

MINUTES

**SUMMIT COUNTY**  
**BOARD OF COUNTY COUNCIL**  
**WEDNESDAY, DECEMBER 4, 2019**  
**SHELDON RICHINS BUILDING**  
**PARK CITY, 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**  
**Margaret Olson, Attorney**  
**Kent Jones, Clerk**

The Council was called to order at 11:30 a.m.

**Closed Session – Personnel and Property Acquisition**

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

The Summit County Council met in closed session from 11:40 a.m. to 12:38 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**  
**Janna Young, Deputy Manager**  
**Dave Thomas, Chief Civil Deputy**  
**Jami Brackin, Deputy Attorney**  
**Annette Singleton, Executive Assistant**

**Council Member Carson made a motion to leave closed session to discuss personnel and convene in closed session to discuss property acquisition. Council Member Wright seconded with all voting in favor, 5-0.**

The Summit County Council met in closed session from 12:38 p.m. to 1:21 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**  
**Janna Young, Deputy Manager**  
**Dave Thomas, Chief Civil Deputy**  
**Margaret Olson, Attorney**  
**Annette Singleton, Executive Assistant**  
**Ray Milliner, County Planner**  
**Cheryl Fox, Summit Land Conservancy**

The Council continued the closed session on property acquisition as a joint session with BOSAC members from 1:21 p.m. to 2:35 p.m. Those attending 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**  
**Janna Young, Deputy Manager**  
**Dave Thomas, Chief Civil Deputy**  
**Margaret Olson, Attorney**  
**Annette Singleton, Executive Assistant**  
**Brian Hanton, SBSRD**  
**Melissa O'Brien, SBSRD**  
**Jessica Kirby**  
**Matt Wagoner**  
**Steve Spaulding**  
**Kim Frauenberg**  
**Tyler Dustman**  
**Cathy Kahlow**  
**Bruce Carmichael**  
**Pat Putt, Community Development Director**

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

**Work Session**

**Pledge of Allegiance**

**General discussions regarding proposed budget; Matt Leavitt**

Matt Leavitt, Finance Officer, met and discussed items regarding the proposed budgets from various departments. He answered any questions posed and stated the hearings and considerations for adoption will begin later in the meeting.

**Discussion regarding amendments to the County-Wide Fee Schedule for Summit County; Helen Strachan**

Helen Strachan, Deputy Attorney, reviewed the following staff report and discussed proposed changes to the County-Wide Fee Schedule. Next week the Council will consider formal adoption by Resolution.

### **Convene as the Board of Equalization**

**Council Member Clyde made a motion to convene as the Board of Equalization. Council Member Wright seconded and all voted in favor, 5-0.**

### **Discussion and possible approval of 2019 stipulations; Stephanie Larsen**

Stephanie Larsen, Assessor, presented the following stipulations for consideration of approval.

**Council Member Clyde made a motion to approve the stipulations as presented. Council Member Wright seconded with all voting in favor, 5-0.**

### **Dismiss as the Board of Equalization**

**Council Member Carson made a motion to dismiss as the Board of Equalization and reconvene as the County Council. Council Member Clyde seconded and all voted in favor, 5-0.**

### **Consideration of Approval**

#### **Discussion and possible approval of Ordinance 713-A, an Ordinance to Amend Title 2, Chapter 11 of the Summit County Code, “North Summit Recreation Special Service District”; Helen Strachan**

Helen Strachan then reviewed the following staff report for amending Chapter 11 of the County Code regarding the North Summit Recreation Special Service District.

**Council Member Carson made a motion to approve Ordinance 713-A, an Ordinance to Amend Title 2, Chapter 11 of the Summit County Code, “North Summit Recreation Special Service District” as recommended. Council Member Wright seconded the motion and all voted in favor, 5-0.**

#### **Council Minutes dated November 12, 2019, November 18, 2019, November 20, 2019, and November 25, 2019**

**Council Member Clyde made a motion to approve the minutes of November 12, November 20, and November 25, 2019 as written with Council Member Carson seconding and all voting in favor, 5-0.**

**Council Member Clyde made a motion to approve the minutes of November 18 with corrections noted. Council Member Carson seconded with all voting in favor, 5-0.**

### **Council Comments**

- Council Member Wright had a discussion with the State Forester and representative of Weber Basin regarding planning issues next year
- Gave a presentation at UAC on energy. Interest growing and will continue discussion at Spring UAC meeting
- Continued discussion on energy conversion from waste material
- Met with Park City Council members to discuss Senior Facility development
  
- Council Member Robinson noted his election to Chair the Central Wasatch Commission for the next year and one half

- Council Member Carson attended the Board of Health Executive meeting. Update of activities and services
- Noted changes to Medicaid Expansion January 1
- Board of Health approved an E-Cigarette Resolution stating concerns and had conversations regarding a water source protection ordinance

**Manager Comments**

No Manager comments.

The Council took a short break.

**Convene as the Governing Board of the Mountain Regional Water Special Service District**

**Council Member Clyde made a motion to convene as the Governing Board of the Mountain Regional Water Special Service District. Council Member Carson seconded and all voted in favor, 5-0.**

**Consideration and possible approval of Resolution MRW 2019-32, a Resolution Annexing Certain Real Property (Lincoln Station) to the Boundaries of Mountain Regional Water Special Service District; Scott Morrison**

Scott Morrison, Mountain Regional Water District Manager, and Dave Thomas, Civil Deputy Attorney, reviewed a petition for Annexation from parcel PP-84-A-2 at 670 W. Bitner Road and recommended approval by Resolution.

**Council Member Clyde made a motion to approve Resolution MRW 2019-32, a Resolution Annexing Certain Real Property (Lincoln Station, parcel PP-84-A-2) to the Boundaries of Mountain Regional Water Special Service District as recommended. Council Member Robinson seconded the motion with all voting in favor, 5-0.**

**Dismiss as the Governing Board of the Mountain Regional Water Special Service District**

**Council Member Clyde made a motion to dismiss as the Governing Board of the Mountain Regional Water Special Service District. Council Member Carson seconded with all voting in favor, 5-0.**

**Convene as the Governing Board of North Summit Recreation Special Service District**

**Council Member Carson made a motion to convene as the Governing Board of the North Summit Recreation Special Service District. Council Member Clyde seconded and all voted in favor, 5-0.**

**Discussion and possible approval of General Manager Employment Contract between North Summit Recreation Special Service District and Duncan Olsen; Brian Zwhalen**

Brian Zwhalen, Administrative Board Member of the North Summit Recreation Special Service District, and Helen Strachan, Deputy Attorney, presented an Employment Contract for a General Manager of the District for consideration and approval for Duncan Olsen.

**Council Member Clyde made a motion to approve the Employment Contract for Duncan Olsen as the General Manager of the North Summit Recreation Special Service District. Council Member Wright seconded and all voted in favor, 5-0.**

**Dismiss as the Governing Board of North Summit Recreation Special Service District**

**Council Member Clyde made a motion to dismiss as the Governing Board of the North Summit Recreation Special Service District. Council Member Carson seconded and all voted in favor, 5-0.**

**Public Input**

Jamie Brotherton lives in Jeremy and has a re-circulator that enables him to recycle water twice. He suggested the County get implementation information for International Water Use Requirements to save and conserve water.

Public input was closed.

**Convene as the Governing Board of the Snyderville Basin Special Recreation District – 1) Public hearing and possible adoption of Resolution SBSRD 2019-33, a Budget Resolution approving a Property Tax Rate Increase in excess of the 2019 certified tax rate; Brian Hanton and Megan Suhadolc; and 2) Consideration and possible adoption of Resolution Adopting Final Tax Rates and Budgets Report 800C – Calendar Year Entities 3) Public hearing and possible adoption of Resolution SBSRD 2019-34, a Budget Resolution of the SBSRD 2019 Budget Amendments 2020 Budgets; Brian Hanton and Megan Suhadolc**

**Council Member Carson made a motion to convene as the Governing Board of the Snyderville Basin Special Recreation District. Council Member Robinson seconded and all voted in favor, 5-0.**

Brian Hanton and Megan Suhadolc, from the Snyderville Basin Special Recreation District, presented a Resolution for consideration to approve a Property Tax Rate Increase in excess of the 2019 certified tax rate and recommended approval after conducting a public hearing. They reviewed the following presentation.

The public hearing was opened for comment.

Carolyn Rose has lived here for 30 years. She has seen improvements on trails and parks near here. Her concern is paying for outside people using the trails. She sees non-residents continually that pay nothing and feels other options are needed to generate revenue so as not to tax the residents the entire cost. She understands the cost to maintain trails, but is also aware of other entities that charge fees for non-resident use.

Ernest Oriente loves this community and the wonderful recreation opportunities. He thanked the District for their work and the trails system and wants the services to continue and not be cut back. He moved here for the amenities and is glad to pay. He supports the increase.

Richard Callahan has lived here 35 years, even before the Recreation District was formed. He has never seen one proposed increase not approved. His social security will be increased 1.6% or \$18.20 next year. His increase if this tax is approved equals over 800%. He understands people want trails, but 80% of this request is not for trails but other things. If the priority is trails, the budget should reflect that. This request is too high of impact on affordability.

Dave \_\_\_\_\_ appreciates the time and respects the Council and Recreation District officials. He knows there are a lot of miles of trails to take care of, but feels no household budget can afford a 29% increase. It should be cut back. As a business owner, he would be out of business if he increased his price by 29%. This will not be the only increase requested. Other entities will follow. It needs to be more reasonable.

Linda Miller moved from New York because they can't afford the taxes there. She feels if this happens and continues in five years the tax rate will double. No one saves for a tax increase. You cannot catch up 15 years at once. She appreciates the amenities and would love to have more, but reality is every part of the tax bill can increase, so it is not any one thing, but everything added together makes it not sustainable to stay here.

Ken Johnson can't afford this increase on taxes. He asked what diversity is on the Board, and if Board Members live here. He asked if trails are being used commercially, do operators pay for use. If anyone in business increased their price by 29% they would not be in business. He stated the Board should re-look at the goals and suggested it may take longer to accomplish them.

Mindy Wheeler agreed with having a fee and parking permits for payment of outside citizens to raise money. The trails are popular but cost a lot of money to maintain and operate. Assessment costs in Colorado are \$150 to \$500 per acre, with maintenance at \$150. She thinks there are grants for other costs.

Lon Thomas has been here 40 years and enjoys the trails. In his business, he allocates costs for each thing and has to make a decision when there is not enough revenue. But he can balance and stay in business to keep going if he cuts back when needed to stay within his budget. The District should operate the same and not ask for anything they can't afford without raising taxes. He asked the Council to not approve the request.

Jose Santos is retired and it is wonderful, but retired people can't afford these rates. He did not have enough to pay this year, and if it is raised each year he can't afford it.

Delisa Harmon is a new resident. When the Park City home survey asked for what people want in services, everyone wants more services. But that does not mean everyone wants more that requires an increase in costs. The increase is too high. She feels this is a pro-forma act and it will pass regardless of the public comment. She hopes that is not true and is opposed. There needs to be some sacrifice and perhaps done another way.

Shelley Gillwald is a resident of 23 years. She has worked with the Basin Recreation and Facilities Staff and supports the tax increase.

Jamie Brotherton got his notice in the mail and was confused about the information because of the rates included for the district. He suggested looking at the needs every two years and not wait fifteen years to need such a high increase. There should not be any other purchases without the O & M being included. He asked if transient room tax can be used to offset the costs.

David Shank has been a resident over 25 years and enjoys the outdoor use. That is why he lives here. He is opposed to the increase. Since the added trails in the Summit Park area, cars and vehicles park and go that are not from Summit County, but are from Salt Lake and not paying anything for using the trails. He thinks the development and trails have degraded the environment and quality of life. He is opposed to the \$2 million increase.

Tom Steinmetz hates raising taxes. He understands not raising for many years, but feels the need to live frugally. He is in favor of user fees and suggested a sticker and parking fee. He is willing to pay a fee but does not want to pay for those who don't live here.

David DuBois don't support the raise in taxes. He asked the Council to challenge the District to come up with other options. People use the trails free and they should pay something or see other ways to raise user fees, especially to outside users. He supports no more taxes.

Paul Reddy appreciates the District for keeping the cost down as long as they have. Facilities are essential for kids and knows of the heavy use. He knows the facilities are at capacity from use from 6 a.m. to 11 p.m. These facilities define the Park City area. Those who use the facilities are supportive of the request.

Leslie Masters knows in Sun Valley and California people have to pay for parking and additional fees for use. It is time for charging those who don't live in the County. Wasatch State Park and others charge parking fees. If people from out of the County are parking, they should be ticketed. There should be revenue from other sources to offset costs. She is supportive of the trails and work of the District, but it is time to find other revenue.

John Adams has been here 35 years. When he moved here, his taxes were \$2,500. This year they are \$12,000. These kind of increases are hard and he don't make the kind of money to continue. He is opposed to this tax increase and is fearful of being forced to sell because he can't afford to live here any longer.

Gary Drage agrees with what has been said. His taxes have gone up 40% in the last two years. He has not seen 40% more in services. He knows of the use of trails from others out of town and from hotel patrons. They are making money from the opportunity of trails. He thinks there are other ways to raise revenue so not to tax the residents. If everyone from out of the County are charged, they may not come and there won't be the need for the increase. He feels it unfair.

Toni Gannon is not in favor of the increase. They bought their lot and built their home when they had the money. They should not raise without living within their budget.

Mel Flinders heard a lot of interesting comment. He knows the entire valley and loves the County and the Park City area. He stated recreation is not an entitlement. There are many who can't use trails and facilities any more. What is being done for older people to enjoy every day. What do they get for their money? It is not fair of those who use the facilities at the expense of others. He asked if a monitor or manager can be at each trailhead to see that payment comes from users and not ask those who do not use to pay. We should pay for the facilities as we go, it is not a good thing to be \$47 million in debt and asking for more.

The following written comment was submitted for the record.

Hearing no other comments, the public hearing was closed.

Council Member Robinson noted the open space purchases were completed by voter approved bonds. The County has nearly the lowest tax rate in the state. The challenge for Basin Rec is dealing with heavy use and a way to have those who use pay their way. He also noted that of the total tax bill, 11% is the line item for Snyderville Basin Recreation and the 29% requested increase is for that 11%.

Council Member Carson has also seen pressure from increased outside users. They need to look at sources to charge but enforcement is difficult to do. Transient Room Tax is prohibited for use of O & M by statute but there will be conversation about options and issues raised by residents.

Council Member Clyde concurred with comments regarding fees for outside use, but it may not be a solution to the budget problem. It is important to update and replace capital assets which the budget does not include. His other concern is keeping up with fire mitigation issues that is a high cost of maintenance.

Council Member Wright agreed with previous comments. He feels the many years not addressing rising costs have put the district in the hole. He feels the increase is justified.

Chair Armstrong thanked everyone for their comments and noted the sensitive issues on both increasing taxes and the need for maintenance and managing trails. The Council is aware of parking issues and use from outside residents, however, enforcement will be a problem. Growth pressures and balancing what residents want is a challenge.

He suggested two members of the Council and some members of the Administrative Control Board meet with staff before next Wednesday to consider a final recommendation to the Council.

**Consideration of approval of a Resolution Adopting Final Tax Rates and Budgets Report 800C – Calendar Year Entities.**

**Council Member Robinson made a motion to continue consideration of the final tax rate to next Wednesday, December 11, 2019 at 6:00 p.m. in Coalville. Council Member Clyde seconded with all voting in favor, 5-0.**

**Public hearing and possible adoption of Resolution SBSRD 2019-34, a Budget Resolution of the SBSRD 2019 Budget Amendments 2020 Budgets**

The 2019 Budget Amendments and proposed 2020 Budget for the Snyderville Basin Special Recreation District was then presented by Mr. Hanton and Ms. Suhadolc. Ms. Suhadolc noted that the proposed 2020 budget is based on revenue that would be generated by the tax rate increase.

The public hearing was opened for comment.

Dave \_\_\_\_\_ asked what the budget was ten years ago. Assuming growth has increased the budget each year, more revenue has been received each year since.

Jamie Brotherton said he sees a reserve for future projects. He feels the \$700,000 wanted in the budget for future capital projects are not identified.

Hearing no other comment, the public hearing was closed.

**Council Member Robinson made a motion to continue a decision on the 2019 Budget Amendments and 2020 Budgets for the Snyderville Basin Recreation District to next Wednesday, December 11, 2019 at 6:00 p.m. in Coalville. Council Member Wright seconded with all voting in favor, 5-0.**

**Dismiss as the Governing Board of the Snyderville Basin Special Recreation District**

**Council Member Clyde made a motion to dismiss as the Governing Board of the Snyderville Basin Special Recreation District. Council Member Wright seconded and all voted in favor, 5-0.**

**Convene as the Governing Board of North Summit Fire Service District**

**Council Member Clyde made a motion to convene as the Governing Board of the North Summit Fire Service District. Council Member Wright seconded and all voted in favor, 5-0.**



**Public hearing and possible adoption of Resolution NSFSD 2019-35, a Budget Resolution of the North Summit Fire Service District 2019 Budget Amendments 2020 Budgets; Mark Robertson**

Council Member Wright made a motion to continue this matter to December 11, 2019 at 6:00 p.m. in Coalville. Council Member Clyde seconded and all voted in favor, 5-0.

**Dismiss as the Governing Board of North Summit Fire Service District**

Council Member Clyde made a motion to dismiss as the Governing Board of the North Summit Fire Service District. Council Member Wright seconded and all voted in favor, 5-0.

**Convene as the Governing Board of the Park City Fire Service District**

Council Member Clyde made a motion to convene as the Governing Board of the Park City Fire Service District. Council Member Wright seconded and all voted in favor, 5-0.

**Public hearing and possible adoption of Resolution PCFD 2019-36, a Budget Resolution of the Park City Fire Service District 2019 Budget Amendments 2020 Budgets; Paul Hewitt, Del Barney and Ashley Lewis**

Paul Hewitt and Del Barney, representatives of the Park City Fire Service District, reviewed 2019 Amendments and 2020 proposed Budgets for the District.

The public hearing was opened for comment.

Hearing no comment, the public hearing was closed.

Council Member Robinson made a motion to approve Resolution PCFD 2019-36, a Budget Resolution of the Park City Fire Service District 2019 Budget Amendments and 2020 Budgets as presented. Council Member Wright seconded and all voted in favor, 5-0.

**Dismiss as the Governing Board of the Park City Fire Service District**

Council Member Wright made a motion to dismiss as the Governing Board of the Park City Fire Service District. Council Member Robinson seconded with all voting in favor, 5-0.

**Convene as the Governing Board of Mountain Regional Water Special Service District**

Council Member Wright made a motion to convene as the Governing Board of the Mountain Regional Water Special Service District. Council Member Robinson seconded and all voted in favor, 5-0.

**Public hearing and possible adoption of Resolution MRW 2019-37, a Budget Resolution of the Mountain Regional Water Special Service District 2019 Budget Amendments 2020 Budgets; Lisa Hoffman**

Lisa Hoffman, CFO of the Mountain Regional Water Special Service District, reviewed the 2019 Amendments and 2020 proposed Budget for the District. Scott Morrison, District Manager explained an amended amount for surplus water sales from the approved tentative budget and stated the Administrative Control Board will meet at a later date for a vote if this budget is approved tonight.

The public hearing was opened for comment.

Andy Garland is the General Manager of Summit Water Company and is encouraged by what has been proposed. Summit Water is willing to pay but the dilemma now is a take or pay contract. He feels it should be based on actual cost. He knows an increase will affect their customers in additional costs.

Hearing no other comment, the public hearing was closed.

**Council Member Robinson made a motion to approve Resolution MRW 2019-37, a Budget Resolution of the Mountain Regional Water Special Service District 2019 Budget Amendments and 2020 Budgets as presented including the \$5.00 rate for surplus water proposed. Council Member Clyde seconded and all voted in favor, 5-0.**

**Dismiss as the Governing Board of Mountain Regional Water Special Service District**

**Council Member Clyde made a motion to dismiss as the Governing Board of the Mountain Regional Water Special Service District. Council Member Wright seconded and all voted in favor, 5-0.**

**Public hearing and possible adoption of Resolution 2019-38, a Budget Resolution of the Summit County Council 2019 Budget Amendments; Matt Leavitt**

Matt Leavitt, Finance Officer, reviewed 2019 Budget Amendments for Summit County.

The public hearing was opened for comment.

There was no public comment.

**Council Member Carson made a motion to continue the public hearing to December 11, 2019 at 6:00 p.m. in Coalville. Council Member Clyde seconded with all voting in favor, 5-0.**

**Public hearing and possible adoption of Resolution 2019-39, a Budget Resolution of the Summit County Council 2020 Budgets; Matt Leavitt**

Mr. Leavitt then reviewed the proposed Summit County 2020 Budget.

The public hearing was opened for comment.

Tom Farkas spoke on behalf of wildlife preservation. He asked for funding previously and had been given a response from the County Manager understanding the request. He asked for a budget item to help protect wildlife from being killed along the I-80 freeway. He suggested postponing some landscaping funds to make public safety a priority from traffic collisions with wildlife in Summit County. There should be a wildlife vehicle prevention plan that would be less cost than the cost of accidents. Many people have signed a petition toward this effort. Also, grant applications could be submitted for funding by staff.

Anthony Sands thanked the council for their work and feel the money is handled well. He would like a study on needs and requirements for seniors funding for affordable housing.

No other comments were heard.

**Council Member Robinson made a motion to continue the public hearing to December 11, 2019 at 6:00 p.m. in Coalville. Council Member Wright seconded with all voting in favor, 5-0.**

The Council meeting adjourned at 10:05 p.m.

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**Roger Armstrong, *Chair***

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**Kent Jones, *Clerk***