

SUMMIT COUNTY, UTAH
ORDINANCE NO. ____

**AN ORDINANCE OF THE COUNTY COUNCIL OF SUMMIT COUNTY, UTAH, ENACTING TITLE 2,
CHAPTER 42 TO THE SUMMIT COUNTY CODE, SUMMIT COUNTY OPEN SPACE ADVISORY
COMMITTEE**

PREAMBLE

WHEREAS, on November 2, 2021, the residents of Summit County overwhelmingly supported and passed a General Obligation Bond for the acquisition and preservation of open space, agricultural protection areas, and conservation easements within Summit County; and,

WHEREAS, the County Manager and County Council desire the advice of the county residents as to the expenditure of these funds; and,

WHEREAS, the Summit County Open Space Advisory Committee ("OSAC") is therefore created for the purpose of advising and providing recommendations to the County Manager regarding the identification, preservation and acquisition of open space, agricultural protection areas, and conservation easements; and,

WHEREAS, OSAC shall be composed of an Executive Committee and three (3) Subcommittees, namely, the West Summit Subcommittee, the North Summit Subcommittee, and the South Summit Subcommittee, whose members shall reside in the geographical boundaries of their respective Subcommittees; and,

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WHEREAS, OSAC shall have the power and duty to advise the County Manager as to the appropriate uses and expenditures of the 2022 Summit County Open Space General Obligation Bond and any subsequent countywide open space bonds issued hereafter; and shall refer all Committee funding proposals to the County Manager for decision;

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

Section 1. Enactment. Summit County Code, Title 2, Chapter 42, Summit County Open Space Advisory Committee, which is published as a code in book form, is enacted and adopted in accordance with Attachment "A" herein, copies of which have been filed for use and examination in the Office of the County Clerk (the "Summit County Open Space Advisory Committee Ordinance").

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Section 2. Savings Clause. In the event one or more of the provisions of this Open Space Advisory Committee Ordinance shall, for any reason, be held to be unenforceable or invalid in any respect under any applicable laws, such unenforceability or invalidity shall not affect any other

provision; and in such an event, this Open Space Advisory Committee Ordinance shall be construed as if such unenforceable or invalid provision had never been contained herein.

Section 3. Effective Date. This Summit County Open Space Advisory Committee Ordinance shall take effect 15 days after passage by the Council and subsequent publication in a newspaper of general circulation in Summit County, Utah.

APPROVED, ADOPTED, AND PASSED and ordered published by the County Council, this _____ day of _____, 2022.

ATTEST:

SUMMIT COUNTY COUNCIL

Evelyn Furse
Summit County Clerk

Christopher F. Robinson, Chair

APPROVED AS TO FORM

Lynda L. Viti
Deputy County Attorney

VOTING OF COUNTY COUNCIL:

Councilmember Armstrong _____
Councilmember Robinson _____
Councilmember Clyde _____
Councilmember Armstrong _____
Councilmember Stevens _____

Attachment A

CHAPTER 42

SUMMIT COUNTY OPEN SPACE ADVISORY COMMITTEE

2-42-1: Definitions

2-42-2: Purpose and Name

2-42-3: Authority

2-42-4: Organization

2-42-5: Membership

2-42-6: Powers and Duties

2-42-7: Notification of Interest Process:

2-42-8: Meetings

2-42-9: Conduct of Committee Members

2-42-1: Definitions:

County: Summit County, Utah.

Deleted: Committee or OSAC: The Summit County Open Space Advisory Committee.¶

County Council: The Summit County Council who exercises legislative authority in the County.

County Manager: The chief executive officer of the County.

Evaluation Standards: The approved standards to be used by the Executive Committee in conducting its review of NOIs.

Executive Committee: The governing board of OSAC.

Member: A member of the OSAC, a Subcommittee, or the Executive Committee.

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Deleted: The geographic area of Summit County consisting of consisting of the the North Summit School District, Including Coalville and Henefer Municipal boundaries. area of the South Summit School District north of Chalk Creek Road and excluding the Snyderville Basin Recreation District

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Notice of Interest or NOI: The formal application process set forth in Section 2-42-7.

North Summit, The geographic area of Summit County graphically depicted on Exhibit "B" attached hereto, which consists of the following Utah Hydrologic Unit (HUC) Subwatershed areas within Summit County, namely Echo Creek, Yellow Creek, Main Canyon Creek-Upper Weber River, Chalk Creek, and the Subbasins of the Silver Creek- Upper Weber River Subwatershed, namely Crandall Canyon, Spring Canyon-Upper Weber River, and the portions of the Silver Creek and Rockport Lake – Upper Weber River Subbasins within the North Summit School District boundary,

OSAC: The Summit County Open Space Advisory Committee, which is comprised of the Executive Committee which serves as its governing board and three Subcommittees, one from each of West Summit, North Summit, and South Summit. An organizational chart for OSAC is attached as Exhibit "A" hereto.

South Summit: The geographic area of Summit County graphically depicted on Exhibit "B" attached hereto, which consists of the following Utah Hydrologic Unit (HUC) Subwatershed areas within Summit County, namely Bear River-Stillwater Fork, Bear River-Sulphur Creek, Beaver Creek, Cottonwood Creek, Headwaters Weber River-Upper Weber River, Little South Fork Provo River-Provo River, Muddy Creek, Smiths Fork, Soapstone Creek-Provo River, Upper Blacks Fork and Upper Henrys Fork, and the Subbasins of the Silver Creek-Upper Weber River Subwatershed, namely Crandall Canyon and Rockport Lake-Upper Weber River within the South Summit School District boundary and the Subbasin of Browns Canyon-Upper Weber River,

Subcommittee: The North Summit Subcommittee, South Summit Subcommittee, or West Summit Subcommittee.

West Summit:

The geographic area of Summit County graphically depicted on Exhibit "B" attached hereto consisting of the Snyderville Basin Special Recreation Service District and the Park City School District.

2-42-2 Purpose and Name

The Summit County Open Space Advisory Committee ("OSAC") is created for the purpose of advising and providing recommendations to the County Manager regarding the identification, preservation and acquisition of open space, agricultural protection areas, and conservation easements.

2-42-3: Authority:

OSAC is created as an advisory committee to the County Manager and County Council for the purposes set forth in Section 2-42-2. There shall be no actual or apparent authority vested in OSAC except the authority granted in this chapter. Neither OSAC, nor any Member thereof, is empowered to bind the County as to the purchase of any real property, including conservation easements.

2-42-4: Organization:

OSAC shall be composed of an Executive Committee and three (3) Subcommittees, one from each of the West Summit, North Summit and South Summit geographic areas, or in other words the West Summit Subcommittee, the North Summit Subcommittee, and the South Summit Subcommittee.

OSAC and the Subcommittees may be dissolved in the discretion of the County Manager with the concurrence of the County Council.

Deleted: : The geographic area of of Summit County consisting of the South Summit School District Boundary, except the area north of Chalk Creek Road and excluding any areas residing within the Snyderville Basin Special Recreation District. (to include, but not limited to the neighborhoods of Promontory and Silver Creek Village). Including Kamas, Oakley and Francis Municipal boundaries

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2-42-5: Membership:

- A. The County Manager shall appoint on a nonpartisan basis, with the advice and consent of the County Council, twenty-one (21) Members to the Subcommittees.
- B. Each Subcommittee shall be composed of seven (7) members.
- C. The Subcommittees shall each recommend three (3) Members to the County Manager to serve on the Executive Committee.
- D. The Executive Committee shall be composed of nine (9) Members consisting of three (3) Members from each Subcommittee.
- E. Membership opportunities shall be publicly advertised. City Mayor(s) or Director(s) of county Special Service Districts may provide Membership recommendations to the County Manager. The County Manager shall select Members with the advice and consent of the County Council.
- F. All Subcommittee Members shall reside in the geographical boundaries of their respective Subcommittees.
- G. Subcommittee representation shall be as follows:

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1. West Summit Subcommittee: one (1) representative who resides within the incorporated boundaries of Park City; one (1) representative who resides within the boundaries of the unincorporated Snyderville Basin; one (1) representative of the Snyderville Basin Special Recreation Service District who resides in West Summit; one (1) agricultural or natural resources professional who resides in West Summit; and three (3) at-large community representatives who reside in West Summit.
2. North Summit Subcommittee: one (1) representative who resides within the incorporated boundaries of Coalville City; one (1) representative who resides within the incorporated boundaries of the Town of Henefer; one (1) representative of the North Summit Recreation Special Service District who resides in North Summit; one (1) representative who resides within the boundaries of unincorporated area of North Summit; one (1) agricultural or natural resources professional who resides in North Summit; and two (2) at-large community representatives who reside in North Summit.

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3. South Summit Subcommittee: one (1) representative who resides within the incorporated boundaries of Kamas City; one (1) representative who resides within the incorporated boundaries of Oakley City; one (1) representative who resides within the incorporated boundaries of Francis City; one (1) representative who resides within the boundaries of unincorporated area of South Summit; one (1)

agricultural or natural resources professional who resides in South Summit; and two (2) at-large community representatives who reside in South Summit.

- H. Non-voting members: The Executive Committee and each Subcommittee may enlist non-voting member participation as needed or advised by the Executive Committee chair, the County Manager or County Council, including staff from the Office of the County Manager and one planning commission member from either the Eastern Summit County Planning Commission or the Snyderville Basin Planning Commission.
- I. Members shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid or reimbursed by the County.
- J. Terms: The Executive Committee Members may serve three (3) consecutive three (3) - year terms. The Subcommittee Members may serve one (1) year terms or until the Committee is dissolved, but no event longer than three (3) consecutive years.
- K. The County Attorney or a staff attorney shall be legal counsel to the OSAC and the Subcommittees. **Deleted:** Committee
- L. The County Manager may remove any Member at any time with or without cause.

24-42-6: Powers and Duties

- A. OSAC shall advise the County Manager as to the identification, preservation and acquisition of open space, agricultural protection areas, and conservation easements with respect to the use of the 2022 Summit County Open Space General Obligation Bond and any subsequent countywide open space bonds issued hereafter. **Deleted:** The Committee
- B. All funding proposed by OSAC shall be referred to the County Manager for his or her decision. **Deleted:** the **Deleted:** Committee
- C. Each Subcommittee shall:
 - 1. Select from among the voting Members a chair, vice chair, and secretary of the Subcommittee. **Deleted:** to
 - 2. Select three (3) Members for inclusion on the Executive Committee and present the names to the County Manager for confirmation or rejection of appointment. The County Manager may reject any or all recommendations from the Subcommittee and may independently choose from among Subcommittee Members for membership on the Executive Committee.

3. In open meetings, craft and prioritize Evaluation Standards and recommend those standards to the Executive Committee for the purposes set forth in Section 24-42-6-A.
4. The Subcommittee is encouraged to hold public hearings as part of crafting Evaluation Standards.

D. The Executive Committee shall:

1. Select from among the voting Members a chair, vice chair, and secretary of the Executive Committee.
2. Propose by-laws for approval by the County Manager in consultation with the County Council.
3. Assess the Evaluation Standards proposed by each Subcommittee and recommend the proposed Evaluation Standards for each geographical area to the County Manager. The chair of the Executive Committee shall have responsibility of presenting all recommended evaluation standards from the Executive Committee to the County Manager.
4. Inform County Manager to all funding options and provide recommendations as to best options.
5. Make recommendations to the County Manager on selecting an accredited land trust or an equivalent legal entity to hold conservation easements on proposed properties.
6. Advise the County Manager on contributing or acquiring funds for the purposes set forth in Section 24-42-6-A.
7. Evaluate Notifications of Interest and make recommendations on funding to the County Manager consistent with Section 2-42-7.

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E. Final Authority: Neither the determinations of eligibility, nor the recommendations on NOIs set forth in Section 2-42-7, are binding on the County Manager, County Council or the County. The County Manager retains final authority regarding any real property transactions and if deemed necessary for the health, safety, or general welfare of the residents of the County, the County Manager may take direct action on any acquisition of open space, agricultural protection areas or conservation easements with or without the involvement of the Executive Committee or the Subcommittees.

F. Upon the request of the County Manager or County Council, the Executive Committee shall make presentation to the County Manager and County Council on the Evaluation Standards and OSAC's goals and activities.

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2-42-7: Notification of Interest Process:

- A. Notification of Interest (NOI) Submittal. Landowners who desire to nominate real property for preservation and acquisition as open space, an agricultural protection area, or for a conservation easement, whether in exchange for compensation or otherwise, may do so by filing a NOI with the County Manager on forms provided for that purpose. Upon receipt of a NOI, County staff will review the NOI and verify completeness of required information. If deemed complete, the County staff shall in turn transmit such NOI to the appropriate Subcommittee in whose geographic area the proposed real property is located.
- B. NOIs are encouraged to be evaluated and sponsored by an accredited land trust or equivalent legal entity.
- C. Initial Presentation and Site Visit. The NOI will be scheduled on an agenda of the appropriate Subcommittee for an initial presentation by the landowner, accredited land trust or equivalent legal entity and such Subcommittee may conduct a site visit to review and verify the property for conformance with Evaluation Standards. Following the initial presentation and site visit, the appropriate Subcommittee shall make a recommendation to the Executive Committee, which shall review and verify the property for conformance with Evaluation Standards.
- D. Scoring and Recommendation. The Executive Committee will score all NOIs as eligible or ineligible for funding based upon the Evaluation Standards and will make a recommendation to the County Manager.

2-42-8: Meetings:

- A. Meetings of the Subcommittee shall be scheduled on as as-needed basis.
- B. Meetings of the Executive Committee shall be scheduled monthly.
- C. Special meetings, work sessions and field trips, for any purpose, may be held at the call of the chair, the County Manager or the County Council. Work session and field trip meetings shall be for discussion and informational purposes only; no action shall be taken on any item.
- D. 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 and a statement of any conditions to be attached to the action.

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- E. The Executive Committee and Subcommittees shall conduct their business according to bylaws.
- F. The Executive Committee and Subcommittees are subject to the Open and Public Meetings Act.
- G. The Executive Committee and Subcommittees may go into closed session to discuss NOIs as allowed by the Open and Public Meetings Act.

2-42-9: Conduct of Members:

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- A. Ethical Principles: The following ethical principles shall guide the actions of the Executive Committee, its Subcommittees, and their Members in carrying out the powers and duties described above:
 - 1. Serve the Public Interest: The primary obligation of the Executive Committee, its Subcommittees, and each Member is to serve the public interest.
 - 2. Support Citizen Participation in Planning: The Executive Committee and its Subcommittees shall ensure a forum for meaningful citizen participation and expression in the planning process and assist in the clarification of community goals, objectives, and policies.
 - 3. Recognize the Comprehensive and Long-Range Nature of Decisions: The Executive Committee, its Subcommittees and their Members shall continuously gather and consider all relevant facts, alternatives and means of accomplishing them, and explicitly evaluate all consequences before making a recommendation or decision.
 - 4. Facilitate Coordination Through the Process: The Executive Committee and its Subcommittees shall ensure that individuals and public and private agencies possibly affected by a prospective decision receive adequate information far enough in advance of the decision.
 - 5. Avoid Conflict of Interest: Members shall avoid conflicts of interest and even the appearance of impropriety. At the commencement of any matter before the Executive Committee or any of its Subcommittees, Members shall divulge in public, any past, present, or expected relationship with any party affiliated with such matter. A member with a potential conflict of interest shall abstain from voting on the matter, not participate in any deliberations on the matter, and leave the committee table, but may remain in the chamber. The Member shall also not discuss the matter privately with any other official voting on the matter.

6. Render Thorough and Diligent Service: If a Member has not sufficiently reviewed relevant facts and advice affecting a decision, that Member should not participate in that decision.
7. Not Seek or Offer Favors: A Member must not directly or indirectly solicit any gift or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, promises, or in some other form) under circumstances in which it could be reasonably inferred that the gift was intended or could reasonably be expected to influence them in the performance of their duties or was intended as a reward for any recommendation or decision on their part.
8. Not Disclose or Improperly Use Confidential Information For Financial Gain: A Member shall not disclose or improperly use confidential information for financial gain, and must not disclose to others confidential information acquired in the course of their duties or use it to further a personal interest.
9. Ensure Full Disclosure at Public Meetings: The Executive Committee and its Subcommittees shall ensure that the presentation of information on behalf of any party to a question occurs only at the scheduled public meeting on the question, not in private, unofficially, or with other interested parties absent, and must make partisan information regarding the question received in the mail or by telephone or other communication part of the public record.
10. Maintain Public Confidence: A Member must conduct himself/herself publicly so as to maintain public confidence in the public body and the Member's performance of the public trust.
11. Respect for and Courtesy to Other Members, Public and Staff: Each Member has the same rights and privileges as any other Member. Any Member has the right to be heard and to hear what others have to say about items being considered by the Executive Committee or its Subcommittees.

B. Representation of Applicants or Petitioners: No Member shall physically represent applicants or petitioners before the Executive Committee or any of its Subcommittees on matters on which that committee is to make determinations or recommendations.

C. Ex Parte Communication: Prearranged private meetings between a Member and an individual(s), and their agents, or other interested parties with a matter pending before the Executive Committee or any of its Subcommittees are prohibited. Partisan information on any application received by a Member whether by mail, telephone, or other communication should be avoided. When such communication does occur, it must be disclosed and made part of the public record by the Member.

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D. Attendance: Each Member shall be responsible for attending all scheduled meetings of their respective committee. Should circumstances arise where a Member is unable to attend a scheduled meeting, the Member shall be responsible for notifying the chair as soon as possible. Members who fail to attend three (3) regular meetings of their respective committee within any consecutive three (3) month period may, at the discretion of the County Manager, be removed from that respective committee.

Exhibit "A"

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OSAC Organizational Chart

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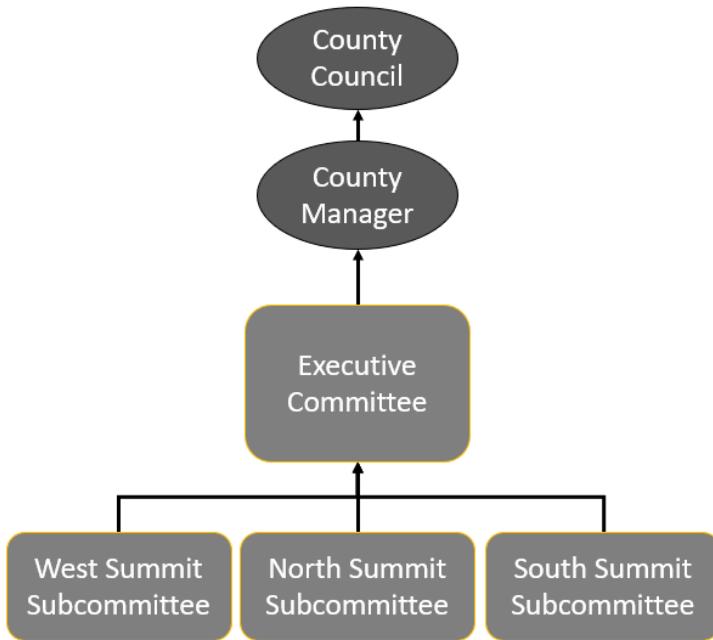
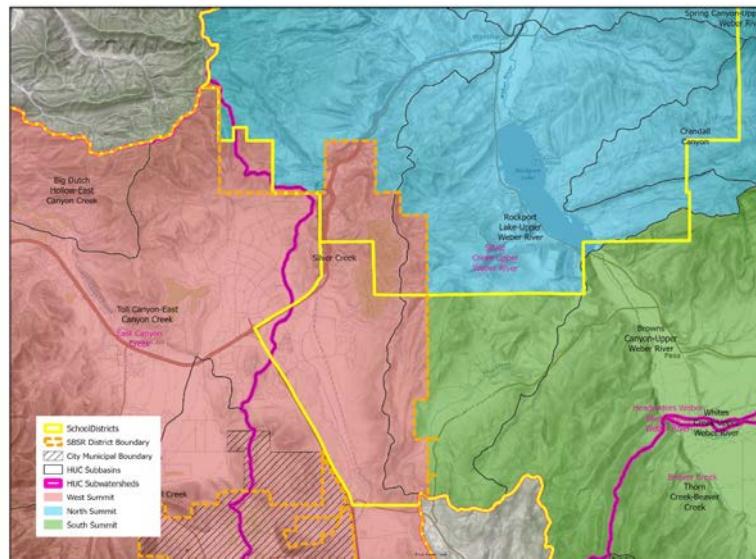
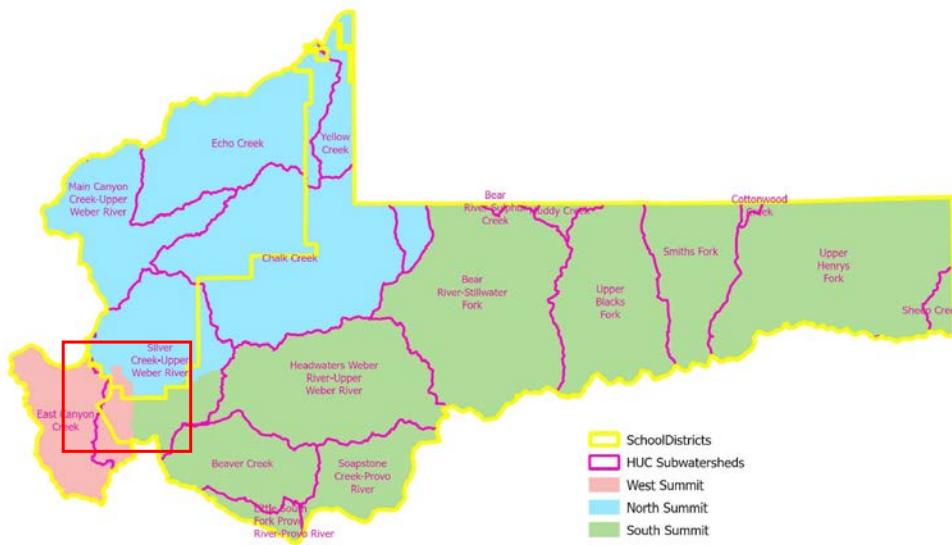
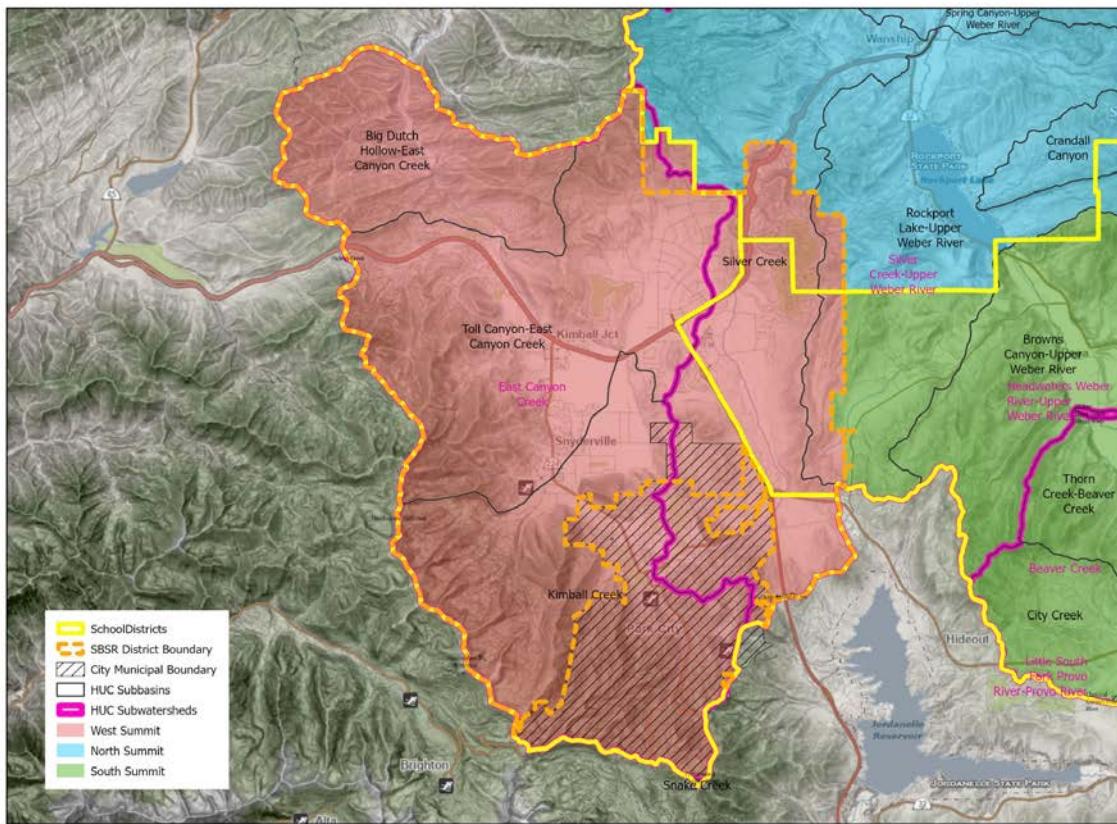


Exhibit B
Subcommittee Boundary Maps

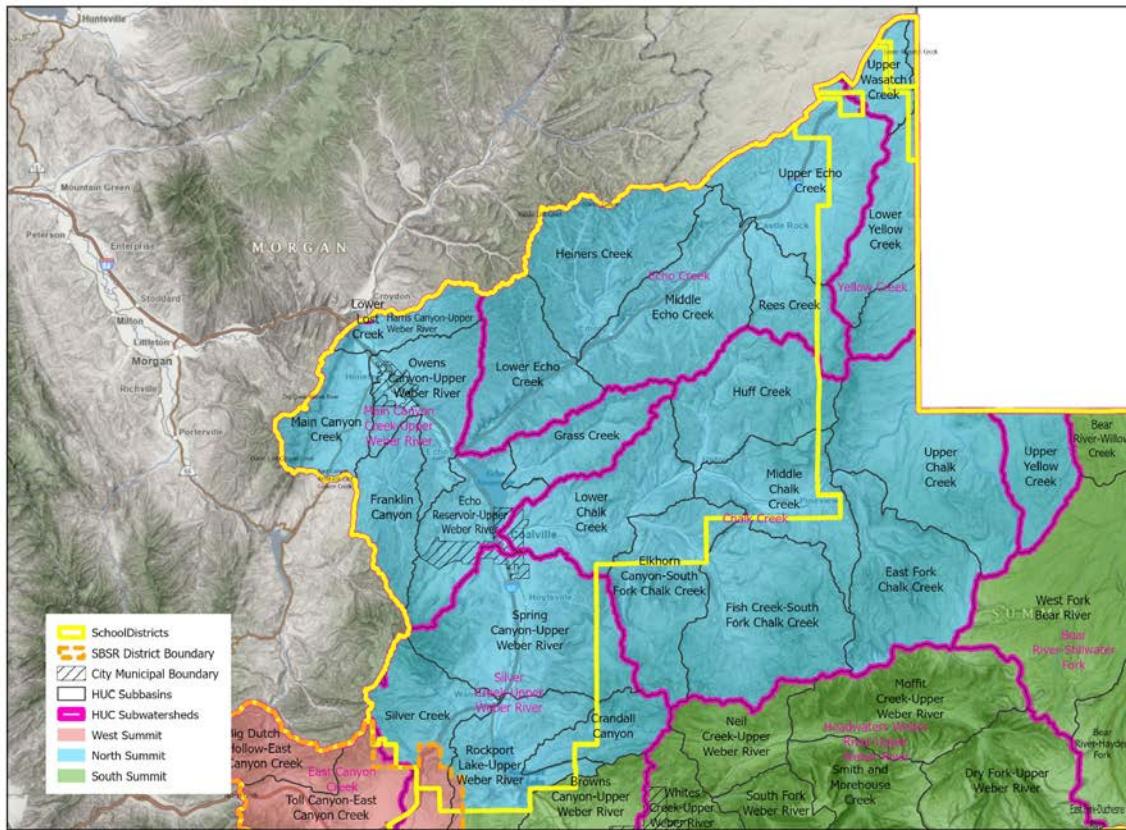


West Summit

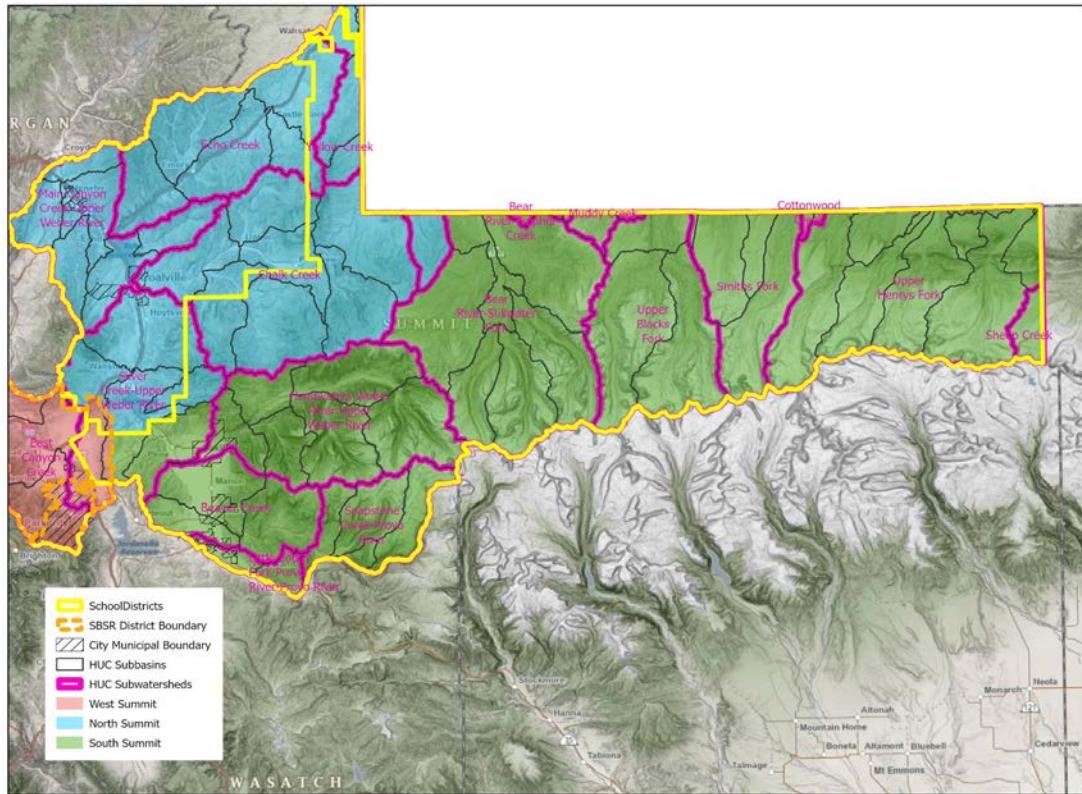


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SUMMIT COUNTY, UTAH
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COMMITTEE**

PREAMBLE

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WHEREAS, the County Manager and County Council desire the advice of the county residents as to the expenditure of these funds; and,

WHEREAS, the Summit County Open Space Advisory Committee ("OSAC") is therefore created for the purpose of advising and providing recommendations to the County Manager regarding the identification, preservation and acquisition of open space, agricultural protection areas, and conservation easements; and,

WHEREAS, OSAC shall be composed of an Executive Committee and three (3) Subcommittees, namely the West Summit Subcommittee, the North Summit Subcommittee, and the South Summit Subcommittee, whose members shall reside in the geographical boundaries of their respective Subcommittees; and,

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ATTEST:

SUMMIT COUNTY COUNCIL

Evelyn Furse
Summit County Clerk

Christopher F. Robinson, Chair

APPROVED AS TO FORM

Lynda L. Viti
Deputy County Attorney

VOTING OF COUNTY COUNCIL:

Councilmember Armstrong _____
Councilmember Robinson _____
Councilmember Clyde _____
Councilmember Armstrong _____
Councilmember Stevens _____

Attachment A

CHAPTER 42

SUMMIT COUNTY OPEN SPACE ADVISORY COMMITTEE

2-42-1: Definitions

2-42-2: Purpose and Name

2-42-3: Authority

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2-42-2 Purpose and Name

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- C. Each Subcommittee shall:
 1. Select from among the voting Members a chair, vice chair, and secretary of the Subcommittee.
 2. Select three (3) Members for inclusion on the Executive Committee and present the names to the County Manager for confirmation or rejection of appointment. The County Manager may reject any or all recommendations from the Subcommittee and may independently choose from among Subcommittee Members for membership on the Executive Committee.

3. In open meetings, craft and prioritize Evaluation Standards and recommend those standards to the Executive Committee for the purposes set forth in Section 24-42-6-A.
4. The Subcommittee is encouraged to hold public hearings as part of crafting Evaluation Standards.

D. The Executive Committee shall:

1. Select from among the voting Members a chair, vice chair, and secretary of the Executive Committee.
2. Propose by-laws for approval by the County Manager in consultation with the County Council.
3. Assess the Evaluation Standards proposed by each Subcommittee and recommend the proposed Evaluation Standards for each geographical area to the County Manager. The chair of the Executive Committee shall have responsibility of presenting all recommended evaluation standards from the Executive Committee to the County Manager.
4. Inform County Manager to all funding options and provide recommendations as to best options.
5. Make recommendations to the County Manager on selecting an accredited land trust or an equivalent legal entity to hold conservation easements on proposed properties.
6. Advise the County Manager on contributing or acquiring funds for the purposes set forth in Section 24-42-6-A.
7. Evaluate Notifications of Interest and make recommendations on funding to the County Manager consistent with Section 2-42-7.

E. Final Authority: Neither the determinations of eligibility, nor the recommendations on NOIs set forth in Section 2-42-7, are binding on the County Manager, County Council or the County. The County Manager retains final authority regarding any real property transactions and if deemed necessary for the health, safety, or general welfare of the residents of the County, the County Manager may take direct action on any acquisition of open space, agricultural protection areas or conservation easements with or without the involvement of the Executive Committee or the Subcommittees.

F. Upon the request of the County Manager or County Council, the Executive Committee shall make presentation to the County Manager and County Council on the Evaluation Standards and OSAC's goals and activities.

2-42-7: Notification of Interest Process:

- A. Notification of Interest (NOI) Submittal. Landowners who desire to nominate real property for preservation and acquisition as open space, an agricultural protection area, or for a conservation easement, whether in exchange for compensation or otherwise, may do so by filing a NOI with the County Manager on forms provided for that purpose. Upon receipt of a NOI, County staff will review the NOI and verify completeness of required information. If deemed complete, the County staff shall in turn transmit such NOI to the appropriate Subcommittee in whose geographic area the proposed real property is located.
- B. NOIs are encouraged to be evaluated and sponsored by an accredited land trust or equivalent legal entity.
- C. Initial Presentation and Site Visit. The NOI will be scheduled on an agenda of the appropriate Subcommittee for an initial presentation by the landowner, accredited land trust or equivalent legal entity and such Subcommittee may conduct a site visit to review and verify the property for conformance with Evaluation Standards. Following the initial presentation and site visit, the appropriate Subcommittee shall make a recommendation to the Executive Committee, which shall review and verify the property for conformance with Evaluation Standards.
- D. Scoring and Recommendation. The Executive Committee will score all NOIs as eligible or ineligible for funding based upon the Evaluation Standards and will make a recommendation to the County Manager.

2-42-8: Meetings:

- A. Meetings of the Subcommittee shall be scheduled on an as-needed basis.
- B. Meetings of the Executive Committee shall be scheduled monthly.
- C. Special meetings, work sessions and field trips, for any purpose, may be held at the call of the chair, the County Manager or the County Council. Work session and field trip meetings shall be for discussion and informational purposes only; no action shall be taken on any item.
- D. 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 and a statement of any conditions to be attached to the action.

- E. The Executive Committee and Subcommittees shall conduct their business according to bylaws.
- F. The Executive Committee and Subcommittees are subject to the Open and Public Meetings Act.
- G. The Executive Committee and Subcommittees may go into closed session to discuss NOIs as allowed by the Open and Public Meetings Act.

2-42-9: Conduct of Members:

- A. Ethical Principles: The following ethical principles shall guide the actions of the Executive Committee, its Subcommittees, and their Members in carrying out the powers and duties described above:
 - 1. Serve the Public Interest: The primary obligation of the Executive Committee, its Subcommittees, and each Member is to serve the public interest.
 - 2. Support Citizen Participation in Planning: The Executive Committee and its Subcommittees shall ensure a forum for meaningful citizen participation and expression in the planning process and assist in the clarification of community goals, objectives, and policies.
 - 3. Recognize the Comprehensive and Long-Range Nature of Decisions: The Executive Committee, its Subcommittees and their Members shall continuously gather and consider all relevant facts, alternatives and means of accomplishing them, and explicitly evaluate all consequences before making a recommendation or decision.
 - 4. Facilitate Coordination Through the Process: The Executive Committee and its Subcommittees shall ensure that individuals and public and private agencies possibly affected by a prospective decision receive adequate information far enough in advance of the decision.
 - 5. Avoid Conflict of Interest: Members shall avoid conflicts of interest and even the appearance of impropriety. At the commencement of any matter before the Executive Committee or any of its Subcommittees, Members shall divulge in public, any past, present, or expected relationship with any party affiliated with such matter. A member with a potential conflict of interest shall abstain from voting on the matter, not participate in any deliberations on the matter, and leave the committee table, but may remain in the chamber. The Member shall also not discuss the matter privately with any other official voting on the matter.

6. Render Thorough and Diligent Service: If a Member has not sufficiently reviewed relevant facts and advice affecting a decision, that Member should not participate in that decision.
7. Not Seek or Offer Favors: A Member must not directly or indirectly solicit any gift or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, promises, or in some other form) under circumstances in which it could be reasonably inferred that the gift was intended or could reasonably be expected to influence them in the performance of their duties or was intended as a reward for any recommendation or decision on their part.
8. Not Disclose or Improperly Use Confidential Information For Financial Gain: A Member shall not disclose or improperly use confidential information for financial gain, and must not disclose to others confidential information acquired in the course of their duties or use it to further a personal interest.
9. Ensure Full Disclosure at Public Meetings: The Executive Committee and its Subcommittees shall ensure that the presentation of information on behalf of any party to a question occurs only at the scheduled public meeting on the question, not in private, unofficially, or with other interested parties absent, and must make partisan information regarding the question received in the mail or by telephone or other communication part of the public record.
10. Maintain Public Confidence: A Member must conduct himself/herself publicly so as to maintain public confidence in the public body and the Member's performance of the public trust.
11. Respect for and Courtesy to Other Members, Public and Staff: Each Member has the same rights and privileges as any other Member. Any Member has the right to be heard and to hear what others have to say about items being considered by the Executive Committee or its Subcommittees.

B. Representation of Applicants or Petitioners: No Member shall physically represent applicants or petitioners before the Executive Committee or any of its Subcommittees on matters on which that committee is to make determinations or recommendations.

C. Ex Parte Communication: Prearranged private meetings between a Member and an individual(s), and their agents, or other interested parties with a matter pending before the Executive Committee or any of its Subcommittees are prohibited. Partisan information on any application received by a Member whether by mail, telephone, or other communication should be avoided. When such communication does occur, it must be disclosed and made part of the public record by the Member.

D. Attendance: Each Member shall be responsible for attending all scheduled meetings of their respective committee. Should circumstances arise where a Member is unable to attend a scheduled meeting, the Member shall be responsible for notifying the chair as soon as possible. Members who fail to attend three (3) regular meetings of their respective committee within any consecutive three (3) month period may, at the discretion of the County Manager, be removed from that respective committee.

Exhibit "A"

OSAC Organizational Chart

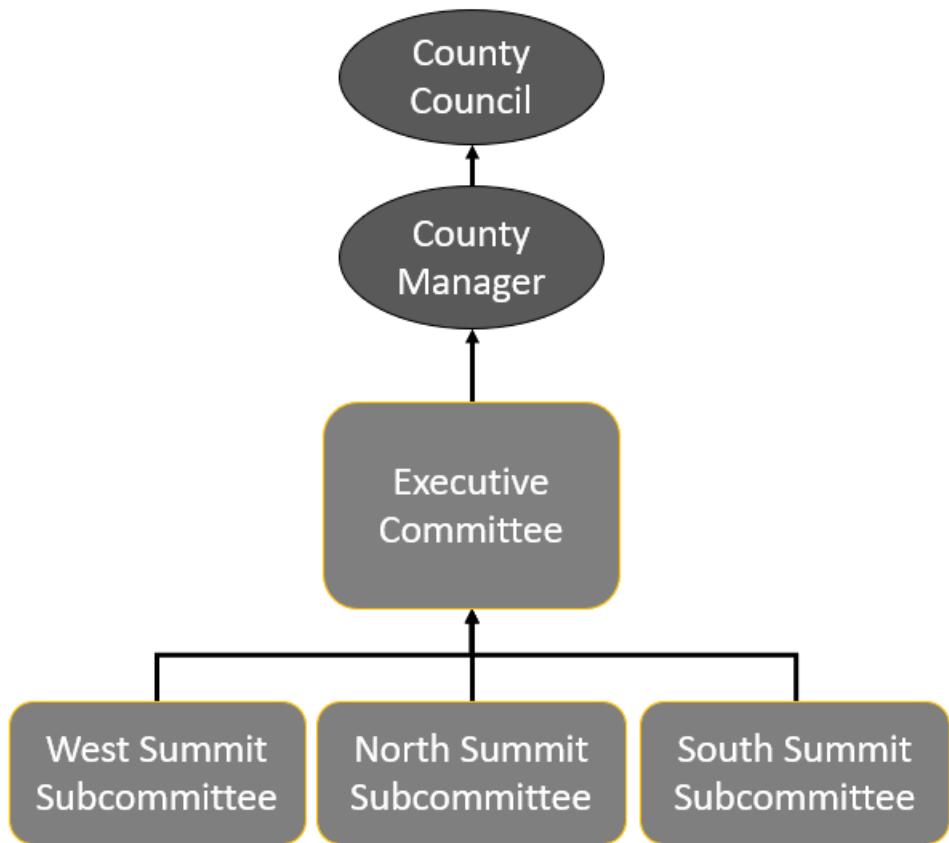
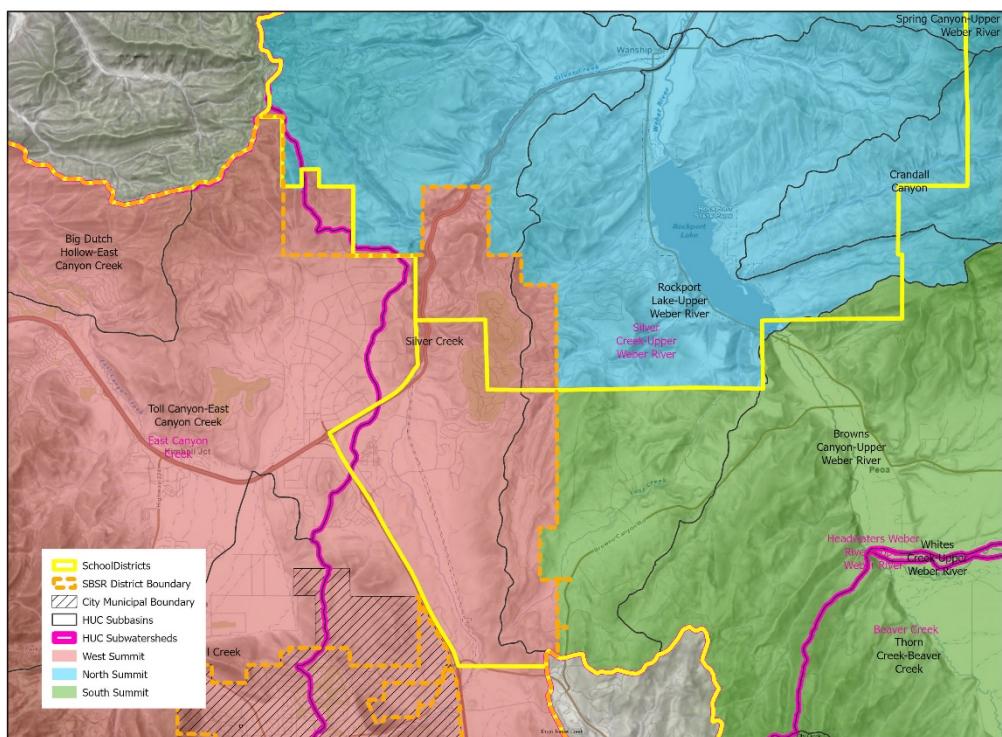
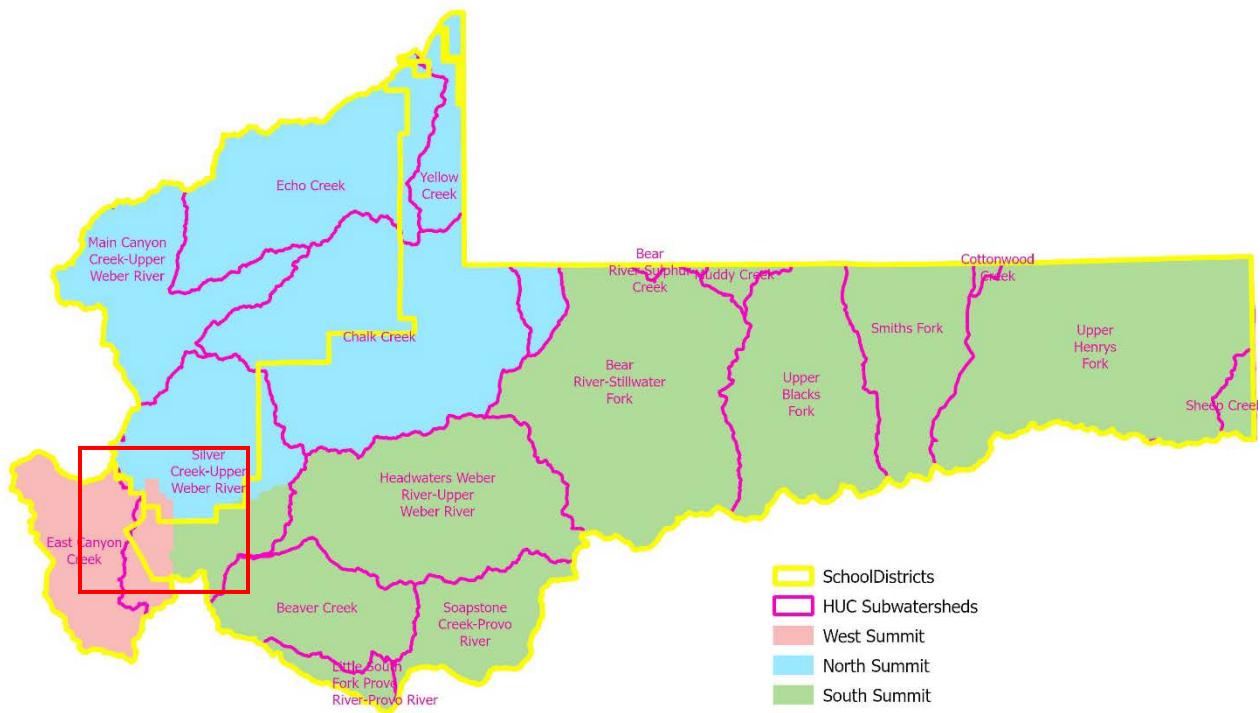
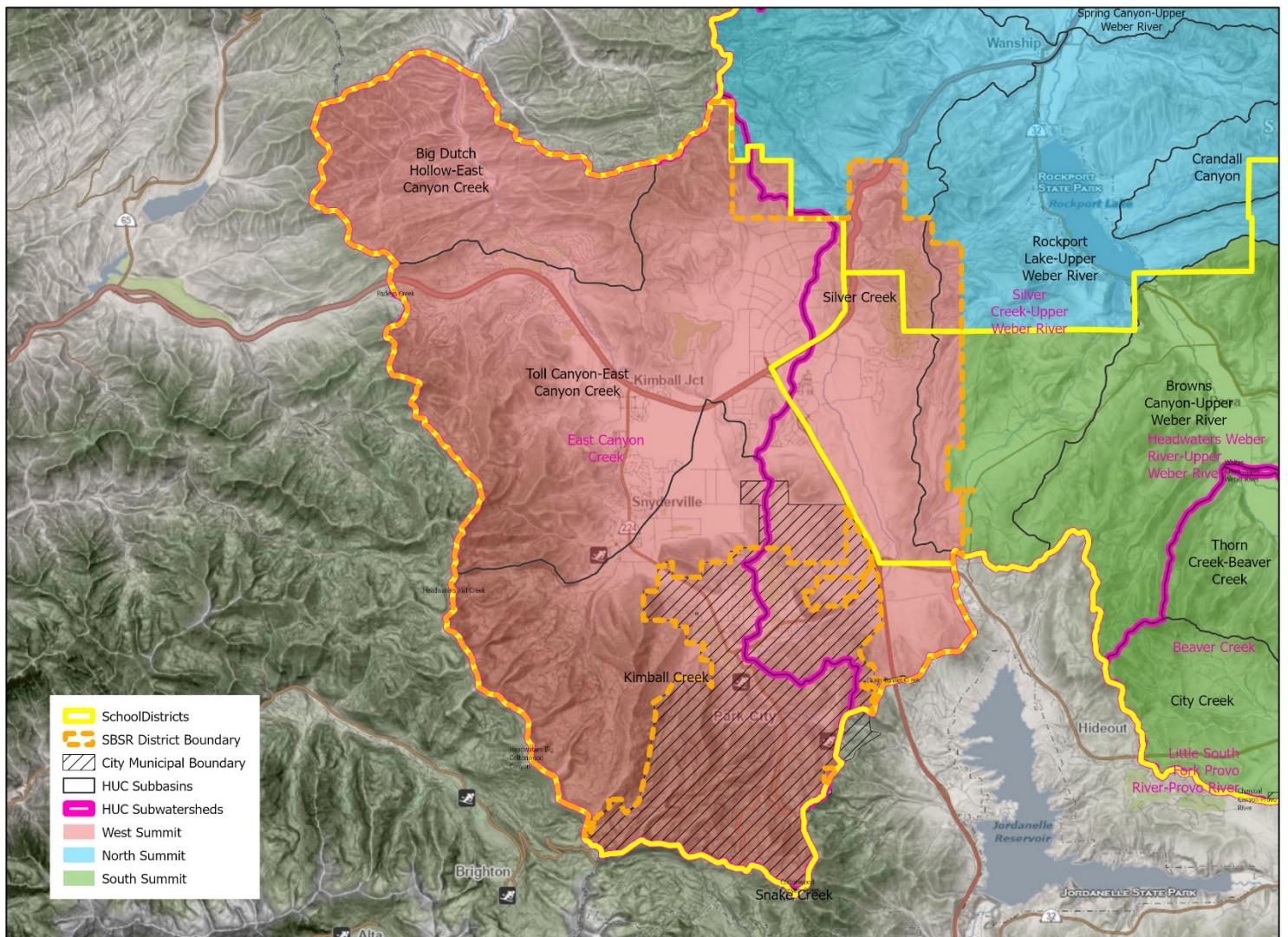


Exhibit B

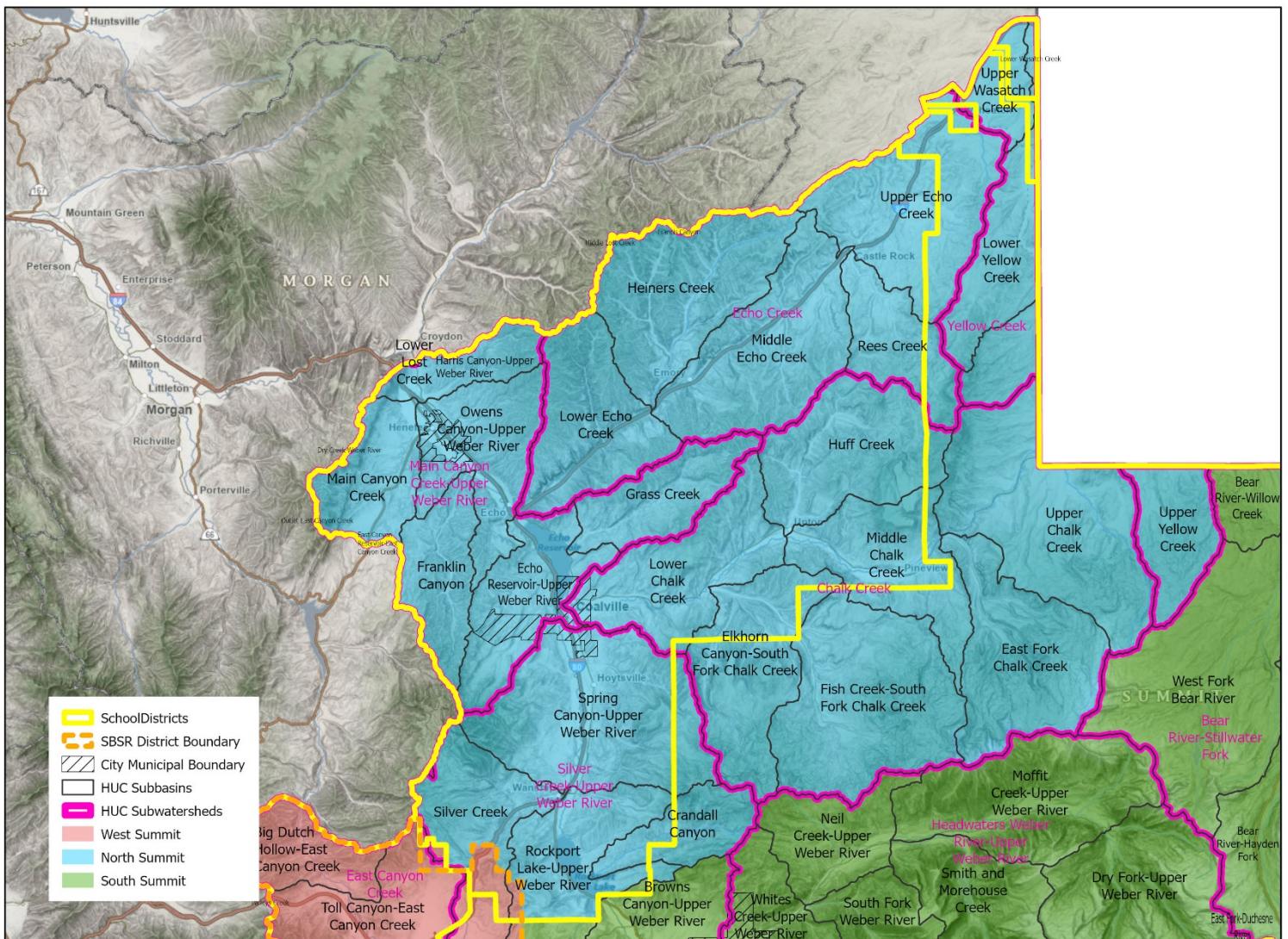
Subcommittee Boundary Maps



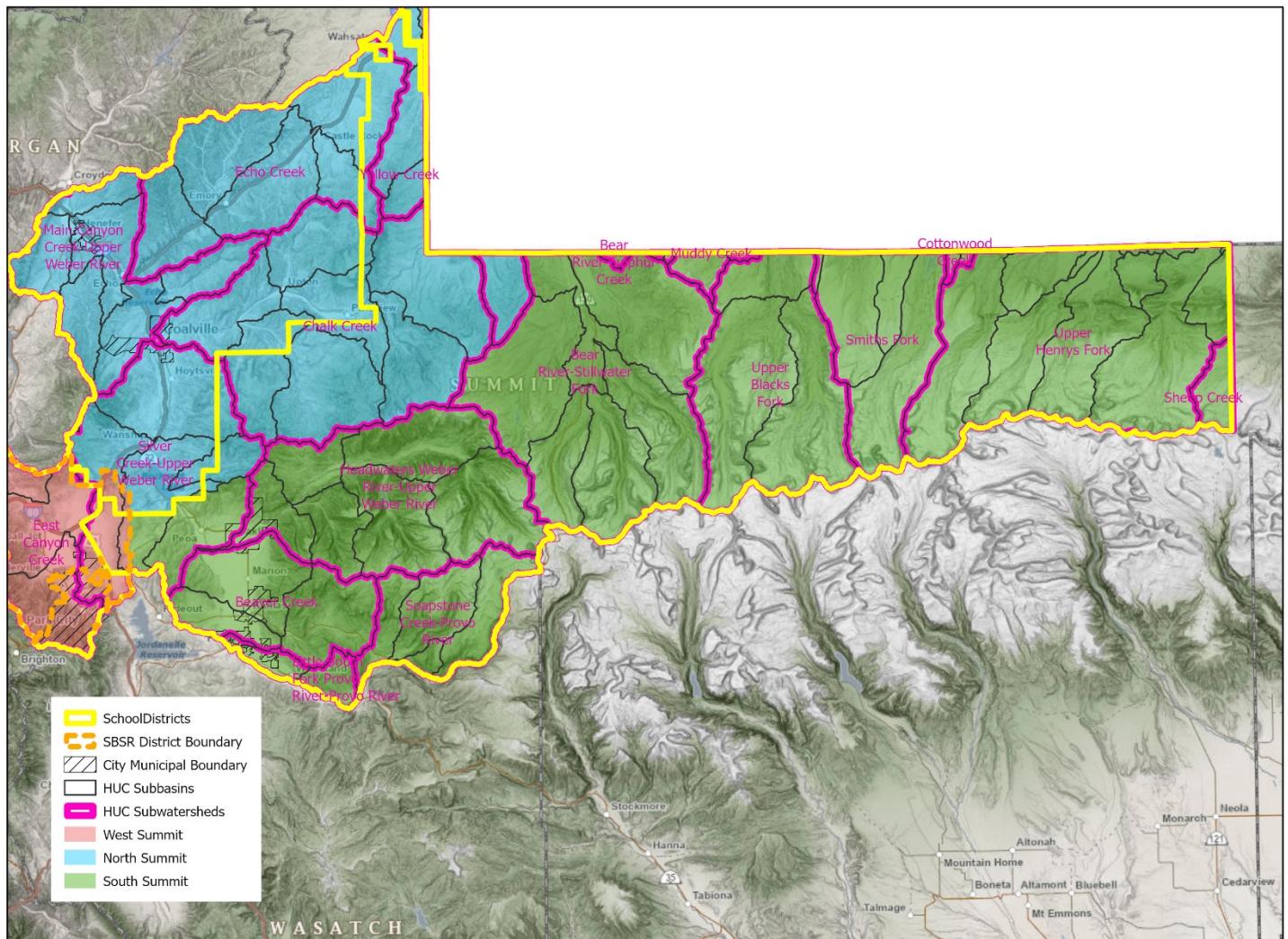
West Summit



North Summit



South Summit





SUMMIT COUNTY HEALTH DEPARTMENT

STAFF REPORT

DATE: April 13, 2022
TO: Summit County Council
Tom Fisher, Summit County Manager

FROM: Phil Bondurant, Summit County Health Director
David Warnock, Summit County Human Resources Director

RE: Amendment to the Summit County Chart of Positions – Full-time Epidemiologist

PURPOSE

This staff report aims to describe the need and method for funding a Summit County Health Department (SCHD) Epidemiologist. Additionally, this report confirms to the Council and Manager that the requested addition does not require a financial commitment from the County General Fund for employment.

The intent is to gain approval to amend the Summit County Chart of Positions and allow the SCHD to hire a full-time Epidemiologist.

OVERVIEW

Utah Administrative Rule [R380-40-6](#), Local Health Department Minimum Performance Standards (MPS), details the requirements for each health department and the necessary staff to perform essential public health functions. Section 7 of the rule reads:

- 7) Each local health department shall employ an individual with training and experience in epidemiology to conduct and oversee epidemiology activities conducted by the local health department.

At this time, the epidemiology requirement is being filled by a qualified Epidemiologist who is designated as a Temporary Employee. Per the Personnel Manual, Temporary Employees are limited to 6 months of work before a required 90-day absence from County employment. The 6-month timeline for this position expires on June 25, 2022. Additionally, given the length of time this position has been operating with this designation, we are now providing health insurance benefits as required in section 9(A)(4) of the Summit County Personnel Policy Manual. Bringing this position to full-time is a marginal increase to the existing financial commitment.

The recent pandemic has highlighted both the need and value of having a full-time epidemiologist on staff. Although an Epidemiologist plays an important role in any public health emergency response, the field of epidemiology also plays a critical role in everyday public health efforts. As the SCHD transitions away from the pandemic and begins to focus on Health Equity in the community, the need for this expertise and capacity becomes increasingly important.

COALVILLE OFFICE
85 North 50 East, PO Box 128
Coalville, UT 84017
435-336-3234
Fax: 435-608-4383

PARK CITY OFFICE
650 Round Valley Drive
Park City, UT 84060
435-333-1500
Fax: 435-608-4489

KAMAS OFFICE
110 North Main
Kamas, UT 84036
435-783-3161
Fax: 435-608-4434



SUMMIT COUNTY HEALTH DEPARTMENT

STAFF REPORT

FUNDING

Every year since 2002, the Utah Department of Health has provided \$2 million in grant funding to local health departments for MPS compliance. This funding is divided among the 13 local health departments using the State funding formula, resulting in the SCDH receiving \$66,550 annually. However, during the 2022 Legislative Session, the Utah Association of Local Health Officers worked with legislators to secure an additional \$4 million of ongoing funding, bringing the total to \$6 million for local health departments. This additional funding now provides the SCDH with \$199,650 of annual funding dedicated to MPS. This funding will be used to pay a portion of the Epidemiologist's salary and benefits.

In addition to the MPS grant, four additional grants provide \$118,922 in funding for other programs where an epidemiologist can provide ancillary services. These four grants will be used to pay the remaining portion of the salary and benefits for the Epidemiologist position. A list of the applicable grants is provided below.

While the MPS grant and those listed in the table below are historically secured, there is also COVID-19 funding dedicated to epidemiology. The current amount for COVID-19 based epidemiology is \$109,620 with an expiration date of 7/31/2023. This funding will be used to supplement the Epidemiologist position until the end of the grant period. When the funding expires in 2023, the MPS funding will cover the difference.

As a result, the SCDH is able to fund this full-time, benefited position inside our current funding structure and without a financial commitment from the County General Fund.

CONCLUSION

- By filling this position, the SCDH is compliant with Utah Administrative Rule R380-40-6
- This request is fully funded with secure, ongoing grants from the Utah Department of Health
- There is no financial commitment from the County General Fund for this position
- The value of this position has been demonstrated throughout the pandemic and provides the capacity to identify areas where we can focus our Health Equity efforts

Grant Title	Amount to Date	Term	COVID Related Funding	Secure Funding Based on History
Disease Response, Evaluation, Analysis, and Monitoring (ELC)	\$20,077	8/1/20-7/31/23	No	Yes
STD Intervention Services	\$98,845	1/1/19- 12/31/23	No	Yes
Total	\$118,922			
Up to 10% Allocation to position	\$11,892			

SUMMIT COUNTY JOB DESCRIPTION

Job Title: Epidemiologist
Division: Administration
Department: Public Health

Effective Date: 04/22

General Purpose

Manages active and passive surveillance activities on infectious diseases, environmental health events, public health syndromes, health promotion activities, chronic diseases, injuries, and similar issues. Develops conclusions from surveillance data and identifies implications for public health programs.

Supervision Received

Works under the supervision of the Health Officer, or their designee.

Supervision Exercised

None.

Essential Functions

Conducts epidemiologic studies and may lead, or assist, in field investigations to assess risk factors for adverse health outcomes and determines sources of disease outbreaks, interpret findings, and recommends prevention and control measures to Health Department leadership.

Designs instruments and methods for the collection and analysis of disease-related data. Evaluates the usefulness of information collected and makes changes as needed. Communicates key findings from data analysis to policymakers and the public.

Utilizes, maintains, and modifies public health databases used to organize and analyze data, ensuring the confidentiality of information.

Utilizes data to help establish targeted prevention activities assisting leadership to make informative decisions. Presents results to appropriate health professionals and the community as needed or determined by the Health Officer.

Collaborates and serves as a liaison with health care providers, health agencies, and other key partners to identify cases that meet surveillance criteria and obtain information needed for the investigation of cases and contacts.

Actively participates in and guides the Community Health Assessment and Community Health Improvement Planning process for the Health Department.

Represent the Health Department on State Public Health subcommittees as assigned by the Health Officer.

Performs other duties as assigned.

Minimum Qualifications

1. Education and experience:

- a. Minimum of a Bachelor's degree in Public Health, Epidemiology, Nursing, Health Informatics, or other related Public Health field,

AND

- b. At least three (3) years of experience in epidemiology, public health, statistics, health informatics, or related field,

OR

- c. An equivalent of education and experience.

2. Required knowledge, skills, and abilities:

Working knowledge of epidemiologic theory, principles, and practices related to the public health specialty; design techniques, tools, and instruments to collect data; research methods and evaluation of statistical data; interviewing techniques; principles of social and behavior models; communicate effectively both orally and in writing; ability to work effectively with people from a variety of social, ethnic, economic, educational and professional backgrounds; analyze and organize data for publication; disseminate program data and findings to community, stakeholders, and media; ability to maintain confidentiality and privacy of records in all aspects of the job; work independently and as part of a team.

3. Special qualifications:

- a. If the applicant is a licensed professional, Registered Nurse, Nurse Practitioner, Physician Assistant, etc., Utah professional license must be current.
- b. Must have a valid driver's license.

4. Work environment:

Performs in a typical office/clinical setting with appropriate environmental controls.

Tasks require a variety of physical activities, periodically involving muscular strain, such as walking, standing, stooping, sitting, reaching, and lifting. Talking, hearing, and seeing are essential to most effective job performance. Periodic exposure to communicable diseases. Common eye, hand, finger dexterity required. Mental application utilizes memory

for details, emotional stability, discriminating thinking, and creative problem-solving. Periodic travel may be required in the normal course of job performance.

The Epidemiologist is expected to be available for public health emergencies regarding disease outbreaks communicable disease, environmental health events, bioterrorism investigation and response protocols, or other situations as determined by the Health Officer.

Chart of Fulltime Positions
Proposed January 2021

Department	Position	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
		Fulltime																						
Animal Control	Animal Control Administrator	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Field Supervisor					1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Animal Control Officers	4	4	4	4	4	4	5	5	5	5	5	4	3	3	3	4	4	4	3	3	3	3	3
	Kennel Tech	2	2	2	2	2	1						1	1	1	1	2	2	2	2	2	2	2	2
Subtotal		7	7	7	7	8	7	7	7	7	7	7	5	5	5	5	8	8	8	7	7	7	7	7
Assessor's Office	County Assessor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Chief Deputy Assessor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Commercial Appraiser																							0
	Appraisal Supervisor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Assoc Commercial Appraiser																							
	Appraiser/Software Spec																							
	Deputy Appraisers	7	7	7	7	7	6	6	6	6	6	6	5	4	4	4	4	4	4	4	4	4	4	6
	Assessing Tech	1	1	1	1	1	1	1	2	2	2	2	2	2	2	2	2	3	3	3	3	1	1	1
Subtotal		11	11	11	11	11	11	12	12	12	11	10	9	9	10	10	10	10	10	10	10	10	10	10
Attorney's Office	County Attorney	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Chief Civil Attorney	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Civil Attorney	1	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3
	Chief Prosecutor	1	1	1	1	1	1																	
	Prosecuting Attorneys	1	1	1	1	1	3	3	3	3	3	3	3	3	3	3	3	2	2	2	2	2	2	2
	Attala																							
	Victim Advocate Director	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Victim Advocate																							
	CJC Director																							
	Legal Secretary	1	1	1	1	1	1																	
	Paralegal																							
Subtotal		7	7	8	8	8	9	11	11	10	10	11	10	9	9	10	11	11	11	12	12	12	13	
Auditor's Office	County Auditor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Chief Deputy Auditor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Financial Officer																							
	Payroll Clerk																							
	Management Analyst																							
	Accountant	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Subtotal		4	4	4	5	5	5	5	5	5	5	5	5	5	5	5	6	4	5	5	4	3	3	3
Clerk's Office	Clerk	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Chief Deputy Clerk	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Deputy Clerk	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2
Subtotal		3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	4
Community Development	Comm Development Director	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Office Manager																							
	Administrative Assistant	1	1	1	1	1	2	2	2															
	Planning and Zoning Admin	1																						
	Planning and Zoning Director																							
	Land Development Spec	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Planning Director	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Project Coordinator																							
	Senior Planner	1																						
	Special Projects Manager																							
	Principle Planner																							
	County Planners	6	7	6	5	6	6	5	5	7	6	5	5	5	2	2	2	2	2	2	3	3	4	4
	Assistant County Planner	1	1	1	1	1	2	2	1			1	1	1	1	1	1	1	1	1	1	1	1	1
	Regional Transportation Planning Crd																							
	Code Enforcement Officer	1																						
	Permit Technician	1																						
	Secretaries	2	3	3	3	3	3	2	3	3	2	2	2	2	2	2	2	2	2	2	2	2	2	2
	Chief Building Official	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Plan Examiner	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Assistant Plan Examiner																							
	Asst B.O./Supervising B.O.																							
	Plan Exam/Asst Building Offc																							
	Building Inspectors	7	7	7	6	6	6	8	8	7	7	5	4	4	4	5	5	5	5	5	5	6	6	6
Subtotal		22	23	23	23	25	27	29	26	26	24	20	20	19	20	21	22	22	22	23	23	26	26	26

Chart of Fulltime Positions Proposed January 2021

Chart of Fulltime Positions Proposed January 2021

Department	Position	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
		Fulltime																						
Heritage & Arts	Director																					1	1	1
(Formerly Library)	Museum Director																					1	1	1
	Library Director	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Assistant Library Director																							
	Information Serv Librarian								1	1														
	Public Services Librarian								1	1														
	Teen Services/Social Media Librarian								1	1														
	Technical Services Librarian	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Outreach Services Librarian								1	1														
	Spanish Services Librarian																							
	Branch Librarians	1	1	1	1	2	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3	3	3	3
	Administrative Assistant																							
	Library Clerks	2	4	4	3	3	5	6	6	5	5	6	6	6	6	6	6	6	4	4	4	4	4	4
Subtotal		2	6	8	8	10	10	12	14	14	14	14	15	15	15	15	15	15	13	13	13	14	14	14
Information Technology	Bureau																							
	LAN Administrator	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Network Security Engineer																							
	Info Tech Specialists	2	2	2	3	3	3	3	4	4	4	4	3	3	3	3	3	3	3	2	2	2	2	2
	GIS Coordinator																							
	GIS Specialists	1	1	1	2	2	2	2	2	2	2	2	1	1	1	1	1	1	1	1	1	1	1	1
	Multi-Media Coordinator																							
	Web Administrator																							
	Records Imaging Tech																							
Subtotal		5	5	5	8	8	8	8	9	9	9	9	9	9	9	9	9	9	9	9	10	10	10	10
Justice Court	Judge	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Court Administrator																							
	Senior Court Clerk	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Court Clerk	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Subtotal		4	4	4	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Personnel	Director	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Business Administrator	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	HR Tech																							
	Floaters																							
Subtotal		2	2	2	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Public Works	Public Works Administrator	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Deputy Public Works Director																							
	Deputy Public Works Director-Transportation																							
	Financial Analyst																							
	Public Works Superintendent	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Weed Supervisor																							
	Office Manager																							
	Road Superintendent																							
	Area Supervisor																							
	Project Foreman	1																						
	Mechanics	1	1	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
	Mechanic Tech	1	1	1																				
	Secretary	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Weight Control Lead	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Equin Operator/Weed Spray	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Equin Operator/Weed Enfor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Weed Enforcement Officer																							
	Equipment Operators	13	13	13	13	14	16	17	17	16	15	13	11	11	11	12	12	15	15	15	15	15	14	15
	Equin Operator/Storm Water																							
	Sign Technician																							
Subtotal		20	20	20	20	21	24	26	27	26	26	25	25	25	26	26	26	27	27	27	27	28	28	30
Recorder's Office	County Recorder	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Chief Deputy Recorder	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Survey Manager																							
	GIS Technician																							
	Senior Cadastral Mapper	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Cadastral Mapper																							
	Deputy Recorder	7	7	7	8	8	8	8	8	8	8	8	6	4	4	3	3	3	3	3	3	3	3	3
Subtotal		10	10	10	11	11	11	11	11	11	11	11	9	7	7	7	7	7	7	7	7	7	7	8
Senior Citizens	Senior Director																							
	Senior Cook																							
Subtotal																								
Solid Waste	Solid Waste Manager																							
	Solid Waste Superintendent																							
	Solid Waste Foreman																							
	Landfill Operators	4	4	4	4	4	5	5	5	5	5	5	6	6	6	6	6	6	6	7	7	7	7	7
	Landfill Spotters												1	2	2	2	2	2	2	2	2	2	2	2
	Gate Attendant												1	1	1	1	1	1	1	1	1	1	1	1
Subtotal		4	4	4	4	4	5	6	8	9	10	10	11	11	10	10	10	10	10	10	11	11	11	11
Department	Position	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Sheriff's Office	Sheriff	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Chief Deputy	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Office Manager																							
	Secretary	2	2	2	3	3	3	3	3	3	3	3	2	2	2	2	3	3	4	4	4	4	4	4
	Admin Assistant												1	1	1	1	1	1	1	1	1	1	1	1
	Emergency Manager																							
	Captain																							
	Admin Lieutenant																							
	Admin Sergeant																							
	Patrol Lieutenant	1	1	1	1																			
	Patrol Sergeants	5	5	5	5	6	6	6	5	6	6	6	5	5	5	5	5	5	5	5	5	5	5	5
	Patrol Lead Deputies	15	17	20	20	20	25	25	21	19	18	15	14	14	15	19	19	19	19	19				

Chart of Fulltime Positions Proposed January 2021

STAFF REPORT

TO: Summit County Council
FROM: Matt Leavitt – Summit County Financial Officer
DATE: April 7, 2022
SUBJECT: 1st amendment to HVTD interlocal agreement

**BACKGROUND:**

In 2021 the County entered into an interlocal agreement to provide transit services as funded by restricted County-imposed sales taxes. The sales taxes are restrictive in nature to transit and transportation and the County Council has expressed an interest in providing a regionalized transit service. The interlocal agreement between High Valley Transit District (HVTD) and the County was created to provide a funding source for this regionalization. The term of the original agreement between the County and HVTD was ten years and set to expire in 2031.

In order to fund capital construction HVTD is issuing bonds in the amount of \$10 million with a debt service life of 10 years. Due to the life of the bonds extending out past the term of the interlocal agreement it is necessary to review the interlocal agreement to satisfy the lender's request that the interlocal agreement go beyond the life of the bonds.

COUNCIL REQUIRED ACTION:

Approve and sign the attached amendment to the HVTD interlocal agreement.

ATTACHMENT:

Attached is the First Amendment to the Inter-local Cooperation Agreement between the County and HVTD.

Please address comments or questions to:

Matt Leavitt, Chief Financial Officer
mleavitt@summitcounty.org
(435) 336-3017

FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT FOR TRANSIT SYSTEM SERVICES

This First Amendment to Inter-local Cooperation Agreement (“*First Amendment*”) is entered into this ____ day of April, 2022 (the “*Effective Date*”), by and among **HIGH VALLEY TRANSIT DISTRICT**, a political subdivision of the State of Utah (hereinafter, “*District*”), and **SUMMIT COUNTY**, a political subdivision of the State of Utah (hereinafter, “*County*”). Each is individually referred to as a “*Party*” and collectively as the “*Parties*.”

RECITAL

- A. County and District entered into that certain Interlocal Cooperation Agreement for Transit System Services, dated April 14, 2021 (the “*Original Agreement*”).
- B. The Parties contemplated that the transit services to be provided by District under the Original Agreement would have an initial term of ten (10) years, ending April 14, 2031.
- C. The District seeks to encumber the County Public Transit Tax (defined in the Original Agreement) through a revenue bond (the “*Bond*”) to fund the construction of a transit campus. As a result, the District desires to extend the duration of the Original Agreement consistent with the terms and duration of the Bond.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and in the Original Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Recitals. The foregoing recitals are incorporated herein by this reference.
2. Original Agreement; Amendment. Except as expressly set forth in this First Amendment, the Original Agreement shall remain unmodified and in full force and effect, and is hereby affirmed and ratified. In the event of any inconsistency between the terms of the Original Agreement and the terms of this First Amendment, the terms of the First Amendment shall govern and control in all respects. All future references to the Original Agreement shall be deemed references to the Original Agreement, as amended hereby.

3. Amendment to Term. The Term of the Original Agreement set forth in Section 11 is amended and restated as follows:

Term. The Original Agreement shall be in effect for a period of fifteen (15) years from the Effective Date (Utah Code §11-13-216) unless otherwise amended or terminated by the District and the County by mutual written agreement.

4. Severability. In the event that any condition, covenant, or other provision herein contained is held to be invalid or void by any court of competent jurisdiction, the same shall be deemed severable from the remainder of this First Amendment and shall in no way affect any other condition, covenant, or other provision herein contained. If such condition, covenant, or other provision shall be deemed invalid due to its scope or breadth, such condition, covenant, or other provision shall be deemed valid to the extent of the scope and breadth permitted by law.

5. Further Action/Amendment. The Parties shall execute and deliver all documents, provide all information, and take or forbear from all such action as may be necessary or appropriate to achieve the purposes of this First Amendment.

6. Counterparts. This First Amendment may be executed in any number of counterpart originals, each of which shall be deemed an original instrument for all purposes, but all of which shall comprise one and the same instrument.

7. Governing Law. This First Amendment shall be construed and enforced in accordance with the laws of the State of Utah.

8. No Third-Party Beneficiary Rights. This First Amendment is not intended to create, nor shall it be in any way interpreted or construed to create, any third-party beneficiary rights in any person not a Party hereto.

9. Authority. The individuals who execute this First Amendment represent and warrant that they are duly authorized to execute this instrument on behalf of each Party and that no other signature, act, or authorization is necessary to bind the Parties to this First Amendment.

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be executed on the dates indicated by the signatures of the respective Parties.

Signature Pages to Follow

Signed this ____ day of April, 2022.

SUMMIT COUNTY

Christopher F. Robinson, Chair
Summit County Council

ATTEST:

Evelyn Furse, County Clerk

Reviewed and found to be in proper form and compliance with applicable law:

David L. Thomas

David L. Thomas, Chief Civil Deputy

Signed this ____ day of April, 2022.

HIGH VALLEY TRANSIT DISTRICT

Kim Carson, Chair
Board of Trustees

Reviewed and found to be in proper form and compliance with applicable law:

David L. Thomas

David L. Thomas
Chief Civil Deputy

Public Comment Instructions
4/13/2022

If you would like to make public comments, please email publiccomments@summitcounty.org by 12:00 p.m. on Wednesday, April 13th. Your comments will made part of the meeting record.

If you are participating via Zoom, and wishing to interact with Council during the public input, 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.