MINUTES
SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, FEBRUARY 12, 2020
SHELTON RICHINS BUILDING
PARK CITY, UTAH

PRESENT:

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

Tom Fisher, Manager
Margaret Olson, Attorney
Dave Thomas, Chief Civil Deputy
Kent Jones, Clerk

Council Member Robinson was excused from the meeting today. The Council was called to order at 2:40 p.m.

Work Session

Interview applicants for vacancies on the Snyderville Basin Special Recreation Service District

The Council interviewed Brandi Connolly, David Kottler, Pete Stoughton, Richard Bleil, and Katie Guyer, applicants for Snyderville Basin Special Recreation Service District Board vacancies. Brandi Connolly and David Kottler are re-applying. There are 3 vacancies to fill.

Pledge of Allegiance

Legislative update: Janna Young and Kim Carson

Council Member Carson gave an update of the 2020 Utah Legislature and discussed bills of importance being tracked by the County. They reviewed the following staff report.
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 (Wiide) – 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.

Discussion regarding installation, by the Museum of Natural History, of permanent commemorative marker in Summit County: Joe Frazier

Joe Frazier, Summit County Historical Director, reviewed the following presentation regarding the Natural History Markers of Utah program.
Natural History Museum of Utah 50th Anniversary
Statewide Commemorative Marker Project
Project Overview

- The Natural History Markers of Utah program is a statewide initiative to promote science education and engagement through the installation and promotion of permanent, commemorative markers at or near iconic locations statewide — one in every county.
- Their hope is to work with tourism and community partners throughout the state to tell each county’s ‘Uniquely Utah’ story through its remarkable natural history.
- A print and digital passport program will raise awareness of these extraordinary natural locations and drive visitation to communities throughout Utah.
Saber-Tooth Cat

Parts of this fossil were found in Silver Creek in the 1960's.
Locations

Discovery Location (approx.)

Marker Location
Sunrise Rotary Geologic Park
The Council was supportive of the proposed placement of the marker.

**Consideration of Approval**

**Consideration and possible selection of a project option to repave Hoytsville Road; Derrick Radke**

Derrick Radke, Public Works Director, reviewed the following staff report and recommended the Council select one of three proposed project options to repave the Hoytsville Road.

**MEMORANDUM**

February 6, 2020

To: County Council  
Thomas C. Fisher, County Manager

From: Derrick Radke, PE - Summit County Public Works Director

Re: Hoytsville Road Project

Summit County budgeted the construction of a project to preserve the pavement structure on Hoytsville Road for the summer of 2020 and future years. As we look at developing large dollar projects such as this one, we need to consider what other improvements that may also be needed.

A project on Hoytsville Road will take several years to fund and complete. The project funded for 2020 amounts to about $1 million dollars. The number of years to complete the entire road within the County's jurisdiction depends a lot on the type of and extent of project scope the County wants to move forward with. **The more complex design and more expensive project will need to be phased over more years than a simpler and less costly project.** We have developed a couple of alternatives for this project and have sought public opinion though a mail-in poll, a website poll, and an open house held on January 28th.

The Eastern Summit County Transportation Master Plan shows Hoytsville Road having plenty of capacity to 2040, but recommends that when the road is improved, the road should be widened to include shoulders to accommodate alternate modes of transportation such as pedestrians and bicycles. The County’s Regional Transportation Planning Director has recommended a separated path, 8 to 10 feet wide, be included in any project, though it is not required by AASHTO. Pedestrians now use the little bit of shoulder or walk on the gravel/dirt areas outside the paved shoulders. Bicycles use the travel lane.

Below are three alternative projects, their estimated cost and the approximate number of years it would take to complete the project, assuming a consistent level of funding each year ($1 million). It should be noted that a couple of the respondents to the poll indicated we should have provided for a null alternative, (do nothing alternative) and an alternative that just repaves the road and adds the path.
- **Mill and Fill** existing surface only (Grind off 3" and add 3" of new pavement), width remains the same at about 25 feet, two 11-foot-wide lanes and 1½-foot wide shoulder on each side +/-
  - Cost to complete all of Hoytsville Road is $2 million
  - Will take 2 years to complete

- **Widen Road** to include two 6-foot shoulders and two 11-foot travel lanes (AASHTO minimum for traffic volumes)
  - Cost to complete all of Hoytsville Road is $4.5 million
  - Will take 5 years to complete

- **Widen Road** to include two 6-foot shoulders and two 11-foot travel lanes (AASHTO minimum for traffic volume) AND add 8-foot-wide separated path
  - Cost to complete all of Hoytsville Road is $6.5 million
  - Will take 7 years to complete

Note: It is possible that the County Council could allocate more dollars to this project in future years to finish faster, but we wanted to evaluate these options, and your opinions, relative to each other.

You can view larger scale drawings of the proposed pavement section options on the project website located at [www.summitcounty.org/hoytsvilleroad](http://www.summitcounty.org/hoytsvilleroad).

We mailed out a project information sheet and prepaid post card poll to each property owner along the project limits (218) and had 47 mail back their post cards, and 39 completed the online poll. Attached is a summary of the poll results. There were about 30 people who came to the open house. Most of the questions and comments at the open house centered around how we would address impacts to utilities, the bridges along the road, and if we would make sure the roadway tied into their driveways without
leaving a steep drop off. Some also pointed out that we should have sent the poll to everyone in the valley because they also use the road. We only sent to adjacent property owners because they would be most directly affected by any widening and/or separated trail.

Below is a summary of all polling:

<table>
<thead>
<tr>
<th>MILL &amp; FILL</th>
<th>WIDEN ROAD TO INCLUDE TWO 6 FOOT SHOULDERS &amp; TWO 11 FT GRAVEL LANES</th>
<th>WIDEN ROAD TO INCLUDE TWO 6 FOOT SHOULDERS, TWO TRAVEL LANES &amp; 9 FOOT WIDE SEPARATED PATH</th>
<th>IF SEPARATE TRAILS ARE CONSTRUCTED WHICH SIDE OF THE ROAD SHOULD IT BE ON?</th>
<th>IF THE PROJECT WOULD TAKE SEVERAL YEARS TO COMPLETE BECAUSE OF COST ETC. WOULD YOU PICK CHEAPER OPTION?</th>
<th>WOULD YOU LIKE SEPARATE TRAIL AS A FUTURE PROJECT</th>
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Please note there were 2 votes to do nothing at all that do not show up in the poll summary above. There were also a few social media comments eluding to the do-nothing option. From these results, most residents would prefer to see a shoulder widening and no separated path. Also, most would not delay a project into the future to just get the least expensive option done now and do the rest later.

I have also attached for your information, any comments received via email, and Facebook posts our PI Team encountered so that you can see for yourself the range of opinions/comments.

We are requesting Council, as the Summit County Road Authority, to provide direction on which project to proceed with. We would recommend the Shoulder Widening Project. Proceeding with this option provides the needed pavement preservation, added roadway safety, a place for pedestrians to walk and bikes to ride out of traffic. This option does not prohibit the construction of a separated trail in the future if the area develops further and additional pedestrian facilities are needed.

We look forward to the discussion and decision. Please feel free to contact me ahead of the meeting if there are any questions.

Attachments (Poll summary, added comments)

file (C:\Users\DerrickR\Documents\MyDocs\Public Works\Projects 2020\Hoytsville Rd\cc-Hoytsville Road Options 01-30-20.docx)
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<th>WHERE ROAD TO INCLUDE SIDEWALKS</th>
<th>WOULD YOU USE SEPARATE TRAIL AS A FUTURE PROJECT</th>
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**MAIL-IN POSTCARDS POLL RESULTS**

- **East**
- **West**
- **Yes**
- **No**
- **Comments**

**Comments:**
- This is all for Endorado! I assumed the rest of the comments were handwritten.
- Please count it in your data.
- I have already written to vote to change things so that they are for the next 50 years. That is my vote. Please count it in your data.
- I would like to see drainage improvements at 1300 S and 1500 S.
- I agree, I will travel on road sides if there is a separated trail. Too bad the rest of the people don't recognize it is a waste of money. Don't turn us into main city.
- Copy some people are to marvin minded and want trail with changes on improvements.
- Great idea, I'm behind it.
- The cyclists already have the rules for trails. It would be cheaper and wouldn't steal property to pave the road trails.
- Leave our lovely road as is.
- Leave our lovely road as is (exact same cards & handwriting as above).
- Why was main trail robbed to barren or top of road spot? May not make sense.
- Thank you, the separated trail now would not be infantile. Because of the lazy hands of progressive cities to future development.
- Like the idea of warning is not desiring, I don't see a point of just warning, the road seems fine.
- Share the burden. Pay for some of this too.
- Address speeding on roadway trail would be amenity for in-fill homes and create community environment.
- X X X X X X
Council Member Wright made a motion to select option 2 as the preferred choice for repaving and improving the Hoytsville Road as recommended by the Public Works Director. Council Member Carson seconded the motion with all voting in favor, 4-0.

Advice and consent of County Manager’s recommendation to appoint members to serve on the Summit County Board of Health

Council Member Armstrong made a motion to consent to the County Manager’s recommendation to reappoint Doug Evans, Marc Watterson, Chris Ure, and Ilyssa Golding, and to appoint Chris Cherniak to the Summit County Board of Health with terms of service to expire December 31, 2023. Council Member Wright seconded and all voted in favor, 4-0.

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

Council Member Armstrong made a motion to appoint Sam Coelho to the Summit County Restaurant Tax Advisory Committee as recommended by the Park City Chamber Bureau with his term of service to expire July 31, 2022. Council Member Wright seconded and all voted in favor, 4-0.

Discussion and possible approval of Proclamation 2020-01, a Proclamation Declaring July 12, 2020 “Temple Har Shalom Day”; Fritz Edelstein

Council Member Armstrong made a motion to approve Proclamation 2020-01, a Proclamation Declaring July 12, 2020 “Temple Har Shalom Day.” Council Member Carson seconded the motion with all voting in favor, 4-0.
PROCLAMATION DECLARING
July 12, 2020
TEMPLE HAR SHALOM DAY
SUMMIT COUNTY, UTAH

Whereas, Temple Har Shalom is a vital institution serving Summit County. The Temple and its members have enriched the intellectual, cultural and spiritual life of the entire Summit County community for 25 years.

Whereas, In addition to being a spiritual center, Temple Har Shalom offers Pre K-10 religious school, family programs, adult study, Shabbat and holy day services, a Passover Seder, Tots programs, and social events for all ages.

Whereas, Members of the Temple are proud of the role their facility has played as a community center, hosting private and public events and concerts, non-member life-cycle events and the Sundance Film Festival.

Whereas, The congregation's members support, volunteer and serve on the boards of multiple County-focused organizations such as Connect Summit County, Peace House, Park City Hospital, People's Health Clinic, Summit County Clubhouse, National Ability Center, Summit County Library system and numerous others.

Now, therefore, be it resolved the County Council, Summit County, Utah, does hereby proclaim July 12, 2020 as Temple Har Shalom Day and recognizes and celebrates the 25th Anniversary of the founding and creation of this Jewish synagogue in Summit County, Utah and looks forward to the many more years of its contributions to the growth, health and prosperity of Summit County.

APPROVED AND ADOPTED this 12th day of February, 2020.
SUMMIT COUNTY COUNCIL

[Signatures]

Glenn Wright, Vice Chair

Kim Carson

Kent Jones, Clerk
Council Comments

- Council Member Carson and others will attend a special meeting tomorrow with the Governor for a discussion regarding opioid litigation
- She and Chair Clyde met with Park City Fire officials to review the current work plan
- Also attended drug court graduation of two individuals
- Attended the Grand Opening of the Park City Psychiatric Clinic
- Noted the 100-year anniversary of women voting rights

- Council Members Wright and Clyde met with Scott Morrison and 2 ACB members of Mountain Regional to discuss future rate strategy and are in general agreement of the approach
- Received a call from Recycle Utah regarding plastic bag use. Suggested further discussion
- Also attended drug court graduation. Is a great working group
- Met with Alzheimer’s Association to discuss interaction with legislature. Is aware of a bill regarding research, aging abuse, and telephone fraud

- Council Member Armstrong also spoke of drug court graduation. He would support programs for graduates to help toward a stable future
- He also attended the Grand Opening of the Hospital Psychiatric Clinic. It is a positive step for mental health needs
- Conversations at Park City Transportation meeting about road projects and importance of getting information to the public
- Suggested a County survey be conducted this calendar year for response on important issues

- Chair Clyde attended a South Summit Trails meeting. Some additional trails planned on Forest Service land and working to finalize several projects, including the trail from Marion to Kamas
- He and Council Member Carson met with Snyderville Basin Recreation Board members discussing the strategic access/action plan. Public update meeting March 9
- Attended a meeting with Park City Fire regarding implementation efforts to enforce WUI compliance and training
- Discussion with the Engineering Department regarding water quality and MS4 regulations and the need to incorporate riparian lands in both development codes

Manager Comments

- Manager Fisher noted the team management meeting this week discussing workplace violence and threats. Also policy regarding political year activity
Public Input

There was no public input.

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

Doug Clyde, Chair

Kent Jones, Clerk