with the County's climate and sustainability goals (see below); and (3) SRS recently received an application from a developer hoping to use C-PACE financing for a workforce housing development in Summit County, offering a timely opportunity to see a C-PACE project through.

RELEVANCE TO COUNTY SUSTAINABILITY GOALS

Through prior discussions, staff and Council members have identified how C-PACE aligns with the County's goals articulated in Resolution #2019-29, item 2.b. "implement strategies and policies to encourage the reduction of greenhouse gas emissions countywide by 80% below their 2014 level by 2050"; and item 4. "emphasis on Energy Efficiency...Summit County will pursue policies to increase

¹ <https://paceworx.com/>



energy efficiency in public and private sectors...". C-PACE applications are evaluated by SRS to ensure that energy code requirements will be exceeded, among other factors. Implementing C-PACE in Summit County is a clear step to encourage energy efficient design, high performing buildings, and adoption of renewable energy systems in the private sector. Additionally, C-PACE will continue to be relevant as the Council advances conversations with developers and considers future goals encouraging building decarbonization and electrification, and net zero energy design.

HOW C-PACE WORKS

The attached informational chart outlines two possible tracks through which C-PACE can occur in Utah, with staff recommending Summit County follow Track B. Under this track, staff and SRS have outlined the following process for how C-PACE would work in Summit County should the County enter a services agreement with SRS.

1. Owner submits Project Application specifying type, size, characteristics of project to SRS, who reviews and provides to County point of contact. SRS verifies the Owner's project is eligible and viable to the Owner and Third-Party Lender.
2. SRS conducts preliminary project eligibility analyses and provides confirmation to Owner, County, and Third-Party Lender (UCA 11-42a-201-205; 301-302).
3. Lender qualifies the Owner/Project, establishes lien amount, sets interest rate and terms.
4. Owner requests County place a C-PACE lien on his/her project/property.
5. County agrees to place lien/assessment on project/property. County can use existing documents with additional conditions they wish to add. Deletion of statutory requirements is prohibited.
6. County provided with *independent* validation of project eligibility by SRS (per agreement with County as administrator), as are Owner and Third-Party Lender.
7. *Contemporaneously* to making assessment/lien, County assigns lien to Third-Party Lender. Documents are already in existence for County to use for assignment.
 - a. This process effectively eliminates risk for County - given they are party to the assessment only for the time between when they sign the assessment document and then immediately sign the assignment.
8. Third-Party Lender is responsible for recording of pertinent documents.
9. Third-Party Lender assumes all responsibilities for collection of loan payments; assumes all responsibility for enforcement; **and indemnifies County fully.**
10. Once documents are executed and loan is closed, Third-Party Lender provides Owner with funding and County with validation that loan is being paid.

Once the initial review of existing documents is done, the time required to deal with individual projects would be relatively minimal. By naming an administrator for the County, that individual and any leads they identify would be tasked with reviewing documentation. SRS would coordinate all of the project eligibility requirements for the County.

The parties involved include:



- Property owner/developer/project: the applicant
- SRS: fills several roles, including evaluating the application for eligibility
- Summit County: considers approval by agreeing to place lien/assessment on project/property
- Lender: a third-party that works directly with the property owner/developer/project

SUMMARY OF NEXT STEPS

To move forward with allowing C-PACE in Summit County, upon Council approval, the County Manager will execute a no-cost services agreement with SRS. Once executed, SRS will begin moving forward with the current C-PACE applicant using the process outlined above.

RECOMMENDATION

Staff recommends the Council review and discuss allowing C-PACE in Summit County and whether to enter a services agreement with SRS. Council can suggest revisions to the attached services agreement. Staff recommend that the County Manager be named the internal administrator who will work with the Chief Civil Deputy (Dave Thomas) and the Sustainability Program Manager (Emily Quinton) to review documentation prior to formal approval.

ATTACHMENTS

Attachment A – CPACE Administrative Contract – SRS (02-18-21)

Attachment B – Energy Assessment Area – Informational Chart



Attachment A – CPACE Administrative Contract – SRS (02-18-21)

Professional Services Agreement

C-PACE

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is made and entered into in duplicate this ____ day of _____, 2021 ("Effective Date"), by and between SUMMIT COUNTY, a political subdivision of the State of Utah ("County"), and SUSTAINABLE REAL ESTATE SOLUTIONS, INC., a Delaware corporation, whose address is 929 White Plains Road, #336, Trumbull, CT 06611 ("SRS"). Individually, the County and SRS are referred to herein as a "Party," and collectively as the "Parties."

RECITALS

A. Utah Code Title 11, Chapter 42a (the "C-PACE Act") authorizes the County to create an energy assessment area ("C-PACE Area") and levy an assessment on a private property to cover the costs of an energy efficiency upgrade, a renewable energy system, or an electric vehicle charging infrastructure.

B. The County desires that SRS act as a consultant to assist the County in administering any energy assessment areas that the County may create during the term of the Agreement.

C. SRS is qualified and desires to assist the County in the County's administration of any energy assessment areas that the County may create during the term of the Agreement.

AGREEMENT

FOR GOOD AND VALUABLE CONSIDERATION, the Parties agree as follows:

1. Scope of Services: On a non-exclusive basis, County agrees to engage SRS and SRS agrees to provide its professional and technical services as shown on the Scope of Services attached hereto as **Exhibit A**.

2. Compensation and Method of Payment: SRS' sole compensation for the Scope of Services it provides under the terms of this Agreement shall be a program administration fee charged against each project that is financed. The fee is set at 3.0 percent (3%) of the total amount of C-PACE Area financing, not to exceed Ninety Thousand Dollars (\$90,000.00) per C-PACE Area project. Upon financial closing, the capital provider will send the total fee (3% of the total amount of C-PACE financing, not to exceed \$90,000.00) to SRS. SRS acknowledges and agrees that absent the County's cooperation, SRS would be unable to participate in C-PACE financing, and therefore the County shall have no financial obligation to SRS for the services it provides under the terms of this Agreement, whether any or all C-PACE Area project(s) do or do not close.

3. Term: This Agreement shall commence on the Effective Date and terminate three years thereafter ("**Term**"), unless terminated earlier by either Party pursuant to Section 14. SRS shall perform its services in a timely manner, in accordance with the best professional standards of practice, and in accordance with any schedule in the Scope of Services.



4. Amendments: Any change in this Agreement shall be mutually agreed upon by the County and the SRS and shall be set forth in a written amendment to this Agreement.

5. Subconsultant Agreements: All of the services required hereunder will be performed by SRS or under its supervision and all personnel engaged in providing the services shall be fully qualified and shall be authorized or permitted under state and local law to perform such services. Each subconsultant that physically performs services within Utah shall submit an affidavit to SRS stating that the subconsultant has used E-Verify, or equivalent program, to verify the employment status of each new employee, unless exempted by Utah Code §63G-12-302.

6. County's Obligations: The County shall provide, at no expense to SRS, such books, maps, records, plans, reports, statistics or other data or information, that are existing, as may be reasonably required by SRS to perform the tasks or services. The County makes no representation that such information will be provided or that review of any information submitted by SRS to the County will be made within any given timeframe. County shall not be liable in any manner whatsoever for any loss or damage of any kind incurred by SRS related to the County's review of any information submitted to or requested from the County.

7. Assignment: SRS shall not assign any obligation under this Agreement without County's written consent, which may be withheld in County's sole discretion.

8. Discrimination: SRS shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, disability, or national origin. Each subconsultant contract of SRS shall include appropriate safeguards against discrimination.

9. Ownership of Materials: All materials and other documentation prepared for public consumption pursuant to this Agreement (whether completed or uncompleted, or draft or final) shall become the property of the County upon expiration of the Term. The County shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, any reports, data or other materials prepared under this Agreement. Credits for work prepared by SRS shall be included with all documents issued by the County. SRS retains the right to duplicate and retain copies of all reports and other documents it prepared in providing services pursuant to this Agreement.

10. Records and Inspections:

a. SRS shall maintain books, records, documents, statements, reports, data, information, and other material with respect to matters covered, directly or indirectly, by this Agreement.

b. SRS shall retain all such books, records, documents, statements, reports, data, information, and other material with respect to matters covered, directly or indirectly, by this Agreement for six (6) years after expiration of the Agreement.

c. SRS shall, at such times and in such form as the County may require, make available for examination by the County, its authorized representatives, the State Auditor, or other governmental officials authorized by law to monitor this Agreement all such books, records, documents, statements, reports, data, information, and other material with respect to matters covered, directly or



indirectly, by this Agreement. SRS shall permit the County or its designated authorized representative to audit and inspect other data relating to all matters covered by this Agreement. The County may, at its discretion, conduct an audit at its expense, using its own or outside auditors, of SRS's activities, which relate directly or indirectly to this Agreement.

d. The County is subject to the requirements of the Government Records Access and Management Act, Chapter 2, Title 63G, Utah Code Annotated, 1953, as amended and Summit County Code Title 5 ("GRAMA"). All materials submitted by SRS pursuant to this Agreement are subject to disclosure unless such materials are exempt from disclosure pursuant to GRAMA. The burden of claiming and exemption from disclosure rests solely with SRS. Any materials for which SRS claims a privilege from disclosure based on business confidentiality shall be submitted marked as "confidential - business confidentiality" and accompanied by a concise statement from SRS of reasons supporting its claim of business confidentiality. Generally, GRAMA only protects against the disclosure of trade secrets or commercial information that could reasonably be expected to result in unfair competitive injury. The County will make reasonable efforts to notify SRS of any requests made for disclosure of documents submitted under a claim of confidentiality. SRS specifically waives any claims against the County related to any disclosure of materials pursuant to GRAMA.

11. Independent Contractor Relationship: The legal relationship of the SRS to the County with respect to the services required under this Agreement shall be that of an independent contractor and not that of an agent or employee. No agent, employee, or representative of SRS shall be deemed to be an employee, agent, or representative of the County for any purpose, and the employees of SRS are not entitled to any of the benefits the County provides for its employees. SRS will be solely and entirely responsible for its acts and for the acts of its agents, employees, subcontractors or representatives during the performance of this Agreement. In the performance of the services herein contemplated the SRS is an independent contractor with the authority to control and direct the performance of the details of the work, however, the results of the work contemplated herein must meet the approval of the County and shall be subject to the County's general rights of inspection and review to secure the satisfactory completion thereof.

12. Notices: All notices under this Agreement shall be sent by certified mail to the following address:

County: Summit County
Summit County Courthouse
60 N. Main Street
P.O. Box 128
Coalville, Utah 84017
Attention: Thomas C. Fisher, County Manager

SRS: Sustainable Real Estate Solutions, Inc.
929 White Plains Road, # 336
Trumbull, CT 06611
Attention: Brian McCarter, CEO



Notice is effective upon the date it was sent, except that a notice of termination pursuant to Section 14 is effective upon receipt.

13. Indemnification: SRS agrees to indemnify, save harmless and defend the County, its officers and employees, from and against all losses, claims, counterclaims, demands, actions, damages, costs, charges and causes of action of every kind or character, including attorney's fees, costs, and expenses, arising out of SRS's intentionally wrongful, reckless or negligent performance hereunder. SRS's duty to defend County shall exist regardless of whether County or SRS may ultimately be found to be liable for anyone's negligence or other conduct. If the County's tender of defense, based upon this indemnity provision, is rejected by SRS, and SRS is later found by a court of competent jurisdiction to have been required to indemnify the County, then in addition to any other remedies the County may have, SRS shall pay the County's reasonable costs, expenses and attorney's fees incurred in proving such indemnification, defending itself or enforcing this provision. Nothing herein shall be construed to require SRS to indemnify the County against the County's own negligence.

14. Termination: County may terminate this Agreement at any time, for any reason, by providing SRS at least thirty (30) business days written notice of its intent to terminate the Agreement. In such event, all finished or unfinished documents, data, studies, and reports prepared by SRS or SRS's subconsultants under this Agreement shall, at the option of the County, be delivered to County within three (3) days after the effective date of termination. Notwithstanding the above, SRS shall not be relieved of liability to the County for damages sustained by the County by virtue of any breach of this Agreement by SRS, and the County may withhold any payments, if any, otherwise due to SRS until such time as the exact amount of damages due to the County from SRS is determined.

15. Compliance with laws and regulations: SRS shall obey all laws, ordinances, regulations and rules of the federal, state, county and municipal governments that may be applicable to its operations. Said laws include, but are not limited to, equal employment opportunity laws (including without limitation, the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Americans with Disabilities Act of 1990, and the Age Discrimination in Employment Act of 1967), the Fair Labor Standards Act, Occupational Safety & Health Administration (OSHA) laws, the Utah Immigration Accountability and Enforcement Act, and all applicable building codes. Any violation of applicable law shall constitute a breach of this Agreement and SRS shall hold the County harmless from any and all liability arising out of, or in connection with, said violations including any attorneys' fees and costs incurred by the County as a result of such violation.

16. Standard of Care: All services provided by SRS and SRS's subconsultants hereunder shall be performed in accordance with the professional standards of licensed professionals of their respective disciplines experienced, competent and specializing in the services being provided to the C-PACE Area project (whether licensed and/or practicing in the jurisdiction where said project is located or elsewhere).

17. Insurance: SRS, at its own cost, shall secure and maintain during the term of this Agreement, including all renewal terms, the following minimum insurance coverage:

a. Worker's compensation and employer's liability insurance of \$500,000 (per accident) for bodily injury by accident, \$500,000 (per employee) for bodily injury by disease, and an overall policy limit sufficient to cover all of SRS's employees under Utah law. In the event SRS subcontracts any work under this Agreement, SRS shall require its subcontractor(s) similarly to provide worker's



compensation insurance for all of the latter's employees, unless a waiver of coverage is allowed and acquired pursuant to Utah law.

b. Commercial general liability ("CGL") insurance with a policy endorsement naming Summit County as an additional insured on a primary and non-contributory basis in comparison to all other insurance including the County's own policy or policies of insurance, in the minimum amount of \$1,000,000 per occurrence with a \$3,000,000 general aggregate and \$3,000,000 products-completed operations aggregate. The policy shall include contractual liability insurance for the indemnity provided under this Agreement. These limits can be covered either under a CGL insurance policy alone, or a combination of a CGL insurance policy and an umbrella insurance policy and/or a CGL insurance policy and an excess insurance policy. The policy shall protect the County, SRS, and any subcontractor from claims for damages for bodily injury, including accidental death, and property damage that may arise from SRS's operations under this Agreement, whether performed by SRS itself, any subcontractor, or anyone directly or indirectly employed by either of them. Such insurance shall provide coverage for premises operations, acts of independent contractors, and products-completed operations.

c. Professional Liability (Errors and Omissions) insurance in the minimum amount of \$1,000,000 per claim made with a \$1,000,000 annual aggregate limit.

d. Data Breach and Privacy/Cyber Liability Insurance including coverage for failure to protect confidential information and failure of the security of SRS's computer systems or the County's systems due to the actions of SRS which results in unauthorized access to the County's data. The limit applicable to this policy shall be no less than \$5,000,000 per occurrence, and must apply to incidents related to the Cyber Theft of the County's property, including but not limited to money and securities.

e. Any insurance coverage required herein that is written on a "claims made" form rather than on an "occurrence" form shall (i) provide full prior acts coverage or have a retroactive date effective before the date of this Agreement, and (ii) be maintained for a period of three (3) years following the end of the term of this Agreement or contain a comparable "extended discovery" clause for "tail coverage." Evidence of current extended discovery coverage and the purchase options available upon policy termination shall be provided to the County.

f. All policies of insurance provided shall be issued by insurance companies licensed to do business in the State of Utah and either (i) currently rated A- or better by A.M. Best Company or (ii) listed in the United States Treasury Department's current *Listing of Approved Sureties (Department Circular 570)*, as amended.

g. SRS shall, upon the County's request, furnish certificates of insurance, acceptable to the County, verifying the foregoing matters concurrent with the execution hereof, at each renewal, and thereafter as required.

h. In the event any work is subcontracted, SRS shall require its subcontractor, at no cost to the County, to secure and maintain all minimum insurance coverages required of SRS hereunder.

i. All required certificates and policies shall be endorsed as needed to provide that coverage thereunder shall not be canceled or modified without providing, in a manner approved by the County Attorney, thirty (30) days' prior written notice to the County or ten (10) days' prior written notice



for cancellation due to non-payment of premiums.

18. Jurisdiction: This Agreement and all transactions contemplated hereunder shall be governed by, construed under, and enforced in accordance with the internal laws of the State of Utah, both as to interpretation and performance, without giving effect to any choice of law or conflict of law rules or provisions. Any action of law, suit in equity, or judicial proceeding for the enforcement of this Agreement, or any provision thereof, shall be instituted and maintained only in any of the courts of competent jurisdiction in Summit County, Utah.

19. Entire Agreement: This Agreement contains all of the agreements, representations and understandings of the Parties hereto relating to the subject matter of this Agreement and supersedes any previous understandings, commitments, proposals, or agreements whether oral or written.

20. Severability and Non-Waiver:

a. If, for any reason, any part, term, or provision of this Agreement is held by a court of the United States to be illegal, void or unenforceable, the validity of the remaining provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.

b. If it should appear that any provision hereof is in conflict with any statutory provision of the State of Utah, said provision which may conflict therewith shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform in such statutory provisions.

c. No failure of the County or SRS to exercise any power given to it under this Agreement, or to insist upon strict compliance by the other Party with any obligation, responsibility, or condition under it, and no custom or practice of the Parties at variance with its terms shall constitute a waiver of that Party's right to demand exact compliance with those terms upon any subsequent default. No waiver shall be effective unless it is in writing and signed by an authorized representative of the waiving Party.

21. Representation Regarding Ethical Standards: SRS represents that it has not (1) provided an illegal gift or payoff to a County officer or employee or former County officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, or brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in Summit County's conflict of interest ordinance or State statute; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a County officer or employee or former County officer or employee to breach any of the ethical standards set forth in Summit County's conflict of interest ordinance or State statute.

22. Confidentiality: The Parties agree that (a) all knowledge and information that either Party may receive from the other, including its employees or other consultants, or by virtue of the performance of services under and pursuant to this Agreement, relating to products, processes, apparatus, costs, technical data, business affairs of the Parties, and (b) all information provided by either Party in reports of work done, together with any other information acquired by or as a direct result of this Agreement and



during the duration of such, shall for all time and for all purposes be regarded by the Parties as strictly confidential and held by each in confidence, and solely for the Parties' benefit and use, and shall not be used by either Party, or directly or indirectly disclosed by either Party to any person whatsoever outside the scope of this Agreement except with the other Party's prior permission. This provision does not apply to documents that are releasable by either Party under the Government Records Access and Management Act ("GRAMA"), Utah Code §63G-2-101 et seq.

23. Governmental Immunity: County is a body corporate and politic of the State of Utah, subject to the Governmental Immunity Act of Utah (the "Act"), Utah Code §§ 63G-7-101 to -904. The Parties agree that County shall only be liable within the parameters of the Governmental Immunity Act. Nothing contained in this Agreement shall be construed in any way, to modify the limits of liability set forth in that Act or the basis for liability as established in the Act.

24. Counterparts: This Agreement may be executed in several counterparts and all so executed shall constitute one agreement binding on all the Parties, notwithstanding that each of the Parties are not signatory to the original or the same counterpart. Further, executed copies of this Agreement delivered by facsimile or electronic communication shall be deemed an original signed copy of this Agreement.

(Signatures Begin on Following Page)



IN WITNESS WHEREFORE, the parties are signing this Agreement as of the Effective Date.

COUNTY:

SUMMIT COUNTY

By _____
Name: Thomas C. Fisher _____
Title: County Manager _____

APPROVED AS TO FORM:
Summit County Attorney's Office

David L. Thomas
Chief Civil Deputy County Attorney

SRS:

SUSTAINABLE REAL ESTATE SOLUTIONS, INC., a
Delaware Corporation

By: _____
Name: Brian McCarter
Title: CEO



**EXHIBIT A
TO
CONSULTING SERVICES AGREEMENT**

(Scope of Services)

The SRS shall perform the following services as requested by County:

Section 1 – Services Provided by SRS.

1.1 SRS will provide the following services for the County:

- a) Program Administration Services,
- b) Financial Services, and
- c) Education and Outreach Services.

1.2 SRS Program Administration Services include the following:

- a) Managing all aspects of C-PACE Area project(s) ("Project(s)") pre-applications and applications, including verification of project eligibility under state statute.
- b) Coordinating communication between the County and program participants, and tracking progress of Projects through origination, development, and finance agreement execution.
- c) Educating property owners and mortgage holders about C-PACE mortgage holder consent; disseminating the mortgage holder consent agreement to C-PACE stakeholders; meeting with mortgage holders; and tracking mortgage holder consent agreements through to execution.
- d) Managing all aspects of the C-PACE contractor and capital provider communications.
- e) Coordinating with County to facilitate County activities, such as the adoption of the Resolution designating Energy Assessment Area, publishing said resolution in a newspaper of general circulation in the County, recording the Notice of Assessment Interest with the Summit County Recorder, and assigning such assessment interest to Project capital providers.
- f) Maintaining C-PACE Area template agreements and forms, including but not limited to (i) Resolution designating Energy Assessment Area (Utah Code §§11-42a-201, 202, and 204), (ii) Notice of Assessment Interest (Utah Code §§11-42a-205 and 301), (iii) Assignment of Lien Agreement (Utah Code §11-42a-302), and (iv) the Third-Party Lender Financing Agreement.

1.3 SRS Financial Services include the following:

- a) All financial services for the C-PACE Area(s) and Project(s).



- b) Conducting financial services in a transparent manner, which include periodic reporting and providing the County with access to all program materials.
- c) Mitigating potential conflicts of interest and ensuring competition within the County's C-PACE program to keep Project financing competitive in an open market structure.
- d) Working with capital providers to collect applicable program administration fees.
- e) Advising the County and C-PACE stakeholders on national C-PACE best practices and Utah statute throughout the Project lifecycle and financing decision points.

1.4 SRS Education and Outreach Services include the following:

- a) Periodic outreach events for C-PACE stakeholders (i.e., contractors, building owners and capital providers) to realize new C-PACE projects and ensure that C-PACE stakeholders have relevant program information.
- b) Maintaining C-PACE Area templates, forms, and agreements.
- c) Responding to inquiries about C-PACE Areas and Projects.
- d) Developing case studies and success stories of completed C-PACE projects.
- e) All Education and Outreach Services shall be based on C-PACE best practices and be in accordance with Utah statute.



Attachment B – Energy Assessment Area – Informational Chart

Energy Assessment Area

(UCA 11-42a -101)

C-PACE District (Track “A”)

(UCA 11-42a-106)

OED

(Administrator)

- OED can delegate its powers to a 3rd party administrator

- Designates Energy Assessment Area
- Levies Assessment
- Assigns Energy Assessment Lien to 3rd Party Lender
- Requires resolution of governing body of local entity requesting OED to create Energy Assessment Area

Third Party Lender

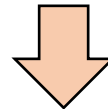
- **Financing Agreement** with Owner
- **Assignment of Lien Agreement** with County

Governing Body of a Political Subdivision (Track “B”)

(UCA 11-42a-201)

County Manager

(UCA 11-42a-302)



Assignment of Lien Agreement

(UCA 11-42a-302)

- 3rd Party Lender
- Resolution info
- Lender subject to state audit
- Monthly reports
- Indemnification of County
- Provides for direct billing
- Lender certifies any unpaid amount to County Treasurer by September 15th for inclusion in the tax notice (UCA 11-42a-303)
- Lender has same collection remedies as County

• **Resolution designating Energy Assessment Area** (UCA 11-42a-201)

- Voluntary Assessment
- No outstanding liens on property or requires consent of lienholders (UCA 11-42a-202)
- Designation – legal description
- Levy Assessment per limits in UCA 11-42a-204. Can be in installments up to 30 years with appropriate interest rate (*negotiate with 3rd Party Lender these amounts*)
- Publish resolution once in Park Record (UCA 11-42a-201)
- **Notice of Assessment Interest** filed with County Recorder within 5 days of Resolution effective date (UCA 11-42a-205; 301)
- Notice establishes the **Energy Assessment Lien** on par with property taxes (UCA 11-42a-301)
 - Collection of Assessment is either through tax notice or direct billing
 - Foreclosure of Energy Assessment Lien:
 - Tax Sale
 - Judicial
 - Civil Foreclosure

CONNECT



The People's Voice for Mental Health in Summit County

**1 IN 5
UTAHNS
LIVES WITH
A MENTAL
ILLNESS**

CONNECTSummitCounty.org

A close-up, profile shot of a woman with blonde hair looking out of a window. Her hand is pressed against the glass, which is covered in raindrops. The scene is dimly lit, with light coming from the window, creating a contemplative or somber mood.

In a survey 76% said they are unlikely
to ask for help with a mental health issue

Mental Health Attitudes in Summit County, Utah

In July of 2020, we saw stigma play out in our own community with the permitting of the Summit County Clubhouse and the concerns from residents about its location. County staff recommended that the Snyderville Basin Planning Commission consider approving the Conditional Use Permit for Summit County Clubhouse in Highland Estates (84098).

“...Will the Snyderville Planning Commission guarantee that “members” are not current or former drug and/or alcohol addicts (often associated with “mental” illness) and if so, how does the Commission plan to monitor this representation? Would any of the Committee members want such a facility adjacent to their house or in their “residential” neighborhood? What do Committee members think will happen to the values of homes in this neighborhood following such a move? Does the Committee stand willing and able to withstand the liability, litigation and potentially exorbitant settlement costs should something adverse occur?...”



ERASE STIGMA

CONNECTSummitCounty.org

Mental Health Attitudes & Access Survey Results

Do Summit County residents know about available mental health resources?

- 84% of our respondents are not aware of mental health resources
- 91% of our respondents do not know where to go to access mental health resources

Mental Health Attitudes & Access Survey Results

How able and comfortable are Summit County residents accessing needed mental health resources?

- 58% of respondents are unlikely to ask for help with a mental health issue
- 53% of respondents have helped someone with a mental health need

Mental Health Attitudes & Access Survey Results

Do Summit County residents know about CONNECT Summit County?

- 91% of respondents are unfamiliar with CONNECT Summit County

CONNECT



The People's Voice for Mental Health in Summit County



Mental Health Attitudes & Access Survey Results

History and Impacts of Mental Illness Stigma	1
Background, Research Objectives and Methodology	4
Results and Analysis of Survey in English	5
Key Findings	5
Objective 1	5
Objective 2	5
Objective 3	5
Analytical Results	6
Statistically Significant Findings	8
Correlation Analysis	10
English Survey Respondent Demographics	11
Results and Analysis of Survey in Spanish	13
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Mental Health Attitudes & Access Survey Results

History and Impacts of Mental Illness Stigma

The mental health services landscape in Summit County, Utah has evolved rapidly over the last few years. In 2016, CONNECT Summit County was the primary platform for the public discussion of mental health issues in Summit County. Robust programming such as Mental Health Awareness Month has kept mental health in the public consciousness. In 2017, a community coalition, the Summit County Mental Wellness Alliance, was formed to address the County's serious mental health and substance abuse challenges. CONNECT Summit County was one of the founding members of Summit County Mental Wellness Alliance.

The Summit County Council, the local government body responsible for public health, has adopted the Summit County Mental Wellness Strategic Plan. It was prepared by the Summit County Mental Wellness Alliance with especially important support from the Summit County Health Department. The Park City Council has also adopted the Summit County Mental Wellness Strategic Plan. In Summit County, there are mental health service providers both in private practice and nonprofit organizations.

According to 2019 U.S. Census Bureau estimates, the population of Summit County has reached just over 42,000 citizens (*U.S. Census*, 2019). The National Alliance on Mental Illness states that one in five adults in the United States will experience mental illness in a given year, and approximately one in five youth aged 13–18 will experience a severe mental disorder at some point during their lifetime (*Mental Health*, 2020). The Kem C. Gardner Policy Institute and the Utah Hospital Association confirm that one in five Utahns will experience a mental illness and yet there is still a stigma associated with mental illness and its treatment (Kem C. Gardner Policy Institute and the Utah Hospital Association, 2019). Extrapolating by population for the Summit County community, this means that about 8,000 of our residents could be suffering from a mental health condition at any given time. This does not include the significant ripple effect on their families and friends.

In the Fall of 2015, Summit County conducted a community-wide Mental Health Services and Needs Assessment with a clear directive: “Enhance the quality of life for all residents by improving community awareness of mental health and increasing access to appropriate treatment.” This robust assessment has been a starting place for many organizations, including CONNECT Summit County. It has given us a baseline by which to understand our impact.

It is important to note that the purpose of the outreach was to engage as many members of the community as possible in a conversation about mental health and to collect perspectives from as many people as possible; not to create a statistically valid study of mental health issues for

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Summit County. Consistent with national studies, the two largest barriers identified by survey respondents fit broadly into funding issues and stigma. This was a consistent theme in responses from patients, friends and family, and providers. Both issues came up regularly during community dialogue sessions (*Report of Mental*, 2016).

A follow up survey is being conducted in February 2021.

“The Secretary of Health and Human Services said, ‘Fear and stigma persist, resulting in lost opportunities for individuals to seek treatment and improve or recover’ (*Stigma and Serious*, 2016). Stigma is known to lower self-esteem, contribute to disrupted family relationships and adversely affect the ability to socialize, obtain housing, and become employed. Despite growing awareness that psychiatric disorders are medical diseases that respond to treatment, stigma has not decreased. Recent studies indicate such as the one from the Treatment Advocacy Center in June 2016, to the contrary, that stigma against people with mental illness has increased over the past half-century and is still increasing.

As stated by the Mayo Clinic, real and harmful effects of stigma include a reluctance to seek help or treatment, lack of understanding by others, fewer opportunities for work or school leading to trouble finding housing, bullying, physical violence or harassment, health insurance that doesn't adequately cover mental illness treatment and the belief that one will never succeed at certain challenges or that one can't improve your situation (*Mental Health*, 2017). Others' judgments almost always stem from a lack of understanding rather than information based on facts which is why awareness and attitudes of the general population is a critical thing to measure.

In July of 2020, we saw stigma play out in our own community with the permitting of the Summit County Clubhouse and the concerns from residents about its location. County staff recommended that the Snyderville Basin Planning Commission consider approving the Conditional Use Permit for Summit County Clubhouse in Highland Estates (84098).

Summit County Clubhouse (SCC) is an inclusive community in which all adults living with a mental health diagnosis can achieve their highest potential. Summit County Clubhouse (SCC) is the only place in Summit County where adults with a history of mental illness can receive social, pre-employment, and healthy living support on a regular basis. The Clubhouse welcomes all Summit County adults with a history of mental illness as lifetime members. Summit County Clubhouse members may have a mental health diagnosis that could include anxiety, depression, schizoaffective disorder, bi-polar disorder, schizophrenia or PTSD.

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Mental Health Attitudes & Access Survey Results

For this public process to move forward, it was open for a public hearing. The resistance from the surrounding neighbors was shocking and heartbreaking. It is clear that, despite all of the effort over the past five years by community organizations and the Summit County Health Department, stigma still persists and the lack of understanding of mental illness is significant.

Excerpts from the public comment:

“...We do not believe that a service for adults with mental health diagnoses belong in our neighborhood so close to our home. We want to feel safe in our house and neighborhood...”

“...There is a bus stop in front of the house which will be used by many people visiting. Now we have mentally ill strangers getting off the bus in front of a house with 3 young children living in it. Obviously, both the tenant and I are very concerned for their safety...”

“...Will the Snyderville Planning Commission guarantee that “members” are not current or former drug and/or alcohol addicts (often associated with “mental” illness) and if so, how does the Commission plan to monitor this representation? Would any of the Committee members want such a facility adjacent to their house or in their “residential” neighborhood? What do Committee members think will happen to the values of homes in this neighborhood following such a move? Does the Committee stand willing and able to withstand the liability, litigation and potentially exorbitant settlement costs should something adverse occur?...”

How would this process have looked if we were all operating from a well-informed stigma-free attitude toward mental illness?

An important part of educating the community and erasing stigma is raising awareness around the fact that mental health services are not simply a therapist or a medication prescriber. Mental health services include services and supports that help individuals with mental illness recover holistically, inclusive of their social, vocational, and community contributions.

Individuals with mental illness are excluded and isolated from the community due to stigma; the underlying beliefs many of us hold about those with serious mental illness that prevents us from embracing these individuals and including them in our daily lives.

Mental health services support not only the individuals who live with a mental illness, but also are beneficial to their families, friends, and the community at large by decreasing homelessness, hospitalizations, and criminalization of the mentally ill – all of which are a significant emotional, mental, and financial cost to our community.

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Mental Health Attitudes & Access Survey Results

In recent years, CONNECT Summit County has made meaningful and measurable progress. However, there is still a great deal of work to do to fulfill our mission of creating a well-informed and stigma-free community with access to mental health resources for everyone.

Background, Research Objectives and Methodology

In August 2020, prior to the “Part of Our Nature” anti-stigma campaign, CONNECT Summit County set out to investigate the “attitudes surrounding emotional, psychological, and social well-being in Summit County.” We wanted to better understand our community’s attitudes in regards to mental health stigma in order to provide a baseline to quantifiably measure the impact CONNECT Summit County has over time through core initiatives such as anti-stigma campaigns and programming.

Research Objectives

1. Do Summit County residents know about available mental health resources?
2. How able and comfortable are Summit County residents accessing needed mental health resources?
3. Do Summit County residents know about CONNECT Summit County?

Research Methodology

CONNECT Summit County researched, curated, and launched a 14-question survey in English and Spanish to capture major ethnic, racial, and origin groups in Summit County. The survey was distributed through community partnerships, email, social media, and flyers with an eye for making the sample as random and county-wide as possible. We worked with a consultant to ensure the accuracy of survey questions and high-level data analytics.

Note: at CONNECT Summit County we read “probably” and “moderately” as having hesitance, therefore in our results, we have placed those responses in the category of lacking information.

Survey active from July 22 to August 7

- Survey clicks: 1,056 individuals
- Survey completion rate: 80% (849 / 1,056)
- Survey response rate: unknown as the sampling was a broad distribution

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Mental Health Attitudes & Access Survey Results

As an expression of our appreciation to those who completed the survey, respondents could opt in to enter a drawing for a gift certificate (\$20 value) from a local Summit County business. 58.9% of respondents elected to enter the drawing.

Results and Analysis of Survey in English

Key Findings

These key findings give an overview of our objectives and where respondents land in awareness and knowledge about mental health resources, ability to communicate about mental health issues and familiarity with CONNECT Summit County.

Objective 1

Do Summit County residents know about available mental health resources?

- 80% of our respondents are not aware of mental health resources
- 85% of our respondents do not know where to go to access mental health resources

Objective 2

How able and comfortable are Summit County residents accessing needed mental health resources?

- 76% of respondents are unlikely to ask for help with a mental health issue
- 71% of respondents have helped someone with a mental health need

Objective 3

Do Summit County residents know about CONNECT Summit County?

- 84% of respondents are unfamiliar with CONNECT Summit County



Mental Health Attitudes & Access Survey Results

Analytical Results

n = the number of people who responded to the survey question

Objective 1: Do Summit County residents know about available mental health resources?

“Resource awareness” is the first step to “resource knowledge” and understanding where to access mental health services.

Survey Question - Mental Health Resource Awareness

How aware are you of the mental health resources available in Summit County, Utah?

(n = 921)

Analysis

80% of respondents lack sufficient awareness of mental health resources in Summit County.

Conclusion

Awareness of mental health resources should be a priority when discussing mental health in Summit County.

Survey Question - Mental Health Resource Knowledge

Would you know where to go to access mental health resources, if you needed to?

(n = 920)

Analysis

85% of survey respondents lack clarity on where to go to access mental health resources if needed.

Conclusion

Awareness of mental health resources is the first step—knowing where to access those resources is the second. When marketing awareness, where to access those resources should be promoted in conjunction.

Objective 2: How able and comfortable are Summit County residents accessing needed mental health resources?

In this portion of the survey we asked questions regarding access and ability to talk about mental health within the community.

Survey Question - Ability to Access Mental Health Resources

Would you be able to access mental health resources, if you needed to? (Have access to a computer, transportation, etc.) (n = 919)

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Mental Health Attitudes & Access Survey Results

Analysis

34% of survey respondents are not able to access mental health resources.

Conclusion

With limited resources there are likely other more pressing issues to receive a higher priority and aside from targeted situations, access ought not be considered in programmatic and marketing efforts. Location of residence, gender, age, and race did not play a role in ability to access mental health resources; however, it is possible those without access were unable to complete the survey. Additional research should attempt to answer this.

Survey Question - Talking About Mental Health

How difficult do you feel it is to talk about mental health or emotional challenges in our community? (n = 872)

Analysis

The respondents are split on this topic, with roughly one-third finding it difficult, one-third finding it easy, and one-third neutral.

Conclusion

With only 40% of respondents finding mental health and emotional challenges easy to discuss, Summit County should work to ensure there are safe places for this topic. Programmatic and research efforts should work to identify why mental health is difficult for many to discuss.

Survey Question - Asking for Help with Mental Health Challenge

How likely are you to personally ask for help if you were to have (or have had) a mental or emotional challenge? (n = 875)

Analysis

76% of survey respondents are unlikely to ask for help with a mental illness.

Conclusion

Efforts to reduce mental health stigma may invite those respondents to be more likely to discuss their mental health struggles.

Survey Question - Helping Others who need mental health support

Have you ever helped someone in your community (including family members) that needed mental health support? (This might include intervention, directing them to available resources, or supporting them through a challenging time.) (n = 867)

Analysis

72% of survey respondents have helped someone in the community with mental health support.



Mental Health Attitudes & Access Survey Results

Conclusion

While most respondents are unlikely to ask for help with personal mental health challenges, the majority of survey respondents are willing—and have—helped others with mental health challenges. There may be an opportunity to normalize mental health by reminding people of loved ones who struggle.

According to AmeriCorps, Utah ranks highest in the nation for volunteer hours and philanthropic giving (AmeriCorps, 2015). Therefore we were not surprised that we have such a high rate of respondents who have helped someone in our community with mental health support. However, it is alarming that over half of our respondents are not very likely to ask for support when challenged by their mental health.

Objective 3: Do Summit County residents know about CONNECT Summit County?

As a relatively new nonprofit in Summit County, Utah we were curious how many respondents know about CONNECT Summit County and the work we do in the community.

Survey Question - Familiarity with CONNECT Summit County

How familiar are you with CONNECT Summit County and their mission? (n = 869)

Analysis

84% of survey respondents are not at all familiar with CONNECT Summit County and its mission. Only 16% of survey respondents are as familiar as we would like them to be.

Conclusion

Because CONNECT Summit County is a significant resource for mental health information in the County, programmatic and marketing efforts should focus on the brand as much as the message. Knowing who to go to for help is half the battle.

Statistically Significant Findings

Statistical significance refers to the claim that a result from that data generated is not likely to occur randomly or by chance but is instead likely to be attributable to a specific cause.

Our survey results are statistically significant at the 95% Confidence Level with a Confidence Interval (Margin of Error) of +/- 3.32% (industry standard MoE = +/- 5.00%). For all statistical tests of significance, a two-tailed test with an alpha level less than 0.05 is considered statistically significant. Data analytics were conducted in Python.

CONNECT Summit County is creating a well-informed and stigma-free community with access to mental health services for all residents of Summit County.



Mental Health Attitudes & Access Survey Results

Objective 1: Do Summit County residents know about available mental health resources?

Statistically significant

- Gender
- Age

Not Statistically significant

- Location of residence
- Race

Conclusion

Men and those under 35 have slightly poorer awareness of mental health resources in Summit County and should be considered in programmatic and marketing efforts.

Objective 2: How able and comfortable are Summit County residents accessing needed mental health resources?

Likelihood to ask for help

Statistically significant

- Gender
- Age
- Race

Not Statistically significant

- Location of residence

Conclusion

Men, those under 35, and those that are non-white are slightly less likely to ask for help with a mental or emotional challenge and should be considered in programmatic and marketing efforts.

Helping Others

Statistically Significant Results

- Location of residence
- Gender
- Age

Not Statistically significant

- Race

Conclusion

Women, those under 35, and those who live in rural Summit County are most likely to have helped someone with a mental health challenge. This may be a promoter segment.



Mental Health Attitudes & Access Survey Results

Objective 3: Do Summit County residents know about CONNECT Summit County?

Statistically significant

- Location of residence
- Gender

Not Statistically significant

- Age
- Race

Conclusion

Women and urban community members are most familiar with CONNECT Summit County. This should be considered in future programmatic and marketing efforts.

Correlation Analysis

We see that there is a correlation between knowledge of CONNECT Summit County and knowing where to access resources. Because of this, we realize we have a lot of work to do in brand awareness in order to ensure that everyone in Summit County knows how to access mental health resources and what those resources are. This is the main focus of our Peer Navigation program.

Correlation analysis *English*

	Aware resources	Where resources	Able resources	Ask help	Difficult talk	Helped	Familiar CONNECT	Location	Gender	Age
Where resources	0.63									
Able resources	0.19	0.26								
Ask help	0.18	0.24	0.16							
Difficult talk	0.26	0.25	0.16	0.23						
Helped	0.23	0.23	0.08	0.10	0.05					
Familiar CONNECT	0.57	0.45	0.14	0.21	0.21	0.25				
Location	0.05	0.02	0.05	0.05	0.02	(0.11)	0.09			
Gender	(0.10)	(0.07)	(0.08)	(0.17)	(0.00)	(0.18)	(0.16)	0.11		
Age	0.09	0.01	(0.04)	0.13	0.14	(0.20)	(0.01)	0.30	0.24	
Race	(0.02)	(0.01)	0.06	0.08	0.03	(0.03)	(0.02)	0.02	(0.02)	0.11

● Highly correlated
 ● Not correlated
● Mildly correlated

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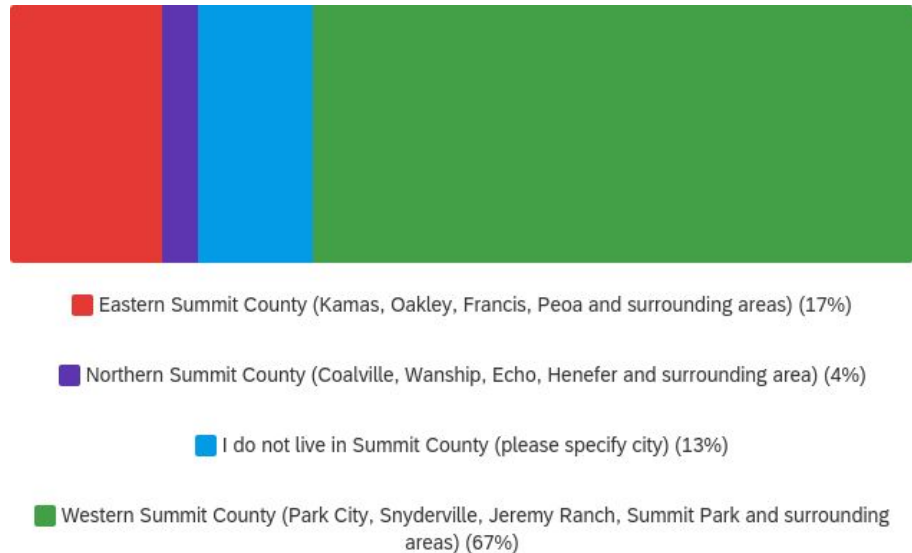
Mental Health Attitudes & Access Survey Results

English Survey Respondent Demographics

Survey Question: In which community to live? (n=857)

Analysis

Western Summit County was oversampled, leaving the more rural parts of the county under sampled. (12.8% of respondents did not live in Summit County.)



Conclusion

While the sampling distribution does not perfectly match the population, we achieved sufficient respondents in all geographies for statistical significance. Future research should better reach Eastern and Northern Summit County.

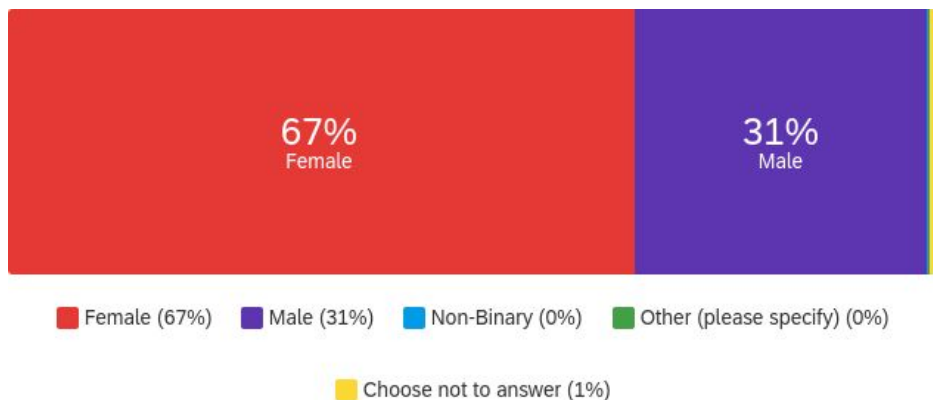
Survey Question: What is your gender identity? (n=855)

Analysis

Females were overrepresented and males were underrepresented in the sample.

Conclusion

Given that 268 males were sampled, it is unlikely a more even sampling distribution would have a significant impact on the research findings; nevertheless, future research should better reach the male population.

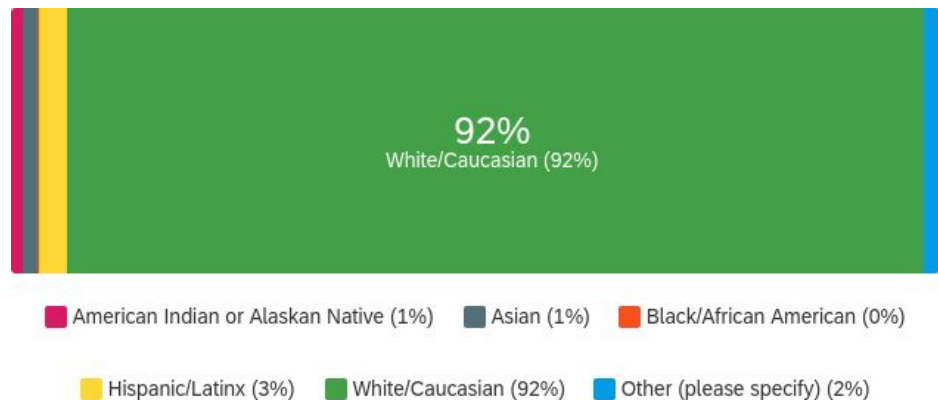


Mental Health Attitudes & Access Survey Results

Survey Question: What is your racial, ethnic, or origin identity? (select all that apply) (n=877)

Analysis

Whites were slightly overrepresented and Latinos were underrepresented in the sample. Other races were sampled within an acceptable range.



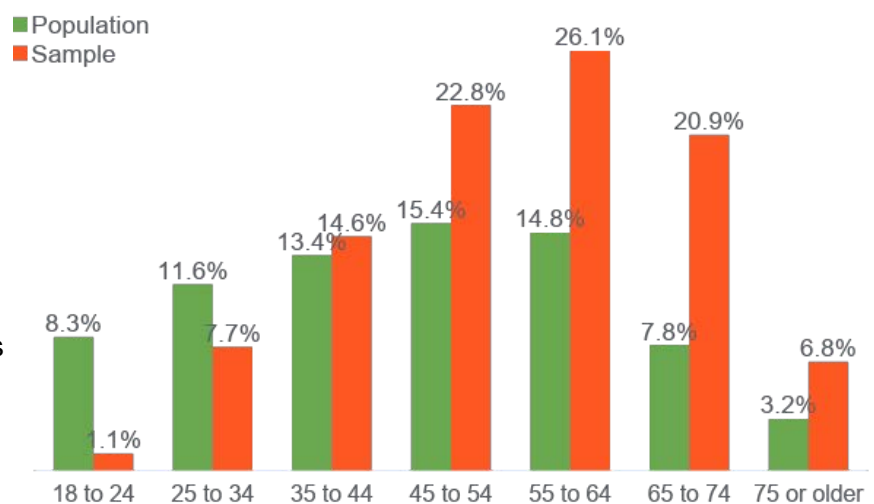
Conclusion

Our sampling plan called for 40 Latinx individuals in order for the sample to be statistically significant and we only achieved 26; however, we also sent a Spanish version of the survey which had an additional 76 respondents, which brings the Latinx population into statistical significance.

Survey Question: What is your age group? (n=857)

Analysis

Our sample heavily skewed toward the older population while under sampling the younger population. (25.4% of Summit County's population is under 18 and were not sampled.)



Conclusion

While the distribution of the sample is skewed, a statistically sufficient number of respondents was collected in all age groups with the exception of 18 to 24, which was underrepresented by 33.

Future research should better reach this age group.



Mental Health Attitudes & Access Survey Results

Results and Analysis of Survey in Spanish

Research Methodology

We used the same methodology as the version in English, however the translation added another layer. The Spanish version of the survey was translated from English by “we translate” and was reviewed by two Summit County community members, one a native Spanish speaker from Mexico and one a mental health services provider who speaks Spanish fluently. They offered edits to the translation which we adopted before distribution. We used this approach in order to ensure that our translation was accurate, conversational and accessible to our population.

Survey active from July 29 to August 30

- Survey clicks: 80 individuals
- Survey completion rate: 97% (78 / 80)
- Survey response rate: unknown as the sampling was a broad distribution

Survey results are not typically considered statistically significant when the sample size is less than 130; however, given the small reported population size of 1,904 and the sampling methodology used, we believe the results to be informative (US Census, quick facts, 2019). We also realize that this population count is most likely underrepresented and in our community, the number is guesstimated at 20% to 25% of the population (Park City Community Foundation, 2020), not 11.5% totally 1,904 as represented in the US Census quick facts, 2019.

As an expression of our appreciation to those who completed the survey, respondents could opt in to enter a drawing for a gift certificate (\$20 value) from a local Summit County business. 92% of respondents elected to enter the drawing.

Key Findings

These key findings give an overview of our objectives and where respondents land in awareness and knowledge about mental health resources, ability to communicate about mental health issues and familiarity with CONNECT Summit County.

Objective 1

Do Summit County residents know about available mental health resources?

- 84% of our respondents are not aware of mental health resources

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Mental Health Attitudes & Access Survey Results

- 91% of our respondents do not know where to go to access mental health resources

Objective 2

How able and comfortable are Summit County residents accessing needed mental health resources?

- 58% of respondents are unlikely to ask for help with a mental health issue
- 53% of respondents have helped someone with a mental health need

Objective 3

Do Summit County residents know about CONNECT Summit County?

- 91% of respondents are unfamiliar with CONNECT Summit County

Analytical Results

n = the number of people who responded to the survey question

Objective 1: Do Summit County residents know about available mental health resources?

“Resource Awareness” is the first step to “Resource Knowledge” and understanding where to access mental health services.

Survey Question - Mental Health Resource Awareness

¿Qué conocimiento tiene usted de los recursos de salud mental disponibles en el Condado de Summit, Utah? (n=79) *How aware are you of the mental health resources available in Summit County, Utah?*

Analysis

84% of respondents lack sufficient awareness of mental health resources in Summit County.

Conclusion

Awareness of mental health resources should be a priority when discussing mental health in Summit County.

Survey Question - Mental Health Resource Knowledge

¿Sabría usted dónde ir para acceder a los recursos de salud mental, si necesita hacerlo? (n=80) *Would you know where to go to access mental health resources, if you needed to?*

Analysis

91% of survey respondents would lack clarity on where to go to access mental health

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Mental Health Attitudes & Access Survey Results

resources if needed.

Conclusion

Awareness of mental health resources is the first step—knowing where to access those resources is the second. When marketing awareness, where to access those resources should be promoted in conjunction.

Objective 2: How able and comfortable are Summit County residents accessing needed mental health resources? In this section of the survey we asked questions regarding access and ability to talk about mental health within the community the results and analysis are below.

Survey Question - Ability to Access Mental Health Resources

¿Podría usted acceder a recursos de salud mental si necesitara hacerlo? (Tener acceso a una computadora, transporte, etc.) (n=80) *Would you be able to access mental health resources, if you needed to? (Have access to a computer, transportation, etc.)*

Analysis

70% of survey respondents are not able to access mental health resources.

Conclusion

Aside from targeted situations, access should not be considered in programmatic and marketing efforts. Location of residence, gender, age, and race did not play a role in ability to access mental health resources; however, it is possible those without access were unable to complete the survey. Additional research should attempt to answer this.

Survey Question - Talking About Mental Health

¿Cuán difícil siente que es hablar sobre salud o desafíos emocionales en nuestra comunidad? (n=80) *How difficult do you feel it is to talk about mental health or emotional challenges in our community?*

Analysis

96% of respondents find it difficult to talk about mental health or emotional challenges.

Conclusion

With only 4% of respondents finding mental health and emotional challenges easy to discuss, Summit County should work to ensure there are safe places for this topic. Programmatic and research efforts should work to identify why mental health is difficult for many to discuss.

Survey Question - Asking for Help with Emotional Challenge

¿Qué posibilidad tendría usted de pedir personalmente ayuda si tuviese (o hubiera tenido) un desafío mental o emocional? (n=80) *How likely are you to personally ask for help if you were to have (or have had) a mental or emotional challenge?*



Mental Health Attitudes & Access Survey Results

Analysis

58% of survey respondents are unlikely to ask for help with a mental illness.

Conclusion

Efforts to reduce mental health stigma may invite those respondents to be more likely to discuss their mental health struggles.

Survey Question - Helping Others who need mental health support

¿Ha ayudado usted alguna vez a alguien en su comunidad (incluyendo miembros de la familia) que necesitaba apoyo de salud mental? (Esto podría incluir intervención, dirigir a la persona a recursos disponibles o apoyarla a través de un período difícil). (n=80)

Have you ever helped someone in your community (including family members) that needed mental health support? (This might include intervention, directing them to available resources, or supporting them through a challenging time.)

Analysis

53% of survey respondents have helped someone in the community with mental health support.

Conclusion

While most respondents are unlikely to ask for help with personal mental health challenges, over half of survey respondents are willing—and have—helped others with mental health challenges. There may be an opportunity to normalize mental health by reminding people of loved ones who struggle.

According to AmeriCorps, Utah ranks highest in the nation for volunteer hours and philanthropic giving (AmeriCorps, 2015). Therefore we are not surprised that we have such a high rate of respondents who have helped someone in our community with mental health support. However, it is alarming that over half of our respondents are not very likely to ask for support when challenged by their mental health.

Objective 3: Do Summit County residents know about CONNECT Summit County?

As a relatively new nonprofit in Summit County, Utah we were curious how many respondents know about CONNECT Summit County and the work we do in the community.

Survey Question - Familiarity with CONNECT Summit County

¿Cuán familiarizado está con CONNECT Summit County y su misión? (n=79) *How familiar are you with CONNECT Summit County and their mission?*

Analysis

91% of survey respondents are not at all familiar with CONNECT Summit County and its mission. Only 9% of survey respondents are as familiar as we would like them to be.

CONNECT Summit County is creating a well-informed and stigma-free community with access to mental health services for all residents of Summit County.



Mental Health Attitudes & Access Survey Results

Conclusion

Because CONNECT Summit County is a significant resource for mental health information in the County, programmatic and marketing efforts should focus on the brand as much as the message. Knowing who to go to for help is half the battle.

Spanish Survey Respondent Demographics

Survey Question: ¿En qué comunidad vive usted? (n=78) In which community to live?

Analysis

Western Summit County was oversampled, leaving the more rural parts of the county under sampled. (11.3% of respondents did not live in Summit County.)



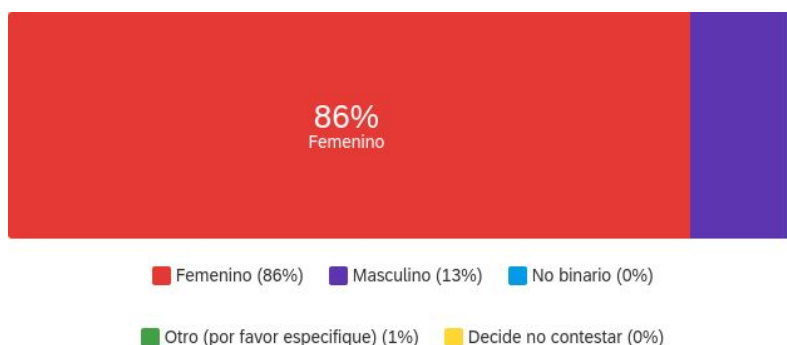
Conclusion

While the sampling distribution does not perfectly match the population, it is a reasonable match. Future research should better reach Eastern and Northern Summit County.

Survey Question: ¿Cuál es su identidad de género? (n=80) What is your gender identity?

Analysis

Females were overrepresented and males were underrepresented in the sample.



Conclusion

Given that only ten males participated in the survey, it is difficult to say whether the results properly reflect male sentiment. Future research should better reach the male population.

CONNECT Summit County is creating a well-informed and stigma-free community with access to mental health services for all residents of Summit County.

Mental Health Attitudes & Access Survey Results

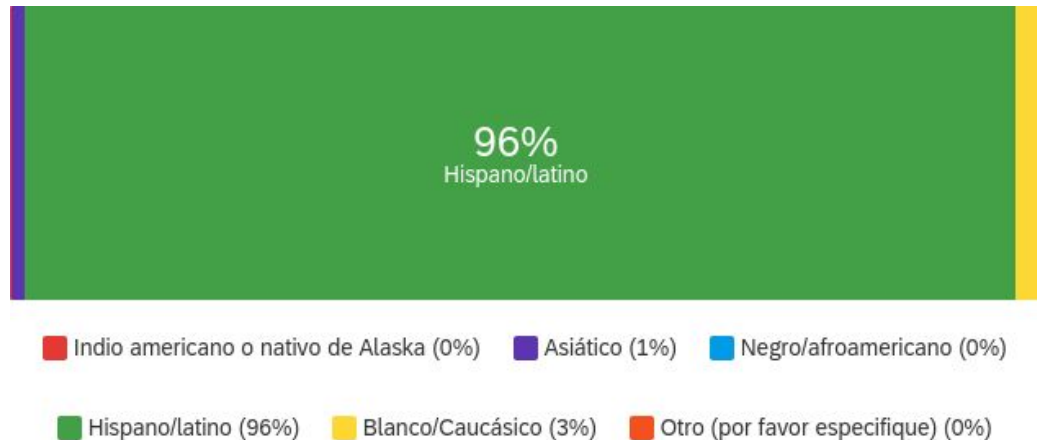
Survey Question: ¿Cuál es su identidad racial, étnica o de origen? (seleccione todas las que apliquen) (n=80) What is your racial, ethnic, or origin identity? (select all that apply)

Analysis

Latinos were the majority of respondents for this survey.

Conclusion

Given that the english version of the survey only had 3% of the respondents as Latino, we needed this survey in Spanish to capture more of the Latino population and we did so by offering the survey in two languages.



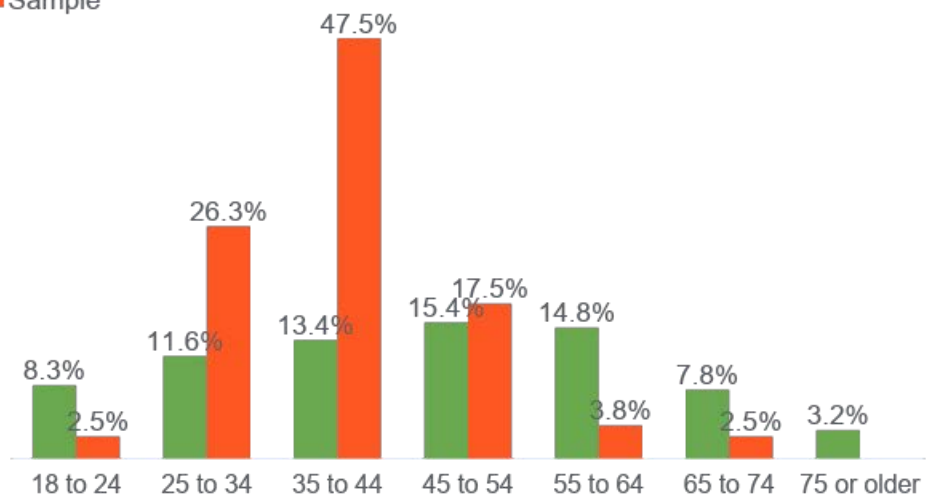
Survey Question: ¿Cuál es su grupo de edad? (n=80) What is your age group?

Analysis

Our sample skewed toward the younger population while under sampling the older population. (25.4% of Summit County's population is under 18 and were not sampled.)

Conclusion

The skewness may have to do with the distribution, which was heavily online. Future research should better reach the older demographic through a larger sample size and more robust distribution methods.





Mental Health Attitudes & Access Survey Results

Addendum Raw Data

We value transparency and know that we have read this data in a specific way. Therefore we are choosing to share our raw data with the public and you may view it [here](#).

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MEMORANDUM

To: Summit County Council
From: Kirsten Whetstone, MS, AICP- County Planner
Date of Meeting: February 24, 2021
Subject: 2008 Summit Research Park Development Agreement Amendments
Type of Item: Development Agreement Amendment- work session

I. Work session purpose

The purpose of this work session is for the four subcommittees to report back to the Council on items discussed at those meetings. The applicant will present possible revisions to the concept land use plan and respond to subcommittee reports and Council discussion.

II. Project Description

Project Name: Summit Research Park Development Agreement Amendments
Applicant(s): Jeff Gochnour, Dakota Pacific Real Estate
Property Owner(s): Park City Junction, L.L.C.
Parcels: PCTC 401-AM, 402-AM, 403-AM, 404-AM, and 5B-AM
Location: Southwest of SR 224 and West Ute Blvd at Kimball Junction
Parcel Size: 58.26 acres (includes Skullcandy site, excludes Visitor Center, Transit Center, Richins Building and platted streets)
Zone District: Community Commercial (CC) subject to Development Agreement
Final Land Use Authority: Summit County Council

III. Subcommittee Reports

Over the past two weeks a series of subcommittee meetings were held with Staff to discuss the following topics in greater detail:

- Land Uses, Densities, and Concept Land Use Plan
- Sustainability
- Affordable housing
- Transportation
- Phasing (this item was discussed as part of each of the above four topics)

Subcommittees will report back to the entire Council on these meetings and entertain discussion. Applicants will respond to concerns and suggested mitigations, as well as present how their proposal addresses desired mitigations in these topic areas.

IV. Next Steps

- A review and work session discussion of the revised Economic Analysis is scheduled for March 10.

Attachments

Exhibit A – Original Submittal Concept Plan

Exhibit B – August 11, 2020 Concept Plan



OLYMPIC VIEW
ILLUSTRATIVE PLAN - original submittal



SCALE : 1" = 100'



EAST END

The East End is Olympic View's "front door" to the broader region. It is **active, fun, creative and bustling**. The East End is highly visible along State Route 224; sits adjacent to other Kimball Junction districts, shops and services; and includes a robust Transit Center and potential gondola that welcome people from throughout Summit County, the state, the country and around the world. It also includes many uses and activities that attract a wide range of people to this village hub.



USES

- Offices
- Restaurants/cafes
- Retail shops
- Hotel
- Transit Center

OPEN SPACES AND AMENITIES

- Transit Center plaza
- Potential Gondola
- Pedestrian and bicycle connections to the center of Olympic View and east and north to Kimball Junction shops and services

ARCHITECTURE

- Modern design with landmark features along State Route 224
- Three- to five-story buildings
- Permeable ground-floor design with active uses

PARKING

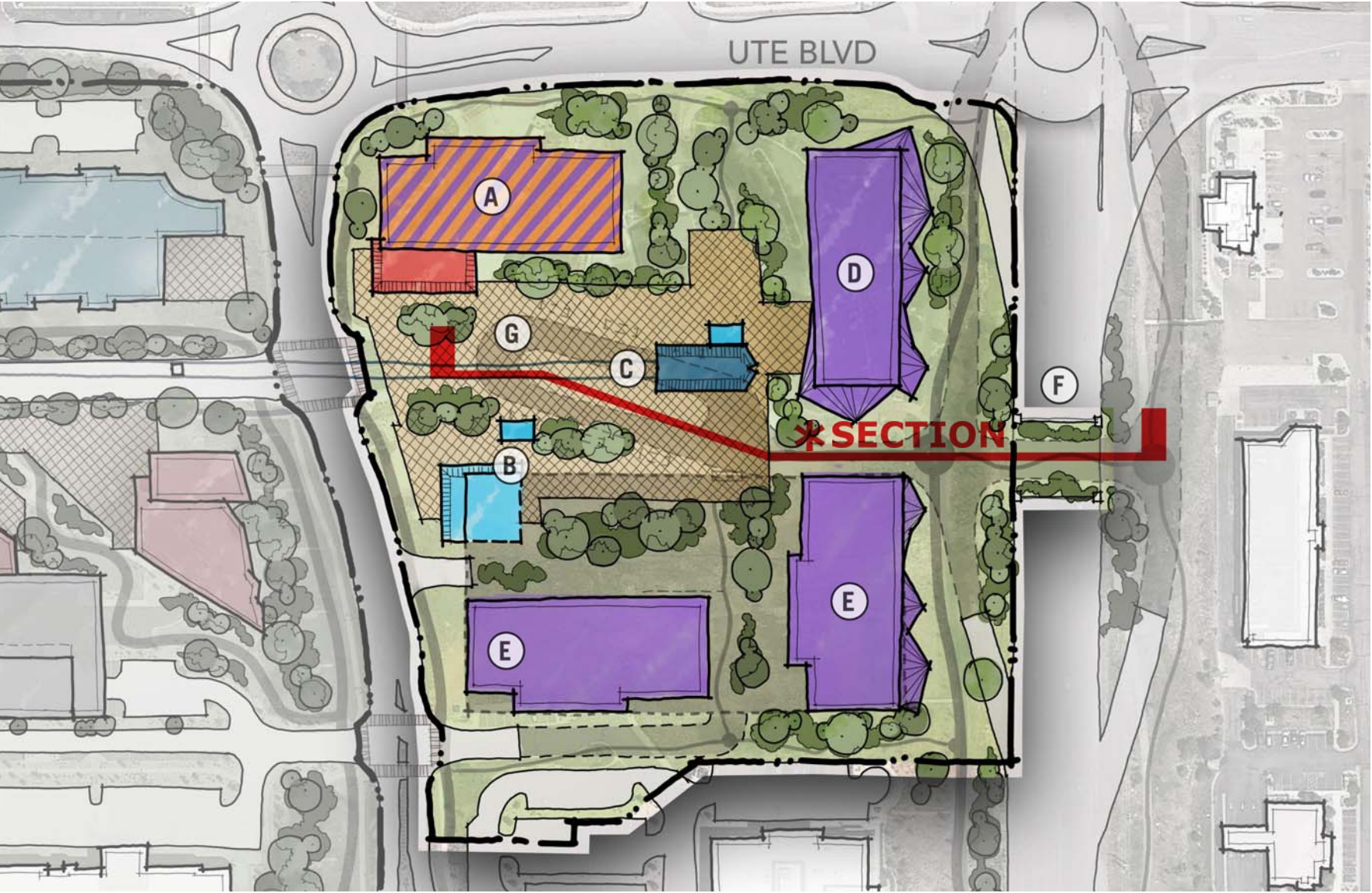
- 1000+ space underground shared-use facility



Transit Center Plaza - Looking East

EAST END

LAND USES AND DESIGN ELEMENTS



Example of a below-grade transit facility

- (A) Hotel or Office with Attached Retail/Dining
- (B) Transit Station Pavillion
- (C) Potential Gondola and Transit Plaza
- (D) Primary Office
- (E) Office Expansion Above Below-Ground Parking Structure
- (F) Pedestrian Land Bridge/Overpass
- (G) Below-Ground Bus Station + Vertical Conveyance

*NOTE: Refer to "Section (looking north)" on page 33

IDEAS AND PRECEDENTS



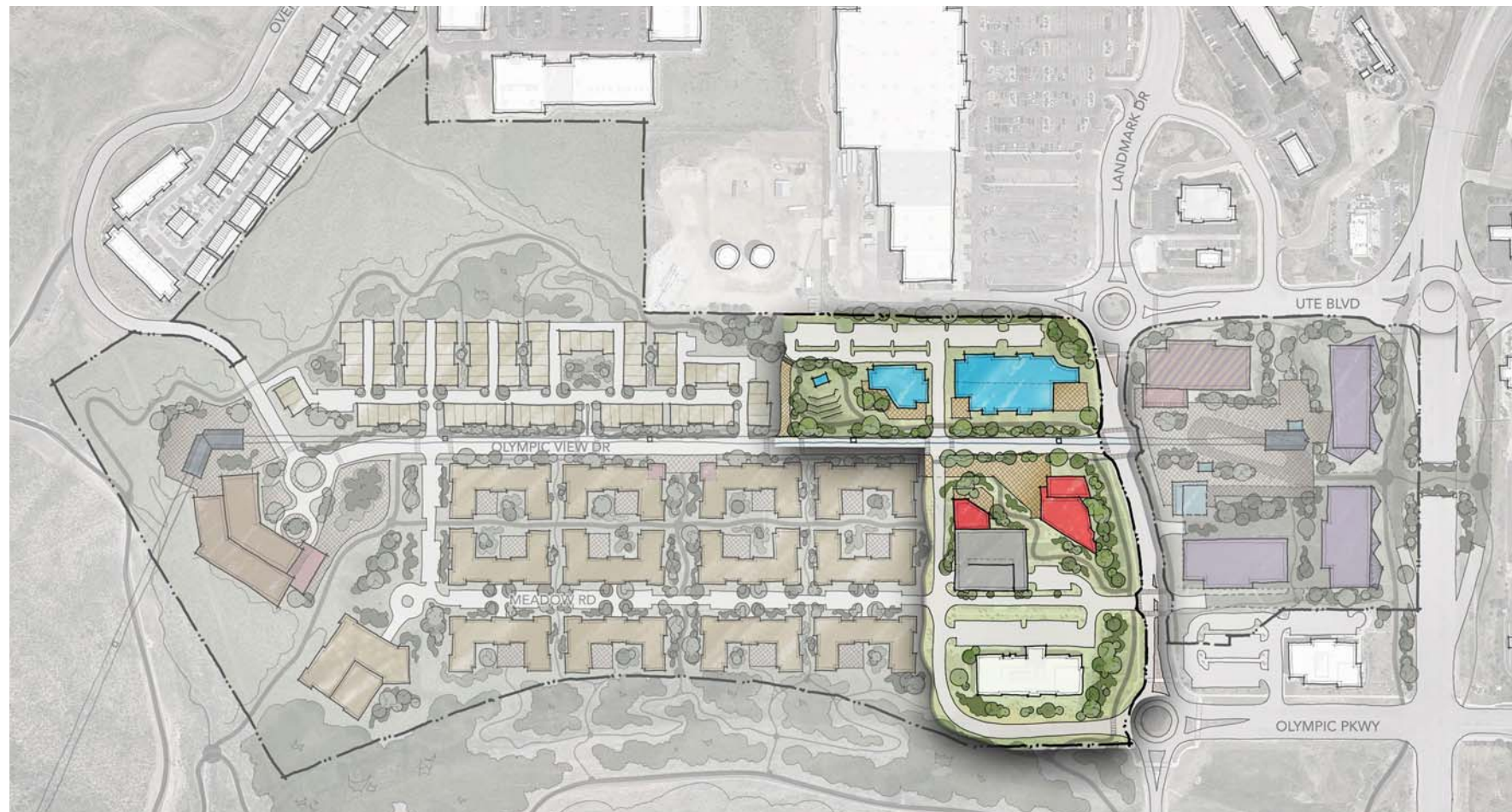
Section (looking north) illustrating underground bus terminal and access



Precedent images illustrating office development above a below-grade transit center, below-grade transit access, and pedestrian bridges

CIVIC CORE

The Civic Core area marks the transition between the energy of the East End and the Residential Core of Olympic View. Beginning at the intersection of Olympic View Drive and Landmark Drive, this area has many elements that create a **strong sense of entry, activity and place for the entire community**. It is framed by retail shops, restaurants, plazas and a new Civic facility. Generous landscaping with drought-tolerant trees and plantings, entry monumentation, wayfinding elements, and public art combine to create a welcoming and inviting street scene.



USES

- Civic (potentially including Summit County offices and services, meeting rooms, library)
- Restaurants/cafes
- Retail shops

OPEN SPACES AND AMENITIES

- Community park with potential outdoor amphitheater, shade pavilions and activity programming
- Plaza/gathering space adjacent to retail/restaurants
- Trail and greenway along the existing utility easement
- Pedestrian and bicycle connections to the East End, Residential Core, northern hillside, and nature preserve to the south

ARCHITECTURE

- Modern design with inspiring architecture for the Civic facility
- Two- to three-story buildings transitioning westward toward four-story buildings
- Iconic retail-oriented building that highlights regional recreation opportunities, such as rock climbing

PARKING

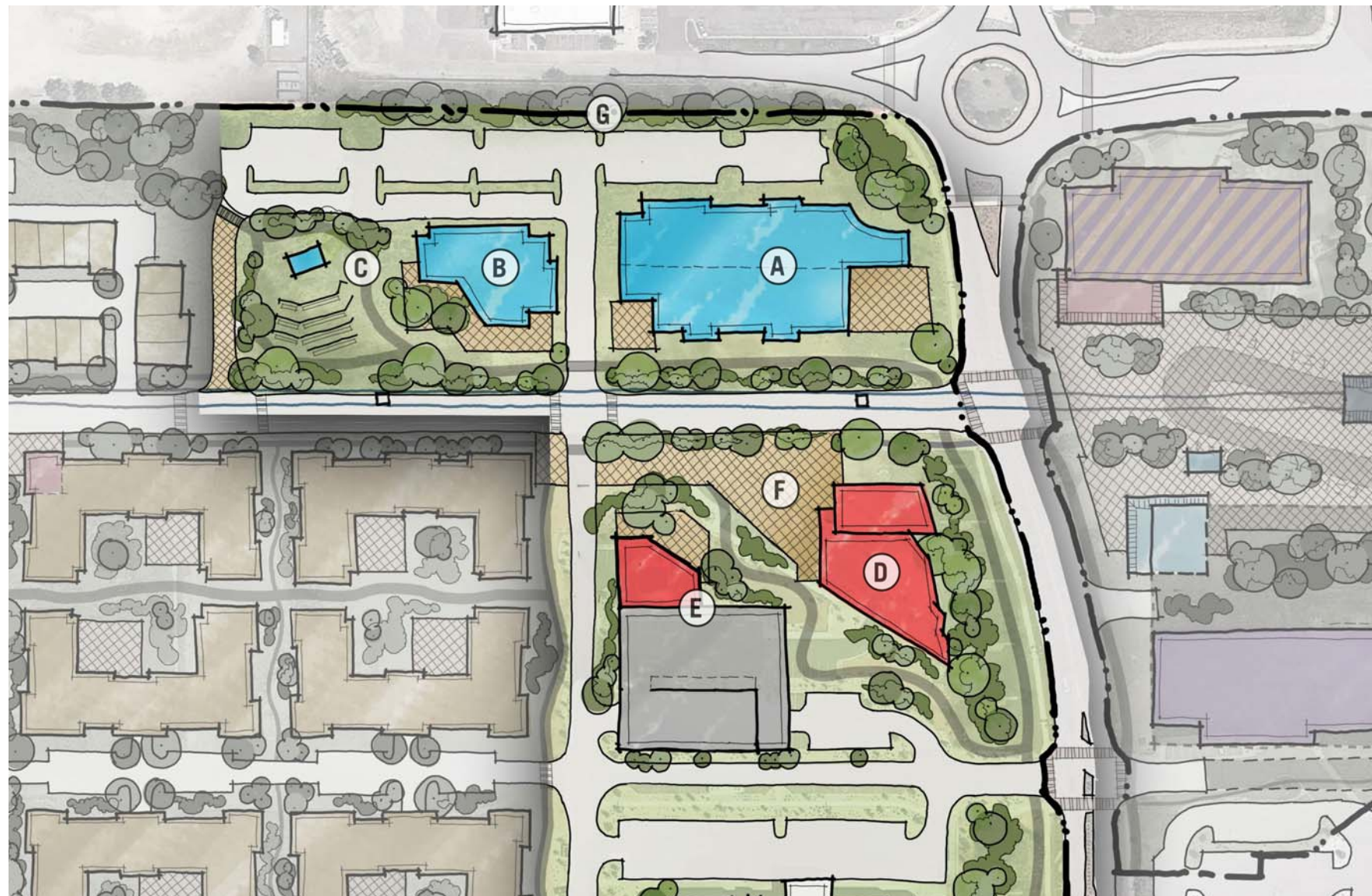
- 250+ space shared-use facility; and small surface parking lots



Olympic View Drive - Looking West

CIVIC CORE

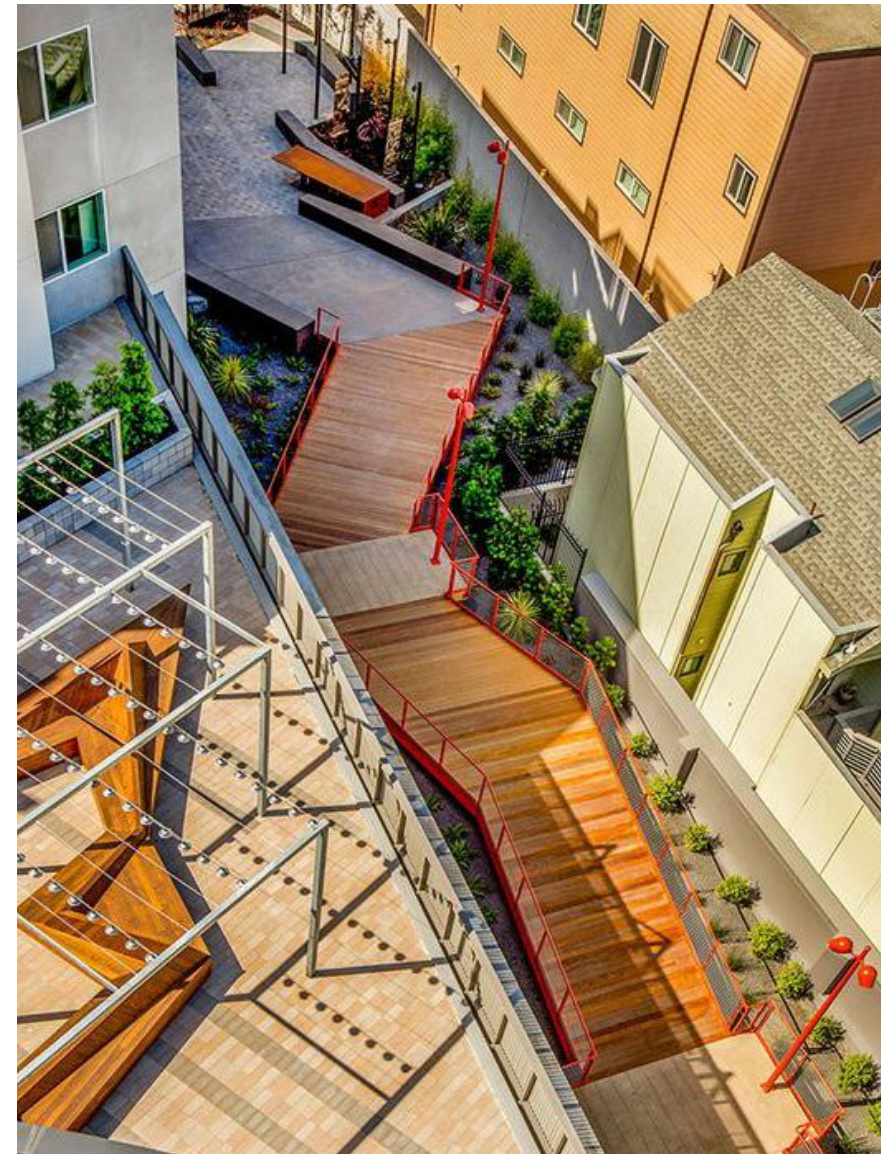
LAND USES AND DESIGN ELEMENTS



Example of a Civic facility gathering space

- Ⓐ New Richins Building
- Ⓑ Summit County Arts Museum/Civic Expansion
- Ⓒ Public Park + Amphitheatre
- Ⓓ Retail with Iconic Architecture
- Ⓔ Small Parking Garage + Retail
- Ⓕ Retail Plaza
- Ⓖ Vegetation Buffer

IDEAS AND PRECEDENTS



Precedent images illustrating iconic architecture, amphitheatres and gathering spaces, civic buildings and urban trails

RESIDENTIAL CORE

The Residential Core is located in the middle of Olympic View and comprises a majority of the site program. With a range of housing products and types – set along walkable streets and greenways with nearby amenities for daily needs – the Residential Core is the **livable and inclusive heart of the community**. This area feels like an intimate village, where residents walk right outside their doors to go for a bike ride or walk to a farmer’s market and visitors come to dine or stroll along tree-lined streets.



USES

- Residential (including a large component of workforce housing) in multi-family buildings and townhomes, potential live/work units, senior housing and potential athlete housing to support Utah Olympic Park
- Restaurants/cafes
- Retail shops

OPEN SPACES AND AMENITIES

- Central gathering plaza along Olympic View Drive
- Trails and greenways with pedestrian and bicycle connections to the East End, Civic Core, West End, northern hillside, and nature preserve to the south
- Public pocket parks and gathering areas
- Semi-private open spaces within courtyards of residential buildings

ARCHITECTURE

- Modern design, with quality materials, colors and textures, creating a village-like atmosphere
- Three- to six-story multi-family buildings with upper floor setbacks and ground-floor activation at key corners, including restaurant/retail, and leasing offices
- Townhomes oriented to the street frontage with stoops, porches and attractive landscaping

PARKING

- Podium parking for multi-family buildings and tuck-under parking for townhomes
- On-street parking
- Small surface lots for guest parking

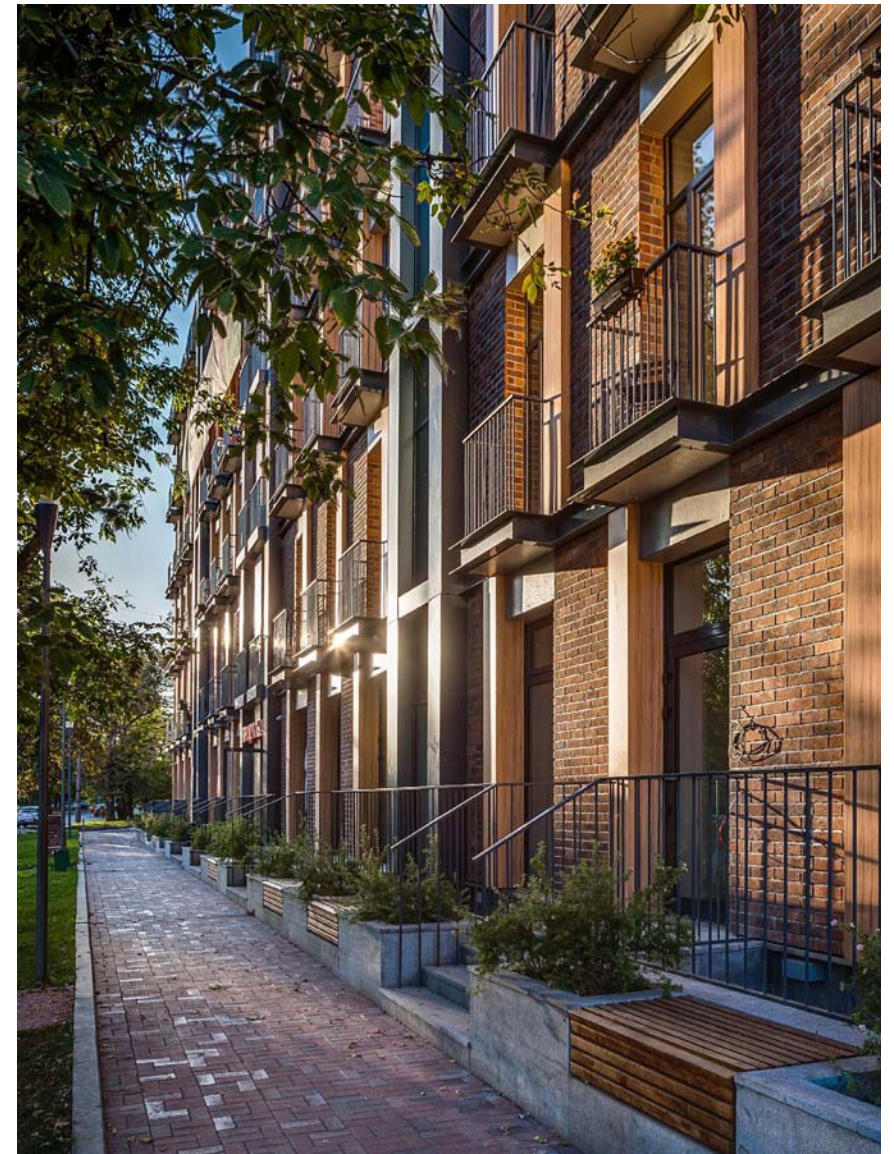


Olympic View Drive - Looking South (Winter)



Olympic View Drive - Looking South (Summer)

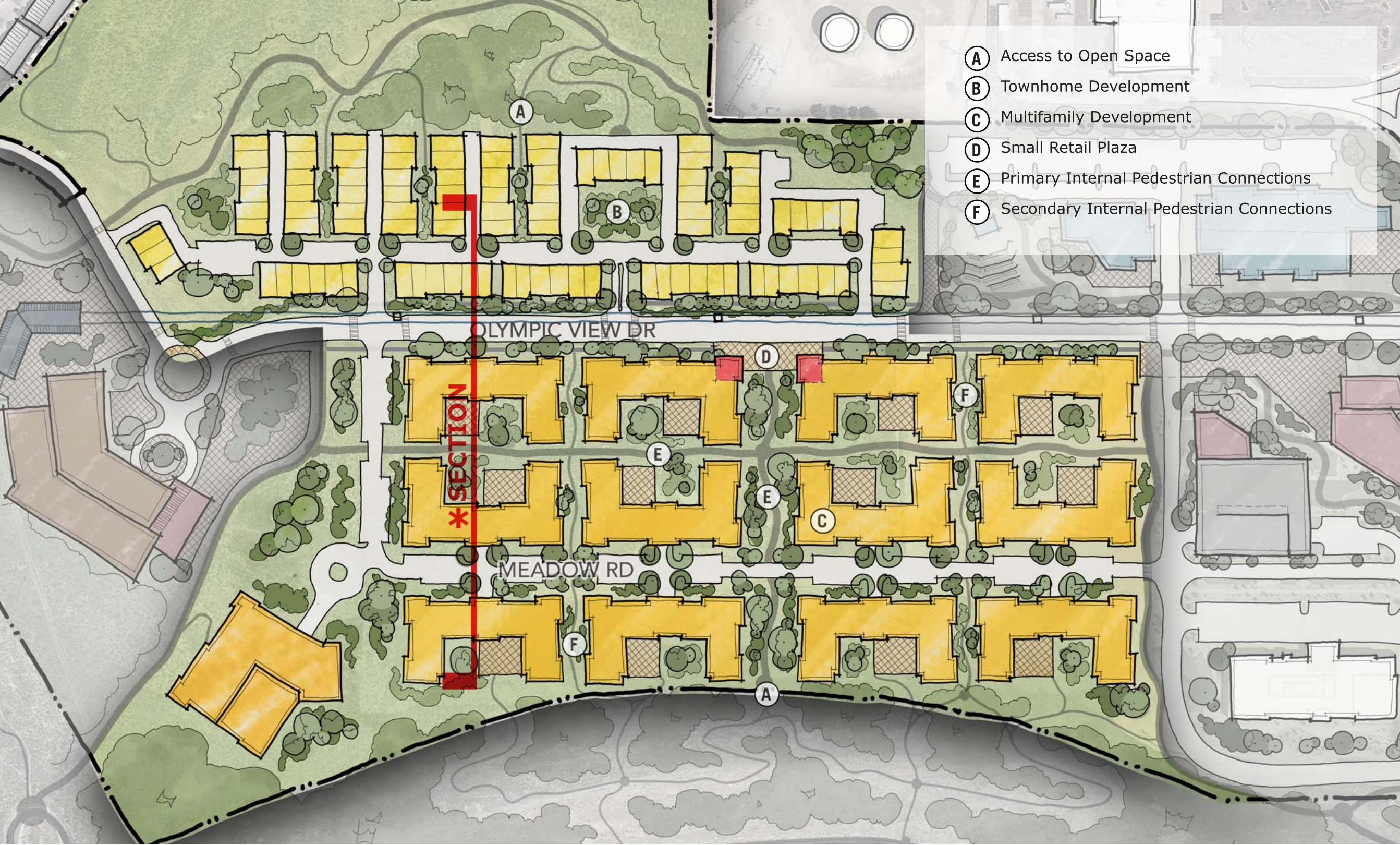
IDEAS AND PRECEDENTS



Precedent images illustrating indoor/outdoor restaurant spaces, walkways, all-season outdoor gathering, and multi-family development

RESIDENTIAL CORE

LAND USES AND DESIGN ELEMENTS

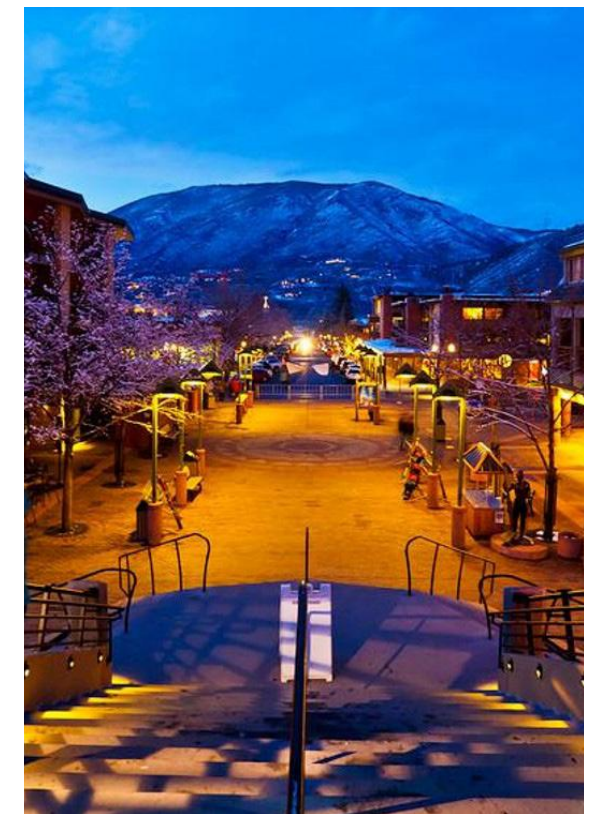


*NOTE: Refer to "Section (looking west)" on page 43

IDEAS AND PRECEDENTS



Section (looking west) illustrating site topography, residential units, streets, and podium/underground parking



Precedent images illustrating multi-family development patterns, gathering spaces in-between buildings, trail systems, and plaza spaces

WEST END

The West End is nestled along the foothills of the Wasatch Range. Tucked into the hillside, this area has beautiful views looking south and east toward Utah Olympic Park, Park City, and the Snyderville Basin. The West End's main element is an attractively designed hotel, which serves as an **inviting destination for visitors to Olympic View and the greater Summit County region.**



USES

- Hospitality
- Hotel- and visitor-serving restaurants

OPEN SPACES AND AMENITIES

- Plaza at the potential gondola stop
- Trails and greenways with pedestrian and bicycle connections to the Residential Core, northern hillside, and nature preserve to the south
- Gathering areas and viewing decks in and around the hotel

ARCHITECTURE

- Modern design, with quality materials, colors and textures, creating a village-like atmosphere
- Multi-story hotel with upper floor setbacks and ground-floor activation, including hotel entry, restaurant/retail, and gym space

PARKING

- Podium parking for hotel
- Porte cochere area
- Small surface lot(s) for short-term parking



West End Hotel - Looking East

WEST END

LAND USES AND DESIGN ELEMENTS



Example of open space abutting a hotel

- Ⓐ Potential Gondola Station + Plaza
- Ⓑ Hotel + Dining
- Ⓒ Access to Open Space
- Ⓓ New Round-about on Olympic View Drive
- Ⓔ Porte-cochère
- Ⓕ Unprogrammed Open Space/Residential Expansion

IDEAS AND PRECEDENTS



Precedent images illustrating hotel plazas, gondola stations, elevated access to open space, and trail systems

Places for People

Ultimately, the creation of Character Areas supports the **overall health and vitality of the people of Olympic View**. Within each area are special places that are active, accessible, fun, unique, surprising, restorative, contemplative. This community inspires creativity and connectivity among people. It is a place **where everyone feels comfortable and where everyone is welcome**.



IMPLEMENTATION



Introduction

The site plan outlined in this Development Application reflects a strong vision for creating a mixed-use, active and walkable village that will set a high bar for Olympic View, as well as for all future development in Kimball Junction. The plan and program include **several elements whose scopes reach beyond the project's footprint** – such as redevelopment of new civic facilities, creation of a new Transit Center and multi-use parking facility, incorporation of a potential gondola, and establishment of linkages across State Route 224 and other connectivity – that can positively impact transportation in the region; connect spaces and places within the community; and bolster and transform the identity of the entire area.

Moving Forward

The project as illustrated in this document represents an end state in which all of these ambitious pieces come together to create a bright and innovative future for Olympic View, Kimball Junction and Summit County. **Realizing this vision will require intensive partnership and collaboration among many parties.** This includes Dakota Pacific Real Estate, Summit County, Utah Olympic Park, UDOT, Kimball Junction business and property owners, State and local agencies, and many others. Importantly, the site plan is designed in such a way that the integrity of the community design is not compromised should one or several pieces not come to fruition.

Given the complexities and unknowns related to the range of potential infrastructure investments – such as a potential gondola to Utah Olympic Park or grade separation traffic solutions across State Route 224 – as well as market factors for development of various land uses, **Olympic View must be phased over time.** It is anticipated that one of the first components will include development of the Residential Core. Several residential and mixed-use buildings constructed together at the inception of development would begin to create a critical mass for both the built form and public environment. This will **establish a sense of community from the project onset, help address Summit County’s acute need for workforce housing, and initiate key infrastructure improvements near term.** Future phases will be contingent upon development of key partnerships, identification of funding opportunities, and other strategic conversations, which should all begin in earnest concurrent with the entitlement process.

The development team looks forward to partnering with Summit County to support the County’s near- and long-term goals, advance the site plan, and create a new path forward to a bold future together.







DAKOTA PACIFIC
Real Estate








Updated Site Plan

August 11, 2020

EXHIBIT B

LEGEND

	Townhomes
	Multifamily
	Hotel
	Retail
	Parking
	Office





STAFF REPORT

To: Summit County Council
From: Janna Young, Deputy County Manager
Date of Meeting: February 24, 2021
Subject: Week 6: 2021 General Session of the Utah State Legislature
Type of Item: Work Session

During the 2021 general session of the Utah State Legislature, staff, along with Councilmember Glenn Wright, will provide the County Council weekly updates on the issues and activities the County is monitoring and working on at the State Capitol.

Requested Council Action

None.

Background

On Tuesday, January 19, 2021, the general session of Utah's 64th legislature began and will run until Thursday, March 5, 2021 (Note: The Legislature is starting earlier in January this year after citizens voted this past November for an amendment to the state constitution, allowing the Legislature to convene sooner). Over the next 45 days, Summit County's internal legislative working group will track activity at the State Capitol and provide updates to the County Council.

The County's legislative working group is comprised of the County Assessor, Auditor, Clerk, (2) Councilmembers, Recorder, Treasurer, Health Department Director, Chief Financial Officer, Community Development Director, Economic Development Director, Transportation Planning Director, County Manager, Deputy County Manager, Sustainability Program Manager, and representatives from the County Attorney's Office and Sheriff's Office.

This group meets weekly to monitor bills, share information, decide County positions on legislation, participate in Utah Association of County's (UAC) weekly policy coordinating meetings, work closely with the County's House and Senate members and the County's lobbyist on issues, attend committee meetings, and potentially testify before committees, if appropriate.

Each week at the County Council meeting, Councilmember Glenn Wright, Deputy County Attorney, Jami Brackin, and Deputy County Manager, Janna Young will report to the Council on these activities, and request input on issues and support for proposed County positions on bills.

Notable Dates

- January 19 Legislative Session Begins
- January 21 Last day legislators can designate priority bills
- February 27 Last day for appropriations decisions to draft the final bill
- March 4 Last day to pass bills with a fiscal note of \$10,000 or more
- March 3 Final action must be taken on each appropriations bill
- March 5 Last Day of the Session
- March 25 Last day the Governor may sign or veto bills
- May 5 Normal effective date for bills
- Every Monday during session: Summit County Legislative Working Group
- Every Thursday During Session: UAC Legislative Coordinating Committee

Engagement, Access, and Transparency

Interested citizens can watch Utah's 2021 legislative session in real time or access archived materials through the Legislature's online tool. To access this tool, go to <https://le.utah.gov/> and click on the "calendar" button. Click on the desired meeting and the committee webpage will have links to materials and the audio/video recording.

Additionally, the Legislature's website allows citizens to sign up to follow individual bills and receive email alerts whenever action is taken on the measure. To sign up for alerts, go to <https://le.utah.gov/>; click on the "Bills" tab at the top of the page. Then either perform a bill request or keyword search. Once locating the desired bill, click on either the "Track this" or "Email notification" button underneath the photograph of the bill sponsor.

The website for each individual bill also provides the bill text, status information, audio/video of any committee hearings or floor debate, and details on the bill sponsor.

Bills/Issues Summit County is Monitoring

New Bills

SB 187, Local Education Agency Policies Amendments (Sen. Winterton)

This bill provides that a local education agency is not required to enforce a requirement in a public health order for individuals to wear a face mask on school grounds. Obviously, the County is very concerned about this legislation as face masks have been effective in keeping our schools open during the COVID-19 pandemic because they have prevented the spread of the illness. We will be reaching out to Senator Winterton to speak about his intent with this bill and our concerns.

Status: The bill has been assigned to the Senate Health and Human Services Committee but has not been scheduled for an agenda.

SB 195, Emergency Response Amendments (Sen. Vickers)

This bill has implications for counties under the manager-council or mayor-council form of government where the legislative body is separate from the executive functions of the county government. It would limit Department of Health and local health department powers related to public health emergency declarations and orders of constraint by limiting the time period for which certain orders or declarations may remain in place; require notification of certain elected officials before taking certain actions; allowing certain elected officials to terminate public health emergency declarations or orders of constraint; and prohibiting declaration of public health emergency after a previous declaration for the same public health emergency expires. It would also limit emergency powers of the governor and chief executives of local governments.

Clearly this bill was introduced in response to concerns legislators received from the public during the COVID-19 pandemic regarding the length of emergency declarations, as well as the authority appointed, non-elected health officers have in issuing health orders and shutting down the economy for a public health reason.

There was a lot of discussion about this bill within UAC. Most of the counties in the state are governed by a County commission and they were generally in support of limiting executive powers. However, those counties with a manager-council or mayor-council form of government had concerns. A compromise was suggested within the association of requiring legislative approval of an emergency declaration after a certain period of time. We await to see how this discussion moves forward.

Revenue and Taxation

SB 18, Property Tax Exemption Amendments (Sen. Harper) – Summit County and UAC were Opposed to the bill, but UAC moved to a “Neutral” position on 2/4/21 due to negotiated amendments

On one hand, this bill makes several improvements by eliminating or combining many of the small tax exemptions, which the County Assessors support. However, it also contains provisions that negatively impact taxing entities by changing the *de minimus* exemption amount and certified tax rate calculation. In its original form, the bill would have result in a loss of \$324,000 from Summit County’s General Fund and the three school districts combined, with additional cuts to the collecting and assessing fund, municipal fund, and special service districts. The bill would also create a tax shift as taxable entities go to the county requesting a change in their rate.

UAC coordinated a letter writing campaign jointly between counties and school districts to the bill sponsor to help him understand the magnitude of these tax cuts and shifts. The committee voted unanimously to hold the bill in committee for the bill sponsor to work with UAC and other groups to achieve what he wants – a tax cut for businesses who have been hurt by the pandemic – without harming taxing entities/local governments.

Update: Senator Harper incorporated most of UAC's proposed changes into a substitute to his bill. As a result, UAC officially changed its position on the bill from "oppose" to "neutral." Specifically, the Senator reduced the *de minimus* amount to \$25,000 and clarified it was a tax cut and not a tax shift. The fiscal note is such that counties are expected to lose about \$100,000 or so in revenues, which is half of the amount counties were expected to lose with the original draft of the bill.

Status: The 3rd substitute of the bill passed the Senate on 2/12/21 with a vote of 27-1. It has been introduced in the House.

SB 26, Property Tax Relief Amendments ("Circuit Breaker") (Sen. Davis) – Summit County and UAC Support

This is an issue Sen. Davis started working on with UAC and several affiliates last year. There was strong support for the bill in the legislature, but the fiscal note prevented it from being passed. The bill modifies circuit breaker limits and inserts a consumer price index to adjust the income qualifications, as well as prorates the amount of property tax accrued and the homeowner's credit. This bill would address the problem legislators are trying to solve in SB 52, which Summit County and UAC do not support. This bill is a much better approach without the negative impacts to counties.

Update: UAC successfully negotiated a compromise with the State Tax Commission re proration of the abatement. Language in the bill now states that if a home is sold during the year, the property owner is not eligible for abatement in that year. This means counties will not have to do any proration.

Status: The bill passed the Senate on 2/17/21 by a vote of 26 to 1 and has been introduced in the House.

SB 52, Property Tax Deferral Modifications (Sen. Fillmore) – Summit County and UAC Oppose

This bill defers taxes for homeowners age 66 and over indefinitely for properties with assessed values under \$500k. Counties have no way of knowing how many citizens would take advantage of this tax deferral but the impact on counties could be substantial if a significant number of taxpayers take advantage of the program.

Since the collection rate used to calculate the certified tax rate as proposed in the bill is a five-year average, it would take five years to get revenues back to what they were before this bill.

The bill made it out of committee unanimously, but legislators tied their vote to the commitment that Senator Fillmore would continue to work with counties and other stakeholders on improvements.

Update: The bill was amended on the Senate floor to change the who of who is eligible for the tax deferral from 75 to 70 years of age or older on or before December 21 of the year for which the individual applies for the deferral. Additionally, the amendment changed the timeframe an eligible owner has owned the single-family residence from a continuous 20-year period to a continuous 15-year period as of January 1 of the year for which the owner applies for the deferral.

The bill as amended passed the Senate on 2/17/21 by a vote of 25 to 0. The bill has been introduced in the House and is in the Rules Committee awaiting an updated fiscal note.

HB 122, Property Redemption Amendments (Rep. Lyman) – UAC Opposes

Summit County has very serious concerns about this bill that basically permits a property owner to avoid paying property taxes for the 5-year period preceding a tax sale and then make a payment that is applied to the oldest amount due. The tax sale is then deferred until the next year and then the taxpayer can make another payment that is applied to the oldest amount due and the clock resets. Consequently, a property owner would be allowed to be four years delinquent in paying their taxes in perpetuity. At the January 28th legislative coordinating meeting, UAC chose to table this issue until the bill sponsor had a chance to meet with the Association. Some members felt Rep. Lyman had good reasons for proposing the measure and wanted to give him a chance to be heard.

Update: This bill has been dropped. Rep. Lyman is no longer pursuing it this session.

HB 247, Transient Room Tax Amendments (Rep. Albrecht) – UAC Supports

UAC and the legislature have been working on this bill for several years. It applies only to 4th-6th class counties and would allow them to use a larger percentage of their TRT revenues on tourism infrastructure and impacts, as opposed to tourism promotion. It also would give County Auditors the authority to conduct audits on the county TRT revenues and collections to see if we are collecting everything we should be collecting. The tourism industry has pushed back a bit on the bill. Rep. Albrecht has agreed to meet with them.

Update: The bill was substituted on the House floor on 2/16/21 and adopted by a vote of 73 to 0. It has been introduced in the Senate and assigned to committee.

The substitute that was adopted by the House made the following changes:

- 1) Added a Senate sponsor (Evan Vickers)
- 2) Limited the surplus of revenues allowed to be retained in a TRT reserve fund to not exceed 50% of the total TRT revenue for the current fiscal year
- 3) Added a "tourism" definition
- 4) Added a requirement that a county legislative body of the 4th, 5th, or 6th class may not expend more than 1/5 of TRT revenue on recreation, film production and conventions

HB 270, Property Tax Valuation Amendments (Rep. Hawkes) – UAC Supports

The bill clarifies and amends the burdens of proof for appeals involving certain real property for which there was a reduction in assessed value after the county assessor issued the valuation notice.

UAC has been working on this bill with Rep. Hawkes for some time and supports it in its current form. It sounds like there are efforts to amend the language, so UAC will monitor that and continue to push back against any changes. If the bill language is modified, it is likely UAC would change its position to "oppose."

Status: The bill passed the house on 2/12/21 by a vote of 68 to 2. It has been introduced in the Senate and assigned to the Senate Government Operations and Political Subdivisions Committee.

Government Operations

SB 110, Tax Commission Appeal Amendments (Sen. Fillmore) – UAC Opposes

This bill modifies provisions related to judicial review of a decision of the State Tax Commission, specifically it would require the State Tax Commission to stay a case before the commission if a commission decision involving the same taxpayer, the same tax type, and the same legal issue or valuation principle is before a court on judicial review.

This issue came up last session and UAC effectively killed the bill. This bill is motivated by one situation in Millard County. Based on our position last year, UAC voted to oppose the bill again. However, the attorneys representing centrally assessed companies are adamant for this change and are gaining momentum.

Status: The bill passed the Senate on 2/9/21 by a vote of 28 to 0. It has been introduced in the House and assigned to the House Revenue and Taxation Committee.

HB 75, Municipal Alternative Voting Methods Pilot Project Amendments (Rep. Stenquist) – UAC Opposes

Passed out of committee unanimously on February 5th. UAC's opposition to this bill is about municipal overreach and force, not about ranked choice voting. The bill would effectively require counties to conduct a municipality's election if that municipality chose to do ranked choice voting.

Status: The bill was substituted in Committee on 2/5/21 and passed the full House on 2/12/21 by a vote of 46 to 25. It has been introduced in the Senate.

The substitute added a special effective date of the bill upon approval by the Governor, as well as specified the second Monday in May of the odd-numbered year (a change from April 15 in the originally drafted bill) as the deadline by which a municipality may set up and participate in the alternate voting methods pilot project.

HB 197, Voter Affiliation Amendments (Rep. Teuscher)

This bill modifies the Election Code relating to a voter's change of political affiliation and specifies when the change in party affiliation takes effect. The County Clerks oppose the bill because they feel January 1 is very early and they do not want to suppress voters from registering for a political party.

Status: The bill was substituted on the House floor and adopted on 2/12/21 by a vote of 41 to 30. It has been introduced in the Senate.

The substitute specifies March 31 in an even-numbered year (change from January 1 as in the originally drafted bill) as the day after which the clerk's office can receive a form changing a voter's political party affiliation, taking effect after that year's regular primary election. The substitute also describes the methods by which a voter can submit the form to change his or her political party affiliation.

Health and Human Services

SB 47, Mental Health Crisis Intervention Council (Sen. Thatcher)

This bill would establish a Crisis intervention Council to make sure counties are being served. The Utah Behavioral Health Committee (UBHC), the mental health county organization, likes this bill; they just want to make sure local mental health authorities have representation on the Council and that UBHC gets to appoint those members/representatives.

Status: The bill passed the Senate on 1/28/21 by a vote of 29 to 0 and was introduced in the House on 1/29/21. It passed House Committee on 2/8/21 by a vote of 10-0 but was returned to the House Rules Committee due to fiscal impact.

SB 53, Behavioral Emergency Services Amendments (Sen. Thatcher)

This bill would create a new state licensure for an EMS technician to be skilled in how to react to crisis situations. UBHC supports this bill and feels this added certification would be particularly helpful in areas that are not served by an MCOT. However, UBHC is pushing to make sure local mental health authorities have some input into what the training looks like for this new licensure.

Status: The bill passed the Senate on 1/28/21 by a vote of 23 to 2 and was introduced in the House on 1/29/21. It passed out of House Committee on 2/8/21 by a vote of 9-0 but was returned to the House Rules Committee due to fiscal impact.

SB 70, MCOT Bill (Sen. Riebe)

This bill would appropriate \$2.5 million for additional MCOT teams across the state but had a 20% county match requirement, which would de facto double the cost for the smaller local healthcare authorities and bankrupt them. The bill sponsor is amenable to taking the match out and is working with legislative counsel on how to redraft the bill.

Update: A substitute to the bill passed that included a prohibition to a mandatory county match to cover the cost of the MCOTs. During Committee discussion, a Senator brought up concerns that the bill as written did not prioritize the rural MCOTs that are already in place. He was concerned those units would be closed and sent to other areas. Sen. Riebe, the bill sponsor, pledged to work with the Senator on that issue to make sure rural areas keep their MCOTs since there is a lack of mental health services in those areas. UAC does not expect this bill to go too far in the process because SB 155 addresses the MCOT need and has more momentum behind it.

Status: As noted previously, the bill was Substituted in Committee and passed out favorably on 2/16/21 by a vote of 11-0. However, the bill was returned to the House Rules Committee due to fiscal impact.

SB 155, 988 Mental Health Crisis Assistance (Sen. Thatcher) – UAC Supports

The bill would allow states to collect monies to put into a fund to support crisis services across the state. It essentially creates the infrastructure for the 988 suicide prevention and crisis hotline and ensures there are not any negative impacts on the 911 system if people utilize the 988 hotline. It would also coordinate with MCOT teams when an intervention is needed. This type of system and infrastructure have proven to be extremely effective in jail and hospital diversion because typically, there are less than 10 out of 1,000 individuals who need stabilization interventions or a restrictive environment. All others are served

over the hotline rather than going to the hospital, which is a huge cost savings to the mental health system.

Status: The bill was assigned to Senate standing committee on 2/17/21.

HB 303, Emergency Medical Services Revisions (Rep. Johnson) – UAC Supports

This bill is a continuation of an effort last year to get EMS designated as an “essential service,” on par with law enforcement and fire. Without this designation, the provision of EMS is a patchwork across the state between counties, cities, and non-profits. A working group came together on this issue during the interim session and HB 303 is the result of that collaboration. Currently the bill has a fairly large fiscal note, which is confusing to the working group because EMS services are already being provided.

For counties, making EMS an essential service would really change the face of EMS across the state because it places it in local control. Municipalities would have responsibility for EMS coverage in their cities and counties would be responsible for EMS to counties. This change essentially ends the restrictions placed on EMS services geographically speaking across the state. Making EMS an “essential” service would also extend governmental immunity to EMS agencies.

Update: The bill passed out of Committee on February 10th with unanimous support. UAC’s civil attorney’s group had concerns about language in the bill regarding required level of service. We have been told that issue has been corrected in the substitute bill.

Status: The bill was substituted in House Committee and passed out favorable on 2/10/21 by a vote of 8-0. It was circled on the House 3rd reading calendar on 2/17/21, essentially holding it up or postponing further consideration.

EMS Insurance bill

This is an effort to create a fund that would provide health insurance to volunteer EMTs to help with recruitment and retention of providers. The fiscal note is around \$6.2 million. The concept is the insurance pool would be run through UAC to provide volunteer insurance for EMTs in the state. By separating out these new recipients and putting them together in one pool, counties do not have to worry about their premiums going up on their current health plans because there is no history or track record with these employees/new recipients. PEHP already has a 3% built in brokerage free for this type of insurance. In this scenario, UAC would be entitled to a portion of that 3% fee. Unfortunately, this bill was not made a “priority bill” and so it has not yet been drafted.

Update: UAC was successful in convincing legislative leadership to make this a priority bill, which allows legislative counsel/the bill drafters to work on it. We expect to see it numbered and officially introduced soon.

As of 2/18/21, the bill still had not been numbered and officially introduced. It's possible it is too late for UAC to get this bill passed this year. However, the staff are committed to doing what they can to get it moving, knowing it is a priority for counties and would help the rural systems, in particular.

Economic Development

SB 65, Community Reinvestment Agency Amendments (Sen. Harper) – UAC Changed position from “Oppose” to “Watch”

This bill would allow an agency and certain taxing entities to enter an interlocal agreement for the purpose of transferring project area incremental revenue. Essentially, the bill permits a redevelopment agency to be established as a taxing entity and to levy a tax rate that would establish funding in perpetuity that could be spent agency wide as opposed to only within a project area. Furthermore, the legislation is purported to provide a source of revenue (the new tax levy) that may ultimately reduce the requests on other taxing entities to participate in project areas. While SB 65 has the option to continue with traditional tax increment financing for taxing entities, the creation of new CRAs is intended only for project areas that are for the purpose of economic development or a cooperative development project. These would be areas of large-scale goals and objectives that warrant notable participation for transformative development.

Update: UAC is working with the Senator on four “tweaks” to the bill to clear up issues regarding what is mandatory, provisions that trigger Truth in Taxation, how to handle administrative fees on other RDA projects, and how to account for the spending that occurs in the newly established areas. UAC staff feels we are moving in the right direction, which is why the Association changed its position from “oppose” to “watch”. Recent additional amendments also make this a voluntary program, so counties will not see an impact unless they decide to participate.

Status: The bill passed favorably out of Senate Committee on 2/18/21 by a vote of 5-1. It has not yet been scheduled for floor action.

Land Use

SB 37, Public Infrastructure District Revisions (PIDS) (Sen. McCay)

This bill modifies provisions related to Public Infrastructure Districts (PIDS). There has been a great deal of talk in the Legislature about PIDS and their taxing authority, which can have a significant impact on the taxpayers who live within the PID boundaries. This will be a bill and topic we follow closely throughout the session.

Status: The bill was substituted again on the Senate floor on 2/3/21 and passed by the full Senate by a vote of 27-0. It was introduced in the House on 2/3/21 and passed out of House Committee on 2/5/21 by a vote of 6-0. The bill has been circled on the House third reading calendar, essentially postponing further action on the bill.

SB 61, Outdoor Advertising Amendments (Sen. Sandall) – Summit County and UAC Oppose

This bill is one of many land use bills where the Legislature is contemplating restricting local government's ability to regulate. This bill would limit a county's ability to regulate billboards that transition from a paper format to a digitized sign. Currently, when a paper sign converts to a digital sign, counties can regulate where the sign is located and how it is used. This bill would prohibit that county regulation. The bill would also allow the owners of these signs to update and move their signs without the county being able to regulate it.

Update: The bill passed out of committee this week despite UAC and the Utah League of Cities and Towns speaking against it. However, when it passed, Sen. Sandall, the bill sponsor, gave a strong verbal commitment to work with us to make the bill better. Committee members also said that even though they voted for it in committee, they would not on the floor unless they see significant changes in the bill to address counties and municipalities' concerns.

UAC and the League are working on language that would maintain the authority counties and cities currently have to prohibit billboards and electronic billboards in certain areas. The Senator is ultimately concerned about fairness where counties and cities have zones prohibiting the signs.

Status: The bill was substituted in Committee on 2/2/21 and passed out favorably by a vote of 6-2. It was substituted again on the Senate floor and subsequently circled on 2/12/21, effectively postponing further action.

SB 164, Utah Housing Affordability Amendments (Sen. Anderegg) - UAC Opposes

This bill is a hodgepodge of provisions that address various aspects of affordable housing, including creating an affordable housing pilot program, modifying the potential uses of a community reinvestment agency's housing allocation, and describing additional activities that may receive funding from the Olene Walker Housing Loan Fund, among others. Some of the most concerning provisions to counties is the requirement that municipalities must offset costs for a developer who is required to provide affordable housing units or contribute to a housing fund because of a local ordinance. While currently only applying to cities, Sen. Anderegg, when he presented the bill to the State Housing Commission, made it clear he wants it to apply to counties as well. The bill was not voted on by the Housing Commission because the Senator requested another meeting on it.

Status: The bill has not yet been assigned to a committee. Awaiting a fiscal note from the Fiscal Analyst.

HB 17, Utility Permitting Amendments (Rep. Handy) – Summit County Opposes

This bill, brought by the natural gas industry concerned with building electrification that displaces natural gas heating of buildings, prevents a municipality from enacting an ordinance, a resolution, *or a policy* that prohibits, or has the effect of prohibiting, the connection or reconnection of a utility service to a customer based upon the type or source of energy to be delivered to the customer. Maintaining the ability to enact these policies or ordinances is critical to meeting Summit County's greenhouse gas emissions goals.

Status: The bill was substituted on the House floor on 2/3/21 and adopted by the House by a vote of 51-18. It was introduced in the Senate on 2/4/21, passed out of Senate committee on 2/9/21 by a vote of 6-1, and passed the full Senate on 2/12/21 by a vote of 25-3. The bill has been enrolled and was sent to the Governor on 2/16/21.

The substitute still prohibits a county from enacting an ordinance or policy prohibiting natural gas or fossil fuel-based utilities connections in new construction but allows counties to provide incentives to providers to utilize renewable or clean energy sources instead.

HB 82, Single-Family Housing Modifications ADUs (Rep. Ward) – UAC Opposes

This bill makes several modifications to state statute concerning accessory dwelling units, including requiring municipalities and counties to classify certain accessory dwelling units as a permitted land use and prohibiting municipalities and counties from establishing restrictions or requirements for the construction or use

of certain accessory dwelling units. The bill has been presented to the state affordable housing commission as a possible solution to the lack of housing stock for Utah's growing population. However, there is not a provision in the bill restricting ADUs from being used as nightly rentals. Without that prohibition, ADUs will not address the housing shortage.

Update: UAC continues to work on this bill to make it something we can live with since another leadership-sponsored bill on ADUs, HB 273, is far worse. The plan is to try and adopt HB 82, so HB 273 is abandoned.

Current negotiations on the bill language include the ability for a city and county to require permitting and licensure of ADUs. There is also a carve out for Airbnb and short-term rentals and the bill would not apply to mobile homes. The compromise also includes the enforcement mechanism of a first position lien on the property for noncompliance. Cities and counties can also require onsite parking, prohibit changes to the external structure of the house, and require compliance with fire code. The footprint of the home cannot be changed (only within the dwelling unit) and we can require modern building requirements re egress. UAC is also working with the sponsor to exempt from the bill those jurisdictions that have a large percentage of affordable housing (i.e., where affordable housing is not a concern). With that said, while these provisions help maintain some local control, the bill would still allow ADUs to be a permitted use in all of the county's residential zones.

Status: The bill was substituted in Committee and passed out favorably on 2/8/21 by a vote of 12-2. It was circled on the House floor on 2/12/21.

HB 98, Local Government Building Regulation Amendments (Rep. Ray) – Summit County Opposes

This bill would allow developers to hire their own building inspectors and plan reviews as well as prohibit counties and cities from regulating building materials and aesthetics of construction/development within their communities, among other provisions that greatly put at risk health, safety, and welfare of citizens. The bill is opposed by the Utah City/County Manager's Association, Utah League of Cities and Towns, and Utah Fire Association.

Update: Apparently there is buzz on social media about why communities need robust building inspections to prevent shoddy construction, which we are seeing in Utah as its population is growing so quickly and there is demand to get housing constructed as soon as possible. UAC staff does not think the bill will end up passing both bodies of the legislature. It is possible it will get through the House but less likely through the Senate.

Status: The bill was assigned to committee on 2/1/21 but has not yet been scheduled for consideration on a committee agenda.

HB 115, Municipal Boundary Modifications (Rep. Waldrip) – UAC Neutral Position

This is the cross-boundary annexation bill Summit County worked on as a member of the Land Use Task Force that addresses many of the challenges encountered during the Hideout hostile annexation into Summit County. While the bill does not have everything the County would like to see, it does fix many things that the County wants, such as requiring notice and signatory rights to counties, prohibiting the annexation of an area included in a certified incorporation petition, and extending landowner notification requirements for incorporation.

However, a substitute was offered to the bill, which had many concerning provisions the County could not support. Summit County's attorneys worked on changes to the substitute with UAC. Rep. Waldrip agreed to accept all of them.

The biggest change the County's proposal made was requiring a favorable 3rd party feasibility study for a cross-boundary annexation to get approved. The feasibility study would look at and evaluate whether the annexation can occur without leaving an area of the county unserviceable, the tax generated to make sure there is not a significant grab of revenues away from the entity losing the land, and the feasibility of service delivery to the new area. Everyone must participate in the study, so it is not biased or skewed. The results of the feasibility study will dictate if it is okay to move forward with the annexation.

Apparently, Wasatch County requested a "fix" in the bill specifically related to Bonanza Flat, which the bill sponsor is currently contemplating.

UAC maintains its neutral position on the bill to see if the substitute gets approved or if there are additional amendments to the bill which counties cannot support.

Status: The bill was substituted and passed favorably out of Committee on 2/5/21 by a vote of 10-0. It was substituted again on the House floor on 2/16/21 and adopted by the full House on 2/16/21 by a vote of 70-0. It was introduced in the Senate on 2/16/21 and is awaiting a fiscal note.

HB 317, Eminent Domain Amendments (Rep. Peterson) – UAC Opposes

This is a newly introduced bill that describes when a county can use eminent domain in county functions, other than transportation, such as a park, recreation facility or other amenity. The biggest change the bill would make to current statute is changing the standard of review. If a county were seeking to use eminent domain, in court the county would have to show this taking was necessary and the property owner would have to show it was unnecessary. If the property owner prevailed, the county could not take the property. The county also must prove there is no other place in the county to locate the amenity or facility. This is a significant change in the law and gives a lot more authority to litigants to

stop eminent domain. The bill is still in the Rules Committee. There does not seem to be much momentum behind it, particularly due to its large fiscal note. UAC staff is meeting with the bill sponsor on it this week.

Status: The bill has not yet been assigned to Committee in the House.

Natural Resources

SB 44, PILT Funds for Counties (Sen. Fillmore) – SUMMIT COUNTY AND UAC OPPOSE

This bill would redistribute PILT payments away from counties to other taxing entities. Specifically, the bill places a cap on what a county can receive and then redistributes anything above that cap to other entities. The rationale for this change is for other entities to also benefit from PILT dollars.

Counties depend on PILT payments for road construction, law enforcement, search and rescue operations, and other general fund services. PILT payments are provided from the federal government to counties that have federal lands within their borders to make up for lost tax revenues that counties cannot collect on federal lands.

Update: UAC met with the bill sponsors and discussed county concerns. As a result of these talks, and a determination that the bill would violate federal law, the bill sponsor pulled it from Committee. During UAC's legislative coordinating meeting on Feb. 4, Senator Fillmore informed us he plans to abandon the bill for this session. This allows UAC an opportunity to better inform legislators during interim on the importance of PILT to counties.

Status: The bill has been introduced in the House but has not yet been assigned to a Committee.

SB 130, Regulation of Concentrated Animal Feeding Operations (Sen. Sandall) – UAC Neutral Position

This bill enacts the Large Concentrated Animal Feeding Operations (CAFO) Act, which would require counties to adopt a large, concentrated animal feeding operation land use ordinance and produce a map indicating where these operations could be located within the county. The bill made it out of Committee. UAC has a neutral position on the bill. There is a substitute we are aware of that will push back the effective date of the bill to May 2022 to give counties breathing room to craft an ordinance (if they do not already have one).

Update: Recent conversations with the bill sponsor make it clear that every single County will have to find a place in their County where the most restricted large CAFO can go because lawsuits are expected. UAC worked extensively with the

Senator to get wording in the bill that would allow exceptions for counties who have long-standing ordinances prohibiting certain types of operations, yet, the Senator is not willing to budge and believes every County can find a place to locate these operations (note, mink operations are exempt from the bill).

Status: The bill was substituted on the Senate floor and passed on 2/8/21 by a vote of 29-0. It passed favorably out of House Committee on 2/16/21 by a vote of 9-3 and subsequently, passed the full House on 2/18/21 by a vote of 57-18. It has been placed on the Senate concurrence calendar.

HB 65, Wildland Firefighter Amendments (Rep. Snider) – UAC Neutral Position

The bill authorizes use of the Sovereign Lands Management Account for salary increases for county fire wardens and requires the Division of Forest, Fire and State Lands to develop and maintain a wildfire risk assessment mapping tool. The bill also addresses employment of fire wardens and provides for a study of wildland fire related pay plans.

Update: Counties were concerned that by increasing the fire warden salary, it would increase our match requirement to participate in the state's fire suppression program. A few county commissioners met with Rep. Snider about these concerns. Rep. Snider was not interested in helping us with any additional funding. His argument was that the counties would have to approve the salary increase, so they can decide if they can afford the match or not. UAC decided it has bigger issues to address this session and we can let this bill work its way through the process.

Status: The bill passed the House on 2/8/21 by a vote of 67-0 and then subsequently passed the Senate on 2/18/21 by a vote of 26-0.

HB 171, Agricultural Land Use Regulation (Rep. Chew) – UAC Opposes

The bill prohibits a municipality or county from restricting the type of crop that may be grown in certain areas and prohibits regulation by a municipality or county of an industrial hemp producer licensee in conflict with specified statutes and jurisprudence.

Update: Despite UAC and the Utah League of Cities and Towns speaking up against the bill in Committee, it did pass out of Committee and passed the full House. Rep. Chew is now willing to work on tweaks on the bill to give counties some say on where crops can be grown. UAC staff will be meeting with Rep. Chew and the Senate sponsor to discuss these amendments. The bill does have momentum now, but we will continue to work with the sponsors to soften the edges.

Status: The bill has passed by the House and Senate and has been enrolled. It is currently being prepared for the Governor's signature.

Public Safety and Criminal Justice

SB 102, Peace Officer Training Qualifications (Rep. Mayne) – Summit County Supports

This bill would permit some lawful permanent residents who meet certain requirements to apply to become peace officers or dispatchers. Some law enforcement agencies within the state have come out in support of the bill. The County Sheriff's Association has not yet taken a position. Summit County supports the bill because it would open our law enforcement agencies to a larger recruitment pool and help to diversify departments.

Status: The bill was substituted on the Senate floor and adopted on 2/3/21 by a vote of 28-0. It was then passed favorably out of House Committee on 2/12/21 and amended on the House floor on 2/17/21. The amended bill passed the House on 2/17/21 by a vote of 65-4. The Senate agreed with the amendment on 2/18/21 by a vote of 27-0 and the bill was returned to the Senate to enroll.

HB 150, Public Safety Post-Retirement Reemployment Amendments (Rep. Gwynn)- UAC Supports in Concept

Currently, when a public safety officer retires from sworn service, they must wait one year before transitioning to a similar role at a different agency in order not to impact their retirement. This bill would reduce that waiting period from one year to six months. The Sheriff's Association supports this bill as a helpful recruitment and retention tool. Public safety is in a hole right now in terms of vacancies. There is a significant gap between graduates of the POST Academy and law enforcement vacancies across the state. Law enforcement is losing access to a great workforce of people who may want to retire from one agency but have 3-4 years left before permanently retiring and want to work in another agency. The fiscal note on the bill is \$2.4 million.

Status: The bill has not come out of the Rules Committee yet and there is no Senate sponsor. URS has put a \$10 million price tag on the bill, which could be stalling it as well. UAC's hope is the bill can at least get to committee so we can have a discussion about it this session. However, it does not look like the bill will go anywhere this session.

HB 243, Privacy Protection Amendments (Rep. Gibson)

Rep. Gibson introduced this bill in response to the Banjo company and other technology that utilizes personal information to help law enforcement and other agencies. The bill would create the position of data privacy officer and the Personal Privacy Oversight Committee in the Office of the state Auditor. The bill also

authorizes the state auditor to require government entities to halt the use of certain technologies or privacy policies, subject to legislative override.

County attorneys and County Sheriff's are opposed to the bill. County attorneys are concerned that the bill usurps the authority of county elected auditors to conduct performance reviews and allows the state to come in and audit. The Sheriffs are opposed because this technology has greatly assisted them in law enforcement efforts. Nineteen of the 29 county attorneys signed a letter to Rep. Gibson expressing these concerns and the county auditors expressed interest in signing on as well.

Update: UAC staff worked with Rep. Gibson to get more county representation on the Board. In addition, UAC was able to extend the review period in the bill from 60 days to 180 days, giving cities and counties a longer runway to respond to any inquiry or criticism that came from the Review Board. UAC's civil attorneys group has additional changes they have asked UAC staff to get to the bill sponsor, specifically allowing a city or county to remedy the criticism or finding of the Review Board instead of removing the offending technology that the Board determined violates the privacy provisions.

Status: The bill was substituted in Committee and passed favorably out on 2/2/21 by a vote of 10-0. It has been circled on the House 3rd reading calendar.

HB 269, Governmental Immunity Modifications (Rep. Moss) – UAC Opposes

This bill would change the threshold for government immunity concerning fatalities in jails. Currently the statute says if counties exhibited deliberate indifference in their actions and it resulted in the death of an inmate, the county is liable. This bill would change that to if the county acted negligently or recklessly then can lose government immunity. The concern is that threshold is too low, and counties would be liable for accidents outside of their control. UAC is setting up a meeting with Rep. Moss to discuss the bill. The bill is strongly opposed by the Sheriff's Association.

Status: The bill has not yet been assigned to a House Committee. The fiscal note has been sent to the bill sponsor.

HB 219, Inmate Phone Provider Amendments (Rep. Acton) – UAC Opposes

This bill would require the Public Service Commission to review for approval each contract between a telephone service provider and a correctional facility that seeks to provide telephone access to inmates. It would also set limits on the rate an inmate may be charged for telephone use. The bill sponsor is attempting to address price gouging the families of inmates.

The challenge for counties is these contracts have to have a certain amount of funding behind them because they are very expensive for jails to administer. The consensus among County Sheriffs is if the state wants to set a cap on some of the rates, that is not too intrusive. However, what is not workable is the requirement that these contracts be reviewed and approved by the state before local jurisdictions can approve them.

Update: UAC's civil attorneys group attempted to work with the bill sponsor on changes that would exempt counties from Public Service Commission review if they go through their own established procurement code/process, so we would not have to send our contracts to the state for approval. Unfortunately, the bill sponsor refused to include these changes. However, she seems amenable to working with the County Sheriff's Association.

Status: The bill passed favorably out of Committee on 2/8/21 by a vote of 9-0 but has been circled on the House 3rd Reading Calendar.

COUNTY COUNCIL



Glenn Wright-Chair
Christopher F. Robinson-Vice Chair
Doug Clyde
Malena Stevens
Roger Armstrong

February 24, 2021

Grant Farnsworth (by email gfarnsworth@utah.gov and U.S. mail)
Region 2 Planning Manager
2010 S 4700 W
Salt Lake City, UT 84104

Dear Mr. Farnsworth,

Thank you for leading UDOT's participation on the Kimball Junction Area Plan study. We are encouraged by the progress the project team has made. Councilmembers have followed the process and were most recently given an update on the level two screening of alternatives during our February 3rd council session. We appreciate this opportunity to convey our comments on the four alternatives presented at that meeting. We have noted several comments as well as suggestions that we hope can be included in future analysis. Thank you in advance for taking our collective comments (summarized below) into consideration.

Alternative 1

While we understand the thought behind Alternative 1 and its attempt to distribute users to destinations in the Kimball Junction area, the new network of roads, turns, and merges appears overly complicated. This alternative does not prioritize relieving north- and southbound traffic on SR- 224. We also have concerns about the proximity to the Hi Ute Ranch and the conservation easement. While certain elements of this preliminary alternative have merit, especially the dedicated exit off I-80 into the Ecker Hill park and ride, we do not support it as a standalone solution.

Alternative 2

We do not feel that Alternative 2 should be considered any further. There is no support for creating a new road that bisects this area and will do little to minimize travel at the I-80/SR-224 junction and also impinges on an existing conservation easement. We also have apprehension about the impacts such as air, noise, and light pollution to the existing residential areas.

Alternative 3

Alternative 3, in concept, has unanimous support from the Council. This is a more attractive design and moves people effectively. We have a number of suggestions relating to this alternative, but are most supportive of its fundamentals. We offer the following for the project team to consider integrating into the design of Alternative 3.

- Will grade-separated roundabouts be more successful than signalized intersections at Ute Boulevard and Olympic Parkway? We are concerned that future growth on either side of SR-224 could create pinch points with signal delays. Any option at these busy intersections should be designed with bike and pedestrian traffic and safety as a priority.
- Separating traffic to and from I-80 from local streets will go a long way to making this successful. Could a grade-separated flyover lane from northbound SR-224 to westbound

I-80 fit in this alternative? Similarly, could a designated exit from eastbound I-80 constructed in the vicinity of the McDonalds area and offloading somewhere near the Wal-Mart area be considered?

- We are also intrigued by the idea of centralizing the distribution of vehicles with the construction of a large, elevated ring road that funnels all traffic for all directions looking to cross SR-224. Ute and Olympic would be elevated and create spurs into the new ring road and all movements would be right turn only onto or off of the ramps accessing the quadrants of the area.

Alternative 4

Alternative 4, in concept, has tepid support from the Council as the final solution. We prefer that the that any incremental changes are made deliberately on the way to the larger, comprehensive redesign that this area requires. We have the following specific comments about this proposal.

- How effective is D-14?

General Comments

As alluded to under Alternative I comments, could the team please re-look at utilizing a parking area off of I-80 eastbound at or near the current truck pullout but with access for single occupancy vehicles. A walkable access to the transit service at the Ecker Hill park-and-ride would be introduced by opening up a portion of the fencing. All vehicles would follow the same travel patterns that the trucks do with only right in and right out at the parking area. HOV vehicles could be prioritized.

Please add the proposed Bus Rapid Transit (BRT) route to each map where it would exist within the alternative.

Efforts toward improving transportation to and throughout the Kimball Junction neighborhood are extremely important and we feel that the goals of the study will ultimately find a solution aligned with the needs of the area's communities. We look forward to getting more information after the next phase of study. Thank you, again, for the thoughtful and inclusive approach to this study.

Sincerely,

Glenn Wright, Chair
Summit County Council



Memorandum:

Date: February 24, 2021

To: Council Members

From: Nancy Hooton

Re: Snyderville Basin Special Recreation Service District Administrative Control Board

Appoint one member to serve on the Snyderville Basin Special Recreation Service District Administrative Control Board. Term of service to expire December 31, 2024.

Council interviewed applicant Nate Brown on February 24, 2021.



Memorandum:

Date: February 24, 2021

To: Council Members

From: Thomas C. Fisher

Re: Recommendation to appoint members to the Eastern Summit County Sewer Advisory Committee (ESAC)

Attached is Summit County Title 2, Chapter 20-6, relating to the Eastern Summit County Sewer Advisory Committee ("ESAC"), and the previous members list. In an effort to update this list, with the current members:

Advice and consent of County Manager's recommendation to appoint the following to the Eastern Summit County Sewer Advisory Committee:

- 1) Appoint Nathan Brooks as the voting member serving from the Health Department;
- 2) Appoint Melissa Hardy, as the ex-officio member serving from the Community Development Department; and
- 3) Appoint Phil Bondurant, as the ex-officio member serving from the Health Department.

2-20-6: SEWER ADVISORY COMMITTEE:

A. Creation, Purpose, And Authority: The governing board hereby creates the "eastern Summit County sewer advisory committee", which shall act in an advisory capacity to the governing board and the general manager. ESAC shall generally advise the governing board and the general manager on wastewater issues and systems within eastern Summit County. There shall be no actual or apparent authority vested in this committee except for the authority granted herein.

B. Guiding Principles For ESAC: The following guiding principles shall exist for ESAC:

1. In conjunction with the Summit County health department and the municipalities of eastern Summit County, analyze the existing wastewater systems and conduct an inventory of existing wastewater systems.

2. Create an efficient process for the approval by either the general manager or the governing board of wastewater systems in eastern Summit County.

3. Jointly review all proposed wastewater systems with staff of the Summit County community development department, engineering department, and health department, who shall address regional impacts and opportunities of wastewater systems.

C. Powers And Duties: The governing board hereby delegates the following powers and duties to ESAC:

1. To assist the general manager in governing the day to day operations of the district.

2. To assist the general manager with providing a recommendation to the governing board as to the operation of the district, including policies, procedures, and regulations for the district.

3. To assist the general manager with providing a recommendation to the governing board as to the establishment and collection of the fees and charges for the various wastewater management services provided to the owners with the fee schedules reviewed and approved by the county council.

4. To provide a recommendation to either the general manager or the governing board on wastewater systems, as described in subsection 2-20-5E of this chapter.

5. To act in an advisory role to the general manager and the governing board or to other officials and departments in any matters pertaining to wastewater issues within eastern Summit County.

6. ESAC, through its chair, or his/her designee, shall make both an oral and written report annually to the governing board concerning its activities during the past year and its proposals for the coming year.

7. ESAC shall not have the power to obligate the county for funds and/or expenditures or incur any debt on behalf of the county.

8. All powers and duties prescribed and delegated herein are delegated to ESAC as a unit, and all action hereunder shall be of ESAC acting as a whole. No action of any individual committee member is authorized, except through the approval of the governing board.

9. ESAC shall have any other power and/or duty as prescribed and authorized by the governing board.

D. Membership:

1. ESAC shall consist of five (5) members who shall be appointed by the governing board, on the recommendation of the general manager.

2. Membership of ESAC shall be as follows:

a. One member from the community development department.

b. One member from the engineering department.

c. One member from the health department.

d. Two (2) members from the public at large.

3. One representative of the county attorney's office shall serve as ex officio member of ESAC, but shall have no right to vote on any matter before the committee.

4. ESAC may, in its discretion, add up to three (3) ex officio members, to assist with the communications and functions of the committee. Said ex officio members shall not have any voting rights.

5. Members of ESAC serve at the pleasure of the general manager and may be removed and replaced at any time. There are no terms limits.

E. Officers:

1. The voting members of ESAC shall appoint a chair and vice chair. The chair shall prepare meeting agendas and shall preside over and conduct all meetings. The chair, or his/her designee, shall act as the representative to the general manager and the governing board for all committee transactions and shall have the responsibility of presenting all proposals from ESAC to the general manager and/or the governing board. The chair and vice chair shall serve a term of one year.

F. Meetings And Procedures:

1. ESAC shall meet as needed. A notice of the time and place of each meeting shall be given to ESAC members not less than three (3) days in advance of the meeting.
2. All meetings of ESAC shall comply with the Utah open meetings laws as found in section 52-4-101 et seq., Utah Code Annotated (1953), as amended.
3. Executive closed sessions may be scheduled whenever the chair deems such action permissible under the Utah open meetings act, and with the concurrence of the county attorney.
4. Written minutes of each open meeting shall be prepared, preserved and made available for public inspection.
5. A majority of the voting committee members shall constitute a quorum and the action of the majority of the members present shall be the action of the committee.
6. Committee members shall attend all meetings unless their absence is excused by the chairperson.
7. All recommendations shall be made at a public meeting by motion, made and seconded and by a voice vote. The motion shall be in the form of findings of fact and shall state the reason for the findings by the committee and a statement of any conditions to be attached to the action. (Ord. 749-A, 12-15-2010; amd. Ord. 717-B, 10-9-2019)

EASTERN SUMMIT COUNTY SEWER ADVISORY COMMITTEE (ESAC)

No term limits

Appointed by County Manager

NAME	EMAIL ADDRESS	ADDRESS	CONTACT NUMBERS	1 st appointed
Michael Kendell County Engineer	mkendell@summitcounty.org	PO Box 128 Coalville, Utah 84017	435-336-3120	
Jennifer Strader County Planner	jstrader@summitcounty.org	PO Box 128 Coalville, Utah 84017	435-336-3152	
Phil Bondurant Environmental Health Director	pbondurant@summitcounty.org	650 Round Valley Drive Park City, Utah 84060	435-336-1584	
Bill Wilde	bwilde.reesco@allwest.net	1245 S Hoytsville Road Coalville, Utah 84017	435-336-5947 801-608-1780	01/18/12
Jill Jones	jillj@cdsewer.org	4222 Browns Canyon Peoa, Utah 84061	801-209-3463	01/18/12
<u>Ex-Officio Members:</u>				
Helen Strachan Deputy Attorney	hstrachan@summitcounty.org	PO Box 128 Coalville, Utah 84017	435-336-3064	
Susan Ovard Community Development Office Manager	sovard@summitcounty.org	PO Box 128 Coalville, Utah 84017	435-336-3126	
Pat Putt Community Development Director	pputt@summitcounty.org	PO Box 128 Coalville, Utah 84017	435-336-3158	
Brent Ovard Health Department	bovard@summitcounty.org	650 Round Valley Drive Park City, Utah 84060	435-336-1585	

Last updated 10/31/17

MINUTES

SUMMIT COUNTY **BOARD OF COUNTY COUNCIL** **WEDNESDAY, FEBRUARY 3, 2021**

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. §52-4-207(4), the Summit County Council Chair has issued written determinations supporting Summit County Council's decision to convene electronic meetings of the Council without a physical anchor location. Due to the health and safety risks related to the ongoing COVID-19 pandemic and considering public health orders limiting in-person gatherings, members of the public should not attend Council meetings in person. However, members of the public are invited and encouraged to view and participate in the Council's electronic meetings as described below.

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OR

To participate in Council meeting: Join Zoom Meeting at <https://zoom.us/j/772302472>

OR

To listen by phone only: Dial 1-301-715-8592, Meeting ID: 279-421-350

PRESENT:

Glenn Wright, *Chair*

Chris Robinson, *Council Vice-Chair*

Roger Armstrong, *Council Member*

Doug Clyde, *Council Member*

Malena Stevens, *Council Member*

Margaret Olson, *Attorney*

Tom Fisher, *Manager*

Janna Young, *Deputy Manager*

Annette Singleton, *Executive Assistant*

Kent Jones, *Clerk*

The Council was called to order at 11:55 a.m.

Interview applicants for vacancies on the Summit County Arts & Parks Advisory Committee-Cultural (Rap Tax Cultural Committee)

The Council interviewed Connie Nelson, Anne Bransford, Lia Prysunka, Kirstie Rosenfield, Katie Lindsay, Sharon Hanson, Isabel Dulfano, and Kristen Tabke, to fill 4 vacancies on the Summit County Arts & Parks Advisory Committee-Cultural (Rap Tax Cultural Committee). Connie Nelson and Kirstie Rosenfield are reapplying.

Council Members log into Zoom meeting

Closed Session – Security, and Personnel

Council Member Stevens made a motion to convene in closed session to discuss security. Council Member Robinson seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 2:26 p.m. to 3:02 p.m. to discuss security. Those in attendance were:

Glenn Wright, *Chair*
Chris Robinson, *Council Vice-Chair*
Doug Clyde, *Council Member*
Malena Stevens, *Council Member*
Roger Armstrong, *Council Member*

Tom Fisher, *Manager*
Annette Singleton, *Executive Assistant*
Margaret Olson, *Attorney*
Dave Thomas, *Chief Civil Deputy Attorney*
Janna Young, *Deputy Manager*
Rich Bullough, *Health Director*
Phil Bondurant, *Health Department*
Derek Siddoway, *Communications*

Council Member Stevens made a motion to leave session to discuss security and convene in closed session to discuss personnel. Council Member Clyde seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 3:02 p.m. to 3:35 p.m. to discuss personnel. Those in attendance were:

Glenn Wright, *Chair*
Chris Robinson, *Council Vice-Chair*
Doug Clyde, *Council Member*
Malena Stevens, *Council Member*
Roger Armstrong, *Council Member*

Tom Fisher, *Manager*
Annette Singleton, *Executive Assistant*
Margaret Olson, *Attorney*
Janna Young, *Deputy Manager*
Dave Thomas, *Chief Civil Deputy Attorney*

Council Member Clyde made a motion to leave session to discuss personnel and convene in open session. Council Member Stevens seconded and all voted in favor, 5-0.

Work Session, Continued

Pledge of Allegiance

Discussion and review of UDOT's Kimball Junction Area Plan Level 2 Alternatives; Caroline Rodriguez

Caroline Rodriguez, Director of Regional Transportation Planning, reviewed the following staff report and explained the Kimball Junction Area Plan Level 2 Alternatives as submitted by UDOT.

Council Member Armstrong felt Alternative 1 was somewhat confusing and may not relieve traffic. Alternative 2 seemed like too congested of the area. Alternative 3 seemed to have the most promise, but still needs further review.

Council Member Armstrong was then excused temporarily from the meeting.

Council Member Robinson agreed with some of the comments from Council Member Armstrong. Alternative 3 seems to have connect-ability for pedestrians on both sides of SR224.

Council Member Clyde has questions about the cost and what design helps resolve the traffic problems. Several other concerns about where we are in the process.

Council Member Stevens stressed alleviating the traffic congestion and retaining some community feel in the area. She feels Alternative 3 has the best possibilities but it still needs improvement. Some smaller improvements proposed in Alternative 4 may help also.

Chair Wright feels Alternative 3 is the best starting point, but there are still additional improvements needed to reduce the traffic congestion. He encouraged design of a fly-over on to I-80 West.

All agreed that the County Library and the Transit Center should be included in a study of the overall concept for future changes.

Legislative update; Jami Brackin and Janna Young

Janna Young, Deputy Manager, and Jami Brackin, Deputy Attorney, reviewed the following staff report and gave an update regarding bills of interest from the 2021 Utah Legislative Session.

Council Member Armstrong returned.

Consideration of Approval

Discussion and possible approval of the Utah Compact on Racial Equity, Diversity and Inclusion - a Declaration of Five Principles and Actions to Create Equal Opportunity; Jennifer Wesselhoff

Jennifer Wesselhoff presented the following Utah Compact on Racial Equity, Diversity and Inclusion - a Declaration of Five Principles and Actions to Create Equal Opportunity and asked the Council to join with all other signatories in approving the Compact.

Council Member Robinson made a motion to approve the Utah Compact on Racial Equity, Diversity and Inclusion - a Declaration of Five Principles and Actions to Create Equal Opportunity as presented. Council Member Armstrong seconded the motion with all voting in favor, 5-0.

Discussion and approval of Proclamation 2021-3, a Proclamation Recognizing February, 2021, as Children's Dental Health Month; Aimee Armor and Erryn Murphy

Council Member Armstrong disclosed that his wife is the Executive Director of the People's Health Clinic, but he has no conflict of interest here.

Council Member Armstrong made a motion to approve Proclamation 2021-3, a Proclamation Recognizing February, 2021, as Children's Dental Health Month with Council Member Stevens seconding and all voting in favor, 5-0.

Discussion and possible adoption of Resolution 2021-03, a Resolution of the Summit County Council Authorizing the Administrative Control Boards of its Special Service Districts to Adopt COVID-19 Policies During the Local Emergency Declaration; Dave Thomas

Dave Thomas, Chief Civil Deputy Attorney, reviewed the following Resolution for Council consideration for authorizing the Administrative Control Boards of its Special Service Districts to Adopt COVID-19 Policies During the Local Emergency Declaration and recommended approval.

Council Member Stevens made a motion to approve Resolution 2021-03, a Resolution of the Summit County Council Authorizing the Administrative Control Boards of its Special Service Districts to Adopt COVID-19 Policies During the Local Emergency Declaration as recommended including one added wording change discussed. Council Member Robinson seconded and all voted in favor, 5-0.

Consideration and possible adoption of Ordinance 919, an Ordinance to Officially Vacate a Portion of Right-of-Way Owned by Summit County and Located Entirely within the Perimeter of Parcel PP-112; Michael Kendell

Michael Kendell, County Engineer, and Jami Brackin, Deputy Attorney, presented the following Ordinance to complete approval action taken on January 20, 2021, to officially vacate a portion of Right-of-Way owned by Summit County.

Council Member Robinson made a motion to adopt Ordinance 919, an Ordinance to Officially Vacate a Portion of Right-of-Way Owned by Summit County and Located Entirely within the Perimeter of Parcel PP-112 as presented. Council Member Stevens seconded and all voted in favor, 5-0.

Appoint members to serve on the Summit County Arts & Parks Advisory Committee-Cultural (RAP Tax Cultural Committee)

Council Member Clyde made a motion to appoint Sharon Hanson to complete the unexpired term of Amy Yost on the Summit County Arts & Parks Advisory Committee-Cultural (RAP Tax Cultural Committee), with a term of service to expire June 30, 2022, to reappoint Connie Nelson and Kirstie Rosenfield, and to appoint Katie Lindsay also to the Advisory Committee, with terms of service to expire June 30, 2023. Council Member Stevens seconded the motion and all voted in favor, 5-0.

Council Comments

- Council Member Stevens noted SB 102 in the Legislature regarding undocumented or immigrants being allowed to apply for police officer positions. It has wide support for helping fill vacant positions. She is learning a lot about the process
- She was asked to participate in a COVID Economic Recovery Committee
- Council Member Robinson thanked all who applied for the RAP Tax committee and felt all were qualified. He congratulated those new appointments
- He thanked Chair Wright and Council Member Stevens for their efforts at the legislature
- Council Member Armstrong thanked Council Members Robinson and Clyde for their discussion at Conversation with the Council. It was very informative and well received
- He attended a meeting regarding outdoor dining and reported that restaurants are doing a good job of sanitation and compliance with policy
- COVID testing program for businesses is ongoing. Deer Valley is providing in-house testing and have only had two positive tests
- The numbers are trending downward but there is a concern with higher risk on Super Bowl weekend. Sad that one more death reported in Summit County
- Council Member Clyde thanked the Health Department Staff for their information and facts reported during the Conversation with the Council meeting
- There are still issues in Browns Canyon with burning debris. This will need review and guidance for the Planning Commission

- Chair Wright thanked the Health Department staff for their work during all this time
- He was interviewed by USU and feels they are good partners to explore soil, water and carbon sequestration
- There is research on mass timber opportunities that may affect the economy of small and rural counties
- He attended UAC meetings where there was discussion of micromanagement and unfunded mandates by the legislature. More research to be done

Manager Comments

- Manager Fisher agreed with compliments to County Staff. There will be planning for next steps and recovery from the pandemic
- He had a request for support from Park City High School sustainability efforts. He will draft a letter for the Chair to review and sign
- More interviews for voluntary boards are scheduled
- Next week will be the Open Meetings training by the Attorneys for boards and commissions

If you would like to submit comments to Council, please email publiccomments@summitcounty.org by 12:00 p.m. on Wednesday, the day of the meeting. If you wish to interact with Council at 6:00 p.m., for public input or the public hearing, please follow the “Public Comment and Public Hearing Instructions”.

Public Input

There was no public input.

Public hearing to allow public input regarding (a) the issuance and sale of not more than \$20,000,000 Aggregate principal amount of Sales Tax Revenue Bonds, Series 2021, (the “Bonds) and (b) any potential economic impact that the project described herein to be financed with the proceeds of the Bonds issued under the act may have on the private sector; and related matters; Randy Larsen, Brian Baker, Dave Thomas, Matt Leavitt

Matt Leavitt, Finance Officer, reviewed the following staff report and asked the Council to conduct a public hearing regarding the issuance and sale of \$20,000,000.00 Sales Tax Revenue Bonds. Manager Fisher described several capital projects that the funds will be used for, some this year, and master planning additional funding for future needs.

The public hearing was opened for comment.

Hearing no comment, the public hearing was closed.

The Council meeting adjourned at 6:16 p.m.

Glenn Wright, Chair

Kent Jones, Clerk

MINUTES

SUMMIT COUNTY **BOARD OF COUNTY COUNCIL** **WEDNESDAY, FEBRUARY 10, 2021**

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. §52-4-207(4), the Summit County Council Chair has issued written determinations supporting Summit County Council's decision to convene electronic meetings of the Council without a physical anchor location. Due to the health and safety risks related to the ongoing COVID-19 pandemic and considering public health orders limiting in-person gatherings, members of the public should not attend Council meetings in person. However, members of the public are invited and encouraged to view and participate in the Council's electronic meetings as described below.

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OR

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OR

To listen by phone only: Dial 1-301-715-8592, Meeting ID: 279-421-350

PRESENT:

Glenn Wright, *Chair*

Chris Robinson, *Council Vice-Chair*

Roger Armstrong, *Council Member*

Doug Clyde, *Council Member*

Malena Stevens, *Council Member*

Margaret Olson, *Attorney*

Tom Fisher, *Manager*

Janna Young, *Deputy Manager*

Annette Singleton, *Executive Assistant*

Kellie Robinson, *Chief Deputy Clerk*

Council Members log into Zoom meeting

The Council was called to order at 11:40 p.m.

Work Session

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

The Council interviewed Tana Toly, Rick Anderson, Paul Marsh and Betsey Devaney regarding two vacancies on the Summit County Restaurant Tax Advisory Committee. Rick is reapplying.

Interview applicants for vacancies on the Park City Fire Service District Administrative Control Board

The Council interviewed Jay Dyal, Christina Miller, Ryan Bruce, Alex Butwinski, Dan Reilly and Jon Golden regarding vacancies on the Park City Fire Service District Administrative Control Board. Jay, Christina and Alex are reapplying.

Closed Session – Personnel, Security, and Property Acquisition

Council Member Robinson made a motion to convene in closed session to discuss personnel. Council Member Stevens seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 2:24 p.m. to 2:45 p.m. to discuss personnel. Those in attendance were:

Glenn Wright, Chair
Chris Robinson, Council Vice-Chair
Doug Clyde, Council Member
Malena Stevens, Council Member
Roger Armstrong, Council Member

Tom Fisher, Manager
Annette Singleton, Executive Assistant

Council Member Stevens made a motion to leave session to discuss personnel and convene in closed session to discuss security. Council Member Clyde seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 2:45 p.m. to 3:16 p.m. to discuss security. Those in attendance were:

Glenn Wright, Chair
Chris Robinson, Council Vice-Chair
Doug Clyde, Council Member
Malena Stevens, Council Member
Roger Armstrong, Council Member

Tom Fisher, Manager
Annette Singleton, Executive Assistant
Margaret Olson, Attorney
Janna Young, Deputy Manager
Dave Thomas, Chief Civil Deputy Attorney
Rich Bullough, Health Director
Phil Bondurant, Health Department
Derek, Siddoway, Communications

Council Member Stevens made a motion to leave closed session to discuss security and convene in closed session to discuss property acquisition. Council Member Armstrong seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 3:16 p.m. to 3:49 p.m. to discuss property acquisition. Those in attendance were:

Glenn Wright, Chair
Chris Robinson, Council Vice-Chair
Doug Clyde, Council Member
Malena Stevens, Council Member
Roger Armstrong, Council Member

Tom Fisher, Manager
Annette Singleton, Executive Assistant
Margaret Olson, Attorney
Janna Young, Deputy Manager
Dave Thomas, Chief Civil Deputy Attorney
Helen Strachan, Deputy Attorney
Derrick Radke, Public Works Director

Council Member Clyde made a motion to leave session to discuss property acquisition and convene in open session. Council Member Stevens seconded and all voted in favor, 5-0.

Work Session, Continued

Pledge of Allegiance

Legislative update; Jami Brackin and Janna Young

Deputy Manager Janna Young and Deputy Attorney Jami Brackin reviewed the following staff report and discussed issues and anticipated activities as the 2021 session of the State Legislature begins on Tuesday, January 19, 2021.

Consideration of Approval

Discussion and approval of Summit County letter supporting the student-led initiative to adopt a 100% Clean Energy Resolution for the Park City School District; Emily Quinton

Emily Quinton, Sustainability Program Manager, presented the following letter for consideration of supporting the student-led initiative to adopt a 100% Clean Energy Resolution for the Park City School District.

Council Member Clyde made a motion to sign the letter of support for student-led initiative to adopt a 100% Clean Energy Resolution for the Park City School District. Council Member Armstrong seconded the motion and all voted in favor, 5-0

Appoint members to serve on the Park City Fire Service District Administrative Control Board

Council Member Clyde made a motion to re-appoint Jay Dyal, Christina Miller and Alex Butwinski to serve on the Park City Fire Service District Administrative Control Board with terms of service to expire December 31, 2024. Council Member Robinson seconded the motion and all voted in favor, 5-0.

Appoint members to serve on the Summit County Restaurant Tax Advisory Committee

Council Member Stevens made a motion to re-appoint Rick Anderson and to appoint Tana Toly to serve on the Summit County Restaurant Tax Advisory Committee with terms of service to expire July 31, 2023. Council Member Clyde seconded the motion and all voted in favor, 5-0.

Appoint members to serve on the Summit County Weed Control Board

Council Member Clyde made a motion to consent to the County Manager's reappointment of Robert Siddoway to serve on the Summit County Weed Control Board with term of service to expire November 30, 2024. Council Member Stevens seconded the motion and all voted in favor, 5-0.

County Council Minutes dated January 20, and January 27, 2021

Council Member Clyde made a motion to approve the minutes of January 20, 2021 and January 27, 2021, with Council Member Stevens seconding and all voting in favor, 5-0.

Council Comments

- * Council Member Clyde said they are working through some complicated discussions regarding the trails, trail access and parking. Also, life safety issues with a joint committee that it is a complex problem and needs a broad policy discussion
- * Council Member Stevens attended an Economic Advisory Committee meeting through MAG discussing impacts and ways to better support businesses in smaller communities. They also discussed the need for more employees in the future when business start opening back up
- * Council Member Armstrong stated he and Council Member Robinson and the County Manager attended the J-TAB meeting where they discussed transit issues including the federal mask mandate for buses
- * Council Member Robinson talked about the Salt Lake/Park City Connect and that the contract with UTA might need to be tweaked. He stated that Park City has four new electric buses coming
- * Council Chairman Wright stated he had attended the Mountainlands Community Housing meeting and that the Silver Creek Village affordable housing units were selling out

He met yesterday with Emily Quinton and people from the Utah Clean Energy Board, they discussed a de-carbonization strategy

He received emails and letters to the editor regarding the COVID vaccines and vaccinations. He felt that the Summit County team and the State were working well together

He had an inquiry about having the County talk to Vail to open up backcountry gates. He did not feel that was a good idea as conditions were still dangerous

Manager Comments

- County Manager Fisher noted the County Search and Rescue department, Sheriff Department and other departments respond when they are called upon and face difficult situations

He said that himself, Matt Leavitt and Brian Baker, Financial Advisor from Zion's gave a presentation to the S & P bond rating organization in regards to the bond and that the County has the highest level for a bond rating. He thanked Matt and Brian for setting the County up for success with the bond

He will be meeting with the Snyderville Basin Recreation Board tomorrow to address issues with the trail, transportation and parking. He will bring suggestions to the Council in the near future

Joint meeting with Wasatch County Council and possible approval of the Memorandum of Understanding that signals the counties' intentions to collaborate on joint transit planning; Caroline Rodriguez

Caroline Rodriguez, Regional Transportation Director, presented the following staff report in regards to the Memorandum of Understanding that signals the counties' intentions to collaborate on joint transit planning

Council suggested changes to the language of the document and will reschedule for approval.

If you would like to submit comments to Council, please email publiccomments@summitcounty.org by 12:00 p.m. on Wednesday, the day of the meeting. If you wish to interact with Council at 6:00 p.m., for public input or the public hearing, please follow the "Public Comment and Public Hearing Instructions".

Public Input

There was no public input.

Discussion and possible action regarding appeal of Whileaway Ranch Conditional Use Permit

Brent Bateman, Jami Brackin and Dave Thomas presented the following information on the appeal of the Whileaway Ranch Conditional Use Permit appeal.

The Whileaway Ranch land use appeal documents can be found here:
<https://summitcounty.org/DocumentCenter/View/13160/Whileaway-RanchLand-Use-Appeal-Record-PDF>

Closed Session – Litigation

Council Member Armstrong made a motion to convene in closed session to discuss litigation. Council Member Clyde seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 6:24 p.m. to 6:35 p.m. to discuss litigation. Those in attendance were:

Glenn Wright, Chair

Chris Robinson, Council Vice-Chair

Doug Clyde, Council Member

Malena Stevens, Council Member

Roger Armstrong, Council Member

Tom Fisher, Manager

Annette Singleton, Executive Assistant

Council Member Stevens made a motion to leave session to discuss litigation and convene in open session. Council Member Clyde seconded and all voted in favor, 5-0.

Council Member Armstrong made a motion to remand the appeal of the Whileaway Ranch for a Conditional Use Permit to construct commercial horse boarding stables and riding arena on property located in Silver Creek back to the planning commission. Council Member Robinson seconded all in favor, 5-0.

The Council meeting adjourned at 6:40 p.m.

Glenn Wright, *Chair*

Kellie Robinson, *Chief Deputy Clerk*

MINUTES

SUMMIT COUNTY

BOARD OF COUNTY COUNCIL

THURSDAY, FEBRUARY 11, 2021

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. §52-4-207(4), the Summit County Council Chair has issued written determinations supporting Summit County Council's decision to convene electronic meetings of the Council without a physical anchor location. Due to the health and safety risks related to the ongoing COVID-19 pandemic and considering public health orders limiting in-person gatherings, members of the public should not attend Council meetings in person. However, members of the public are invited and encouraged to view and participate in the Council's electronic meetings as described below.

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PRESENT:

Glenn Wright, *Chair*

Chris Robinson, *Council Vice-Chair*

Roger Armstrong, *Council Member*

Doug Clyde, *Council Member*

Malena Stevens, *Council Member*

Margaret Olson, *Attorney*

Tom Fisher, *Manager*

Kent Jones, *Clerk*

The Council was called to order at 6:00. p.m.

Some Council Members to attend Open Meetings Act Training (all Boards and Districts invited to attend); Margaret Olson, County Attorney

County Attorney Margaret Olson gave a training seminar regarding the Open Meetings Act for new Council and Board Members from Special Service Districts.

No action was taken or motions made.

The Council meeting adjourned at 7:16 p.m.

Glenn Wright, *Chair*

Kent Jones, *Clerk*

Public Comment Instructions

2/24/2021

If you would like to make public comments on any item not on the agenda, please email publiccomments@summitcounty.org by 12:00 p.m. on Wednesday, February 24th. Your comments will be read to the Council and made part of the meeting record.

If you are wishing to interact with Council during Public Input at 6:00 p.m., please:

1. Go to <https://zoom.us/j/772302472>
2. Enter meeting ID: 772-302-2472
3. Type in your full name, so you are identified correctly.
4. Set up your audio preferences.
5. You will be muted upon entering the meeting.
6. If you would like to comment, press the "Raise Hand" button at the bottom of the chat window.
7. When it is your turn to comment, the moderator will unmute your microphone. You will then be muted again after you are done speaking.