MINUTES
SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, FEBRUARY 20, 2019
SUMMIT COUNTY COURTHOUSE
COALVILLE, UTAH

PRESENT:

Roger Armstrong, Council Chair
Doug Clyde, Council Vice-Chair
Chris Robinson, Council Member
Kim Carson, Council Member
Glenn Wright, Council Member
Tom Fisher, Manager
Janna Young, Deputy Manager
Dave Thomas, Chief Civil Deputy
Kent Jones, Clerk

The Council was called to order at 2:05 p.m.

Work Session

The Council interviewed Nanette Bush, Gale Pace, and Clinton Benson for two vacancies on the Eastern Summit County Planning Commission. Two more applicants will be interviewed next week. Rich Sonntag and Tonja Hanson’s terms expire 2/28/2019.

Closed Session – Personnel, Litigation, and Property Acquisition

Council Member Carson made a motion to convene in closed session to discuss personnel. The motion was seconded by Council Member Clyde and passed unanimously, 5 to 0.

The Summit County Council met in closed session from 2:48 p.m. to 3:01 p.m. to discuss personnel. Those in attendance were:

Roger Armstrong, Council Chair
Doug Clyde, Council Vice-Chair
Chris Robinson, Council Member
Kim Carson, Council Member
Glenn Wright, Council Member
Tom Fisher, Manager
Annette Singleton, Executive Assistant
Dave Thomas, Chief Civil Deputy

Council Member Carson made a motion to leave session to discuss personnel and convene in closed session to discuss litigation. Council Member Wright seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 3:01 p.m. to 3:30 p.m. to discuss litigation. Those in attendance were:
Council Member Wright made a motion to leave session to discuss litigation and convene in closed session to discuss property acquisition. Council Member Clyde seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 3:30 p.m. to 4:07 p.m. to discuss property acquisition. Those in attendance were:

Roger Armstrong, Council Chair
Doug Clyde, Council Vice-Chair
Chris Robinson, Council Member
Kim Carson, Council Member
Glenn Wright, Council Member

Tom Fisher, Manager
Annette Singleton, Executive Assistant
Dave Thomas, Chief Civil Deputy
Thomas Peters, Attorney (Peters/Schofield)

Council Member Clyde made a motion to dismiss from closed session to discuss property acquisition and convene in open session. Council Member Wright seconded with all voting in favor, 5-0.

Work Session continued

Pledge of Allegiance

Presentation of Payment in Lieu of Taxes (PILT) Check; Justin Dolling, Northern Region Supervisor, Utah Division of Wildlife Resources

Justin Dolling, Northern Region Supervisor for the Utah Division of Wildlife Resources, presented the Council and Manager a check for Payment in Lieu of Taxes for 12,800 acres of Federal lands that are not on the County tax rolls.

Discussion and updates from Library Director, Dan Compton

Dan Compton, Library Director, gave the following presentation to update the Council regarding opportunities and resources available at the County Library systems.
Prenda Code Club Grant

JOIN THE CODE CLUB!

KAMAS VALLEY LIBRARY

AGES 8-18

Tuesday from 3:00 pm
Starting February 5th

Learn to make APPS & WEBSITES!
Why offer Code Club at the Library?

Computing jobs are the #1 source of new wages in the US

500,000 current openings

These jobs are in every industry and every state, and they're projected to grow at twice the rate of all other jobs.

Source: csedweek.org
The “STEM” problem

The “STEM” problem is in computer science

58% of all new jobs in STEM are in computing

10% of STEM graduates are in Computer Science

Source: csedweek.org
Fine-Free Implementation and Marketing

OVERDUE, YOUR BOOKS ARE; HMMM?

FINES, YOU WILL NOT RECEIVE
Joint effort with Park City Library

No more late fees on overdue items.
New Resource: Kanopy Film Database
Consideration of Approval

Approval of an extension to the Old Ranch Road Final Subdivision Plat, consisting of 8 lots, located on Parcels PP-123-A, PP-123-B, and SS-59-1; Farley Eskelson, applicant; Jennifer Strader, County Planner

Jennifer Strader, County Planner, reviewed the following staff report and recommended the Council approve a two-year extension to the Old Ranch Road Subdivision Plat to allow time for the County to finalize the improvements that will likely affect the design of the subdivision.

The applicant is requesting that the Summit County Council approve a two (2) year extension to the Old Ranch Road Subdivision Plat approval.

On September 12, 2017, the Snyderville Basin Planning Commission approved a Final Subdivision Plat for the Old Ranch Road Subdivision, consisting of eight (8) lots, located on Parcels PP-123-A, PP-123-B, and SS-59-1. An applicant is required to record the plat within one (1) year from the date of approval or the approval becomes invalid.

On November 16, 2018, The Community Development Director granted a six (6) month extension to the Old Ranch Road Subdivision Plat approval pursuant to Section 10-9-11 (5) of the Snyderville Basin Development Code which states:

“One 6-month extension of a development permit may be granted by the CDD upon his finding that special circumstances exist which warrant such an extension, including, but not limited to, a delay caused by a government review agency or natural disaster.”

The extension was granted based on the finding that “certain proposed Summit County road improvements, creek relocations, and trail construction along Old Ranch Road adjacent to the subject property have not been finalized. The County improvements may have direct design implications for your subdivision plat. An extension is warranted in this case to allow time for the final Old Ranch Road improvement plans to be completed.” (Exhibit A)

The applicant has since requested an additional two (2) year extension to allow time for the County to finalize the Old Ranch Road improvements that will most likely affect the design of the Subdivision (Exhibit B).

Staff recommends the SCC grant the extension pursuant to their legislative authority.
November 16, 2018

Mr. Farley Eskelson, P.E.
Dominion Engineering Associates, L.C.
5798 S. Green Street
Salt Lake City, Utah 84123

RE: Old Ranch Road Estates Final Plat Extension

Dear Mr. Eskelson:

Please accept this letter as written confirmation that I have granted a six (6) month extension to the Old Ranch Road Estate Final Subdivision Plat pursuant to the Snyderville Basin Development Code, Section 11-9-11 (5): Scope of Development Permit Approvals. I base this extension on the finding that certain proposed Summit County road improvements, creek relocations, and trail construction along Old Ranch Road adjacent to the subject property have not been finalized. The County improvements may have direct design implications for your subdivision plat. An extension is warranted in this case to allow time for the final Old Ranch Road improvement plans to be completed.

The Old Ranch Road Estates Final Plat approval is hereby extended to March 12, 2019. Any additional extension beyond March 12, 2019 must be approved by the Summit County Council.

Please do not hesitate to contact me at (435) 336-3158 should you have any questions or require additional assistance.

Sincerely,

Patrick J. Putt
Community Development Director

cc:  Chad Horne
     Dave Thomas
     Jennifer Strader
     Peter Barnes
January 15, 2019

Mr. Patrick J. Putt
Community Development Director
Summit County Planning
P.O. Box 128
Coalville, Ut 84017

RE: Old Ranch Road Estates Final Plat Extension

Dear Mr. Putt:

Thank you for your letter of November 16, 2018, extending the time of 6 months for the Old Ranch Road Estate Final Subdivision Plat. There has been no update from the County on which design will be used on Old Ranch Road. The Old Ranch Road Design and alignment will most likely have an impact on the front of the Old Ranch Road Estate Subdivision. That impact will need to be incorporated in the revised design of the Subdivision.

2H2O Development requests that we get on the Summit County Council agenda and request a two (2) year extension of time for the Old Ranch Road Estate Final Subdivision Plat. The extension would give us time and the County time to determine the alignment of Old Ranch Road. Once the alignment and utility realignment are determined, then it would give us time to revise our drawings and prepare for construction.

Please let me know if there is any other information needed or request needed to get on the Council agenda.

Sincerely,

DOMINION ENGINEERING ASSOCIATES, L.C.

[Signature]

E. Farley Eskelson, P.E.
Principal

Council Member Wright made a motion to approve an extension to the Old Ranch Road Final Subdivision Plat, consisting of 8 lots, located on Parcels PP-123-A, PP-123-B, and SS-59-1; Farley Eskelson, applicant, as recommended by staff. Council Member Clyde seconded and all voted in favor, 5-0.

Legislative update: Kim Carson and Janna Young

Council Member Carson and Deputy Manager Janna Young reviewed the following staff report to give the Council an update of 2019 Legislative bills and activities at the Legislature. No action is needed.
STAFF REPORT

To: Summit County Council
From: Janna Young, Deputy County Manager
Date of Meeting: February 20, 2019
Type of Item: Weekly Legislative Update
Process: Work Session

During the 2019 general session of the Utah State Legislature, staff, along with Councilmember Kim Carson, will provide the County Council weekly updates on the issues and activities the county is monitoring at the State Capitol.

Requested Council Action
None.

Background
On Monday, January 28, 2019, the general session of Utah’s 63rd legislature began and will run until Thursday, March 14, 2019. During the session, Summit County’s internal legislative working group tracks activity at the State Capitol.

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, 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 and legislative 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 Kim Carson and Deputy County Manager, Janna Young report to the Council on these activities, and requests input on issues and support for proposed county positions on bills.

2019 Legislative Session

Summit County’s Proactive Initiatives
Unique this legislative session is a number of bills Summit County is directly and proactively working on with lawmakers. These are:
1. **HB 321, Public Improvements to Provide Sewer Services** (Sponsor: Rep. Wilde): Addresses the public health challenge of failing septic systems and the downstream effects of water contamination. The bill would allow for the creation, in limited circumstances, of involuntary tax assessment areas that will be used solely for the purpose of preserving water quality when current septic practices have been shown to be impacting the overall water quality of an area. The effort involves UAC, health departments and water districts.

2. **100% Net Community Renewable Energy** (Sponsor: Rep. Handy): This is a joint effort with Rocky Mountain Power, Park City Municipal Corporation, and Salt Lake City on legislation to enable the utility company to enter into a renewable energy program with a municipality or county without shifting costs or benefits of the program to nonparticipating customers (UAC supports).

3. **Oil and Gas Amendments** (Sponsor: Rep. Wilde): Modifies oil and gas provisions adopted during the 2018 general session (S.B. 191) to address concerns Summit County raised affecting our ability to regulate subsurface pipelines (UAC supports).

**Bills/Issues the County is Monitoring**

Based on the bills that have been released to the public as of the date of this staff report, combined with information provided by UAC’s legislative team, Summit County is currently following the below issues (NOTE: bills change drastically and quickly every hour during the session. It is likely the details provided in this staff report will change by the time the information is presented at the Council meeting):

**Tax Reform**

There have been indications that a bill will be released to the public in the next two weeks. The current line of thinking regarding the distribution formula is to freeze current funding levels at the current formula but all new growth in the tax base would go into a new distribution formula.

**Retirement Amendments**

**HB 30, Utah Retirement Systems Amendments (Robertson)**

**HB 269, Public Safety and Firefighter Retirement Amendments (Perry)**

**SB 129, Public Safety and Firefighter Tier II Retirement Enhancements (Harper)**

There are several bills that propose changes to the state retirement system, specifically for first responders. There was much discussion about this at this week’s UAC legislative policy meeting. The general feeling is these are good
changes that help with recruitment and retention of employees, but will cost counties more money.

HB 78, Federal Designations (Albrecht) – SUMMIT COUNTY OPPOSES; UAC DIVIDED
Requires a governmental entity to acquire approval from the state Legislature before seeking a federal designation of a wilderness area, recreation area, monument, etc. Summit County agrees there could be improved coordination and communication between counties and the state on these efforts but opposes the requirement to acquire approval from the Legislature prior to speaking with our federal partners or stakeholders. This would be difficult to accomplish in a 45-day session once a year and would impede the authority of locally elected officials to work on these important issues. The bill passed through committee and is expected to be heard on the House floor soon.

HB 257, Form of County Government Amendments (Lyman) – SUMMIT COUNTY OPPOSES; UAC SUPPORTS
Limits the form of government that counties in the 4-6 class can adopt to either a 3-person County Commission or an expanded, 4-person Commission. It also requires counties that have a nonconforming form of government to go through a process to move towards changing the form of government and that it be initiated by the county legislative body no later than July 1, 2019. Summit County believes the electors in all counties should be the ones deciding their form of government rather than the state. Many of the rural counties feel only a commission-form of government can work in their areas and it would be too tough to recruit a county manager or candidates for a council.

HB 288, Critical Infrastructure Materials (Wilde) – SUMMIT COUNTY AND UAC OPPOSE
Takes away the right of counties to zone gravel pits. If a gravel pit has been permitted, this bill says the operator has a vested right to mine and expand operations without county regulation. UAC is offering an amendment that puts a moratorium on additional regulation AND expansion for one year to give us more time to work on this issue during interim study.

HB 305, Post Disaster Recovery and Mitigation Restricted Account (McKell) – SUMMIT COUNTY AND UAC SUPPORT
Allows for the creation of a restricted mitigation and post-disaster recovery account at the state level that would grant out monies to counties and municipalities. UAC staff was asked to draft an amendment that would allow counties to create their own fund for mitigation and disaster recovery that would be exempt from the restrictions. That work is going on and language should be shared soon.
HB 311, Government Immunity Act (McKell) – UAC OPPOSES
Proposes changes to the Utah Governmental Immunity Act to waive governmental immunity for injury resulting from certain claims. Some provisions, pertaining to noticing requirements for example, are detrimental to counties. The Utah Civil Attorneys group is working on amendments to those particular provisions. Senator Todd Weiler is expected to be the sponsor in the Senate.

HB 315, Land Use and Development Amendments (Wilde) – SUMMIT COUNTY AND UAC SUPPORTS
The Land Use Task Force worked on this bill to amend provisions of the Municipal Land Use, Development, and Management Act and the County Land Use, Development, and Management Act.

SB 34, Affordable Housing Modifications (Anderegg)
This bill is the product of multiple years' effort and collaboration with UAC, Utah League of Cities and Towns, and others. Currently, it is a consensus bill that says cities and counties have to have moderate income housing plans as part of their general plans. It outlines a list of tools that have to be used to plan for moderate income housing. Municipalities can choose a number of these tools and if they do, then they are eligible for the Transportation Investment Fund (TIF) from the state. If municipalities do not do it, then they are not eligible for these state dollars. The more of these planning tools the municipality uses, the higher it is placed on the prioritization list for funding. However, we expect the bill to change drastically once it goes to the House of Representatives. The proposal being offered there is instead of access to the TIF, the state will withhold B&C road funds from the cities and counties that do not meet the planning requirements.

SB 42, Tangible Personal Property Amendments (McCay) – SUMMIT COUNTY AND UAC OPPOSE
Exempts a business owner from paying business personal property tax on tangible personal property if s/he paid sales tax on the item. Due to UAC's opposition, the bill sponsor agreed to drop the bill.

SB 93S01, Agricultural Nuisance Amendments (Sandall) – UAC NEUTRAL
Limit counties' ability to regulate agricultural practices and nuisances associated with those practices. UAC and the League of Cities and Towns inserted changes to the bill that prevent counties from further regulating an existing agricultural practice, but allow counties to regulate any new or future agricultural practice.
Appointment of members to serve on the Snyderville Basin Planning Commission

Council Member Wright made a motion to appoint Crystal Simons and to re-appoint Malena Stevens to serve on the Snyderville Basin Planning Commission with terms of service to expire February 28, 2022. Council Member Clyde seconded the motion and all voted in favor, 5-0.

Appointment of member to serve on the Summit County Restaurant Tax Advisory Committee

Council Member Clyde made a motion to appoint Eric Bradshaw, and re-appoint Teri Whitney (member recommended by the Park City Area Lodging Association) to the Summit County Restaurant Tax Advisory Committee with terms of service to expire July 31, 2021. Council Member Carson seconded the motion and all voted in favor, 5-0.

Council Comments

- Council Member Robinson was given an 1872 UPRR Bond Certificate from a friend. He wants to donate and pass it on to the County
- He suggested a work session with DWR and the Sheriff to discuss conditions of the Weber River from the headwaters to Echo
- He has an invitation from Box Elder County for anyone interested to participate in a Wagon Train on May 4 prior to the Promonory Golden Spike Celebration

- Council Member Wright attended a meeting on Wildland Fire with the “Eleven County Coalition” discussing developing resources

Manager Comments

- Manager Fisher noted difficulty in filling many vacancies on volunteer boards. If the Council knows of anyone interested, they should reach out to potential applicants

Council Minutes dated February 6, 2019, and February 8, 2019

Council Member Carson made a motion to approve the minutes of February 6, 2019 with one correction noted. Council Member Wright seconded and all voted in favor, 5-0.

Council Member Robinson made a motion to approve the minutes of February 8, 2019 as written with Council Member Clyde seconding and all voting in favor, 5-0.

Work Session continued
Introduction of Todd Shallan, President and COO of Deer Valley Resort

Todd Shallan was introduced as the new President and COO of Deer Valley Resort. He has an extensive background in resort industry experience and enjoys spending time with his wife and two children.

Public Input

There was no public input.

The Council meeting adjourned at 6:01 p.m.

Roger Armstrong, Chair

Kent Jones, Clerk