



Basin Recreation Strategic Action Plan

April 12, 2023



B A S I N
RECREATION

TIMELINE



PHASE	2022					2023								
	A	S	O	N	D	J	F	M	A	M	J	J	A	S
1 KICKOFF & PROJECT MANAGEMENT	█	█	█	█	█	█	█	█	█	█	█	█	█	█
2 RESEARCH AND ANALYSIS	█	█	█	█	█	█	█	█	█	█	█	█	█	█
3 VISIONING AND ENGAGEMENT	█	█	★	█	█	█	█	★	█	█	█	█	★	█
4 10 YEAR MASTER PLAN	█	█	█	█	█	█	█	█	█	█	█	█	█	█
5 TRAILS & OPEN SPACE 5-YEAR MANAGEMENT PLAN	█	█	█	█	█	█	█	█	█	█	█	█	█	█
6 PLANNING FOR SILVER CREEK VILLAGE	█	█	█	█	█	█	█	█	█	█	█	█	█	█

★ Tentative Open Houses

WHAT WE'VE ACCOMPLISHED



- Staff Interviews
- External Stakeholder Interviews (8)
 - Education Partners
 - Underserved Community Leaders
 - Other Recreation Providers
 - Trails & OS
 - Transportation
 - Community Recreation Groups
 - & more
- Public Focus Groups by Topic
- Preliminary Silver Creek Concepts
- Community Brown Bag
- Open House 2



WHAT WE'VE LEARNED SO FAR....

This short summary highlights recurring themes. Please note that not all comments considered within this process appear here!

PARTNERSHIPS

Resource sharing and **community partnerships** are critical to satisfying community wide needs, both inside and outside of the Basin Recreation boundary. This includes **information, planning initiatives, equipment, and human capital.**

INDOOR FACILITY NEEDS

- Gathering/event space
- Childcare
- Flexible indoor recreation space
- “Winter” indoor activities
- Additional practice and weight training
- Additional indoor court space

OUTDOOR FACILITY NEEDS

- Extend access to outdoor facilities
 - Plowing, lighting, year-round use
- A need for **community outdoor recreation** assets **outside** of “normal” district operations
- Identify opportunities to “outsource” labor

YOUTH PROGRAMMING

- Provide more programming for young families
- More opportunities for non-competitive youth programs
- Youth camp space
- Provide flexible indoor play space

EQUITY

- Provide **equitable access** to camps and **programs**
- Explore sliding scale for program cost
- Enhance user equity
- **Maintain affordability**
- Address **county recreation access equity**

DISTRICT COMMUNICATIONS

- Develop equitable **communication structure** among recreation groups and clubs
- Identify **clear pricing/facility availability structure** for recreation groups
- Develop **standards** for **district agreements** and **ongoing coordination system**

OPERATIONS & MANAGEMENT

- Basin Rec provides **amazing value** to the community
- Transition from “doers” to “**subject leaders**”
- Invest in **staff development**
- Extreme **need** for **additional operations space, admin, and storage**
- Users value **flexibility** in options

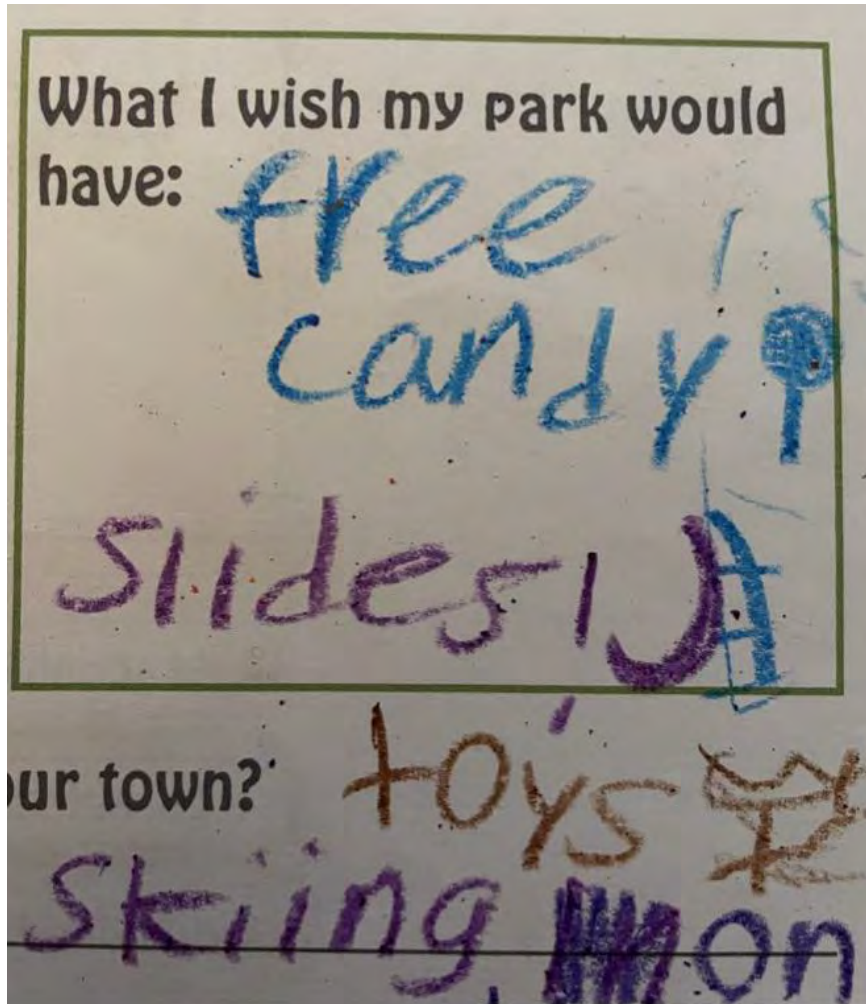
TRAILS & OPEN SPACE

- Critical need for enhanced **trailhead access and connectivity**
- Focus on long-term connections to different trail systems in county
- **Preserve** and appropriately **manage open spaces**
- **Create standards** for changing usership (e-bikes, single-use trails, directional)

WHAT'S NEXT

Spring/Summer 2023

- Revision of Silver Creek Concepts
- Development of District “Big Moves”
 - Financial and Operational Planning
 - Partnership Strategies
 - Acquisition and Land Management Strategies
- Stat. Valid Survey
- Ongoing Stakeholder Workshopping



Council Involvement

PHASE	2022					2023							
	A	S	O	N	D	J	F	M	M	J	J	A	S
1 KICKOFF & PROJECT MANAGEMENT	█	█	█	█	█	█	█	█	█	█	█	█	█
2 RESEARCH AND ANALYSIS		█	█	█	█	█	█	█	█				
3 VISIONING AND ENGAGEMENT	█	█	█	█	█	█	█	█	█	█	█	█	█
4 10 YEAR MASTER PLAN	█	█	█	█	█	█	█	█	█	█	█		
5 TRAILS & OPEN SPACE 5-YEAR MANAGEMENT PLAN		█	█	█	█	█	█	█	█	█	█	█	
6 PLANNING FOR SILVER CREEK VILLAGE		█	█	█	█	█	█	█	█	█	█	█	█

*More opportunities for council engagement available if requested

Council Updates (↓)

Council Working Session
(Summer 2023)

Opportunity for Early Draft Review
(Late Summer 2023)

Visit the project website to see what people are saying!

www.getmovingbasinrec.org



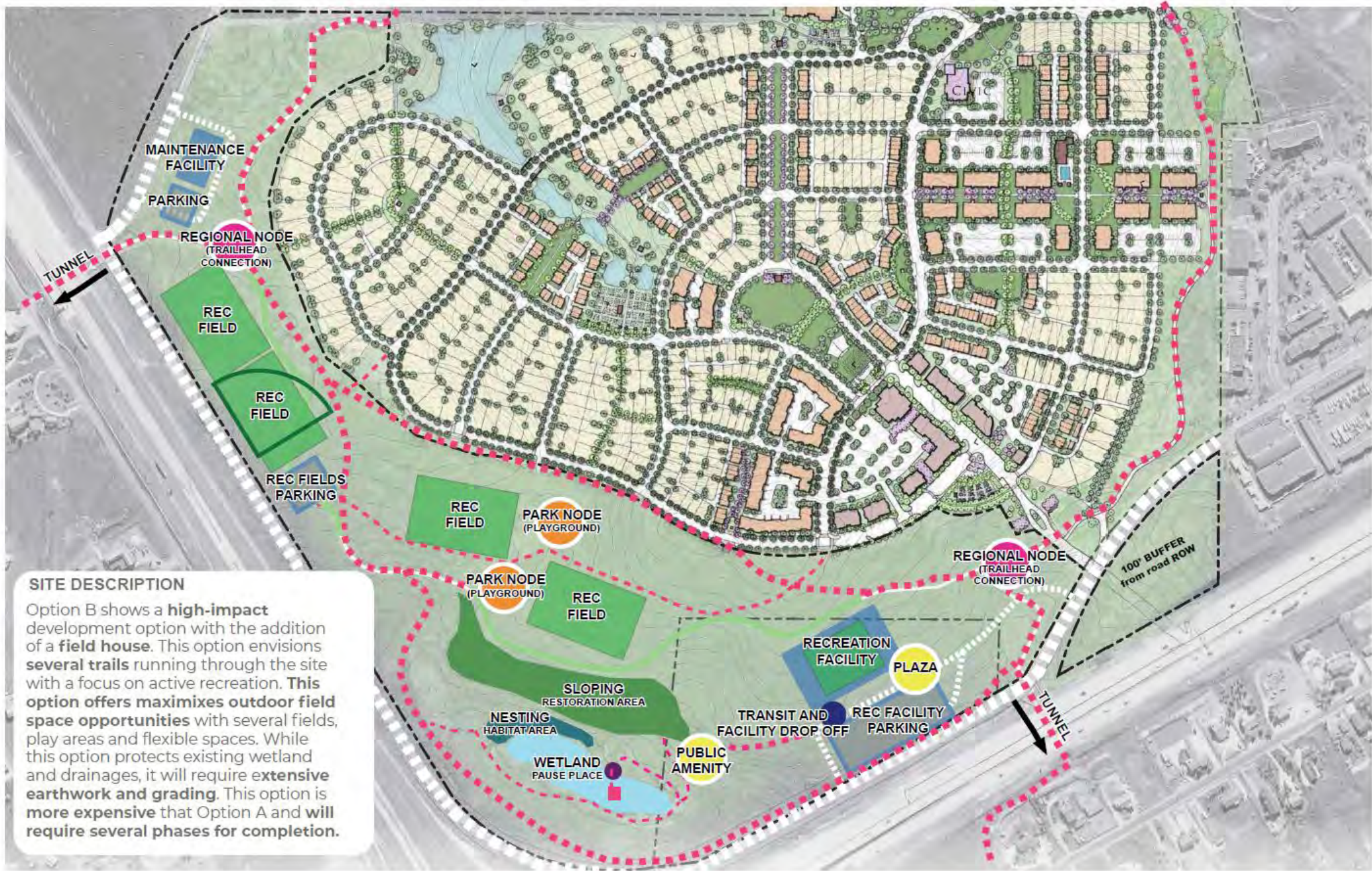
QUESTIONS

Consultant Contact: Annaka Egan aegan@segroup.com



SITE DESCRIPTION

Option A shows a **low-impact** development option with the addition of a **recreation center**. This option uses the existing trail running through the site, with a distinct buffer between the site and Silver Creek Village. This option offers an opportunity for outdoor field space, but **focuses on minimum site impact**, protecting existing wetland and drainages while providing a noise buffer from I-80 and U.S.- 40. This option is **less expensive** than Option B and can be completed in a **single phase**.



SITE DESCRIPTION

Option B shows a **high-impact** development option with the addition of a **field house**. This option envisions **several trails** running through the site with a focus on active recreation. **This option offers maximizes outdoor field space opportunities** with several fields, play areas and flexible spaces. While this option protects existing wetland and drainages, it will require **extensive earthwork and grading**. This option is **more expensive** than Option A and will require **several phases** for completion.



Staff Report

To: Summit County Council
Report Date: April 5, 2023
From: Patti Berry, HR – Park City Fire Service District
Project Name: Personnel Policy Revision

A. Background

As part of an on-going policy review, Personnel Policy Section 5 was reviewed and revised to reflect several clean-up and clarifying changes. All policies were submitted to and reviewed by Helen Strachan and Lynda Viti.

On August 2, 2022, in a regular scheduled meeting of the Park City Fire District Administrative Control Board, Section 5 of the Personnel Policies was reviewed and unanimously approved for recommendation to the Governing Board for final approval.

A copy of the current policy and the revised policy are attached. Due to the reorganization of the policy, a red-lined version is not practical.

The current policy does not list the hiring process in chronological order as followed by the Fire District. The proposed version clarifies the process from application through orientation. We feel that the reorganization of this policy will make the process clearer.

B. Request

The Administrative Control Board of the Park City Fire Service District voted to recommend approval of the presented Personnel Policy as amended.

SECTION 5 - HIRING FOR NEW AND VACANT POSITIONS

A. Recruiting:

Selecting and advancing employees in the District personnel system shall be on the basis of their ability, knowledge and skill levels related to the vacant position. The Fire Chief may execute, with the approval of the Board, written employment agreements for non-merit Supervisors or agreements for certain services.

B. Disqualification:

The District reserves the right to reject any application which is incomplete or indicates on its face that the applicant does not possess the minimum qualifications required for the position. Applicants and subsequently hired applicants who make false or misleading statements, or who are found to have engaged in any type of deception or fraud in the application or testing process shall be rejected or immediately terminated.

C. Testing:

Applicants may be subjected to competitive testing which may include, but is not limited to: determination of bondability, rating of education and experience, written, oral, or physical agility tests, psychological testing, essential function demonstrations, and/or background investigations, proof of academic attainment, etc. Applicants for positions which require the worker to operate District vehicles or equipment on public roadways must provide a copy of a State Department of Motor Vehicle driving record. The driving record will be used to assist in the ranking of applicants who meet the minimum qualifications.

D. Physical Examination/Drug Testing:

Public health and safety demands that employees be physically able to perform the duties and essential functions of the position for which they are hired. The physical requirements of the job constitute bona-fide occupational qualifications. The District will make every effort to provide reasonable accommodations for employees and applicants in compliance with the Americans with Disabilities Act (ADA), however if the requested accommodation creates an undue hardship on the District it shall not be obligated to provide such.

1. A physical examination may be required before an applicant is appointed to any District position. The pass/fail results of the exam will be presented to the Human Resource Officer, in writing. A disabled applicant may be required to submit to a physical exam only subsequent to a job offer being made and only if all others being hired are required to do the same.
2. The District may require a medical examination at any time during the employee's work tenure, if deemed necessary to assure the safety and health of the employee, co-workers and the public. The District will pay

the cost of any required medical examination.

3. Final candidates for any position shall be required to undergo chemical screen testing to determine the presence of chemical substances in the body. Subject to the ADA, any applicant who tests positive, tampers with or adulterates their sample may be disciplined according to these policies and procedures and state law (see Drug Free Work Place policy, Utah Code §34-38-8, District Policies and Procedures, Section 12, paragraph H, subparagraph 6).

E. Employment Eligibility Verification:

In conformance with the "Immigration Reform and Control Act of 1986" (P.L. 99-603) and in order to avoid monetary penalties for the hiring of undocumented workers, the Human Resource Officer shall establish an employment verification system, and shall verify that all applicants for vacant positions or persons hired to fill vacant positions are authorized to work within the boundaries of the United States.

1. The Human Resource Officer shall complete or have completed Immigration and Naturalization Service Form I-9 prior to or on a hired employee's first day of work and verify work eligibility through examining such documents listed as acceptable by the Department of Homeland Security.
2. Employees must also attest in writing that they are authorized to work in the United States. Forms and all written verifications shall be kept along with other personnel records and shall be kept in accordance with the Utah State Records Management Act. These documents shall be made available to the Immigration and Naturalization Service or the Department of Labor as requested.

F. Hiring Procedures:

1. When a position opens or a need arises to create a new position or fill a vacancy, the Fire Chief or designee shall notify, in writing, the Personnel Director and Board of recruitment needs. Notification shall include:
 - a. the position title
 - b. a description of the duties, responsibilities and essential functions of the job;
 - c. The required knowledge and skills;
 - d. Minimum qualifications for education and experience;
 - e. FLSA status of the job;
 - f. Salary range;
 - g. Application procedure;
 - h. Examination process.

2. Authorization to hire individuals must be in accordance with Section 4, paragraph A of the District Personnel Policy and Procedures Manual.
3. Advertisements will be placed only by the Fire Chief or their designee. Upon being given approval to recruit and receiving signed documentation from the Fire Chief authorizing the creation of a position, the Human Resource Officer shall prepare, advertise and post the opening where all District employees will be made aware of the opportunity. First consideration in filling a vacancy for a merit position will be given to current District employees who qualify. Employees interested in the position must apply for the position with the Fire Chief within seven calendar days of the posting date. All in house recruitment shall be posted in the District offices and designated locations. If the same position is being recruited for multiple times within the span of one year of the first in house advertisement, the in house posting requirement is waived, however first consideration of District employees for open positions must still be given .
4. Following the in house posting, if the position is not filled by promotion or transfer, the community and labor market shall become the object of an appropriate recruitment effort. All applications will be received by the Human Resource Officer. Outside applications will be accepted for a minimum of seven calendar days. If necessary, outside recruitment may be extended as needed to attract sufficient qualified applicants.
5. Upon closing the community and labor market recruitment the Human Resource Officer shall review all applications to determine those that meet the minimum qualifications. Those applicants who meet minimums shall then be ranked by the Human Resource Officer, Fire Chief and/or hiring Supervisor, using a formal system for rating applicant training, education and experience, etc. The rated list then constitutes the certified list of eligible applicants and a hiring register for the recruited position and functionally similar positions within the District. The certified eligible list for the advertised position shall remain active for six (6) months.
6. Upon ranking the applicants, the finalists for the position will be determined and the scores will be submitted to the Fire Chief. The finalists for the position shall be selected from the scores submitted to the Fire Chief.
 - a. The Fire Chief or their designee(s) will conduct the interviews. Upon the selection of the individual to be hired the Fire Chief shall submit the name of their choice and proposed salary in writing to the Human Resource Officer for the development of a formal employment offer and processing. No offer is final until approved by either the Fire Chief or the Board
7. Before extending a conditional offer of employment to the finalist, the

Human Resource Officer will secure the following:

- a. Signed documentation by the Fire Chief if a new employee is hired or a current employee is promoted to an amount higher than the starting wage for that position.
- b. Necessary background check information and required medical information.
- c. All notes, scores, or other documentation created and or received during the interview process.
- d. The results (pass/fail only) of any physical/medical/psychological examinations.
- e. The results of any job related skills or agility tests.
- f. Time and location for the finalist's pre-employment drug screening test.

G. Application Process

1. All applicants shall be required to complete and submit an application form in order to be considered for employment. The Human Resource Officer shall screen incoming applications to identify candidate qualifications. All applicants shall be required to provide copies of educational transcripts, copies of certificates/degrees, and other required documentation as set forth in the job announcement.
2. All applicants shall be notified of their approval or rejection for participation in the examination process. Such notification shall occur at least one week prior to the date of the commencement of the examination process. Those applicants approved for the examination shall receive notification of the date, time, place, and conditions of the testing.
3. The Fire Chief and/or his designated representative shall have the authority to reject an applicant for the following causes:
 - a. Failure to submit a completed application packet.
 - b. Lack of minimum qualifications or requirements as set forth in the position announcement.
 - c. Falsification of information or material omission of information in the application process.
 - d. Failure to successfully pass a physical exam, including drug screening, or a background review, including motor vehicle records and criminal conviction history.

- e. Prior employment with PCFSD that resulted in a status of ineligibility for rehire.

H. Examination Process

1. The competitive testing process shall be established by the Fire Chief or his designated representative, and may include any of the following components: review of job performance, written examination, practical skills evaluation, and/or oral interview(s).
2. In the event of a position *above* entry level, a competitive internal examination shall be administered, unless the Fire Chief determines that there are not sufficient numbers of qualified internal candidates to meet the needs of the District. In such instance, the position shall be subject to an open competitive process.
3. Examinations for any positions being held on an open competitive basis may include any of the following components: application screening, written examination, physical abilities test, oral interview(s), practical skills evaluation, or assessment center.
4. Internal examination processes may include any of the following components: review of minimum qualifications, written examination, practical skills evaluation, oral interview(s), assessment center, review of job performance and attendance.

I. Examination Scoring

1. The minimum passing score for all examinations shall be determined by the Fire Chief.
2. For purposes of new hires, any eligible veteran of the armed forces of the United States separated from the armed forces under honorable conditions following more than six months of active duty shall, in the final determination of scoring, be given a veteran preference pursuant to Utah Code §71-10-2. This shall be added to the grade earned by such veteran only if the veteran earns a passing score without preference.
3. Additionally, for purposes of new hires, there will be a preference score added pursuant to Utah Code §71-10-2 for any preference eligible veteran or their spouses or unmarried widows or widowers.

J. Establishment of Eligibility Lists

Those applicants who successfully pass the examination process shall be placed on an eligibility list. The certified eligible list for the advertised administrative

position shall remain active for six (6) months and for suppression positions one (1) year.

K. Additional Selection Processes

1. When a vacant position is to be filled, the top three qualified applicants that successfully complete the testing and examination process will be interviewed by the Fire Chief. If more than one vacancy is to be filled, the Chief may interview three additional applicants for each vacancy. The Fire Chief will make the determination of hiring as a result of this personal interview.
2. Prior to extending an offer of employment, the Fire Chief or his designated representative shall conduct background investigations and reference checks on potential candidates. This shall be done to verify past employment history and to secure personal and professional references. This step shall only be taken if the applicant submitted a signed application form and a release form allowing the District to conduct a background investigation.
3. Although a prior criminal conviction record shall not automatically disqualify an applicant for employment, a background investigation shall be thoroughly reviewed and the Fire Chief shall make an appropriate determination on an individual case basis.
4. New hire job offers shall be contingent upon successful completion of a medical/physical examination and a drug screening. If the individual does not successfully pass these examinations, the offer shall be withdrawn.
5. All employees shall be required to take a loyalty oath administered by the District affirming that one will support and defend the constitution of the United States and the State of Utah.

L. Employee Induction:

After the new employee is hired, they shall promptly receive a general orientation concerning benefits, compensation practices, personnel policies and procedures and various employment expectations from the Fire Chief or their designee and their immediate supervisor. Job specific orientation shall be conducted by the Supervisor or Training Officer. All new employees must sign a document stating they have read and understand the District's Personnel Policies and Procedures.

M. Orientation Period:

All appointments to positions within the District, whether new hires, rehire, reinstated (affected by reduction-in-force or leave without pay) transfer, or promotional, require an orientation period during which both the District and the

employee can determine compatibility and competence.

1. This period is regarded as a testing period designed to acquaint the new employee with the position and allow the employee, Supervisor, and Fire Chief, to measure fairly the employee's ability to perform the job. An employee who is either serving a new hire or promoted/transferred orientation period is not eligible for promotion, transfer or reassignment.

a. New Hire Orientation: During the orientation period, the supervisor shall conduct a written performance review at least monthly to coach the employee in the job duties, apprise the employee of their suitability for the position and determine the employment action to be recommended to the Fire Chief. (*see* Section 6, para F, Conditional Employees)

i) The orientation period for all District employees shall be six (6) months in duration for administrative personnel, with the period extendable up to an additional six (6) months for good cause, but with the condition that the orientation period employee may appeal any undue prolongation of the period designed to thwart merit principles. For fire suppression personnel, the orientation shall be for one (1) year. The employment relationship may be terminated at any time during the new hire orientation period, with or without notice, and with or without cause, by either the employee or the District.

ii) During the new hire orientation period, all benefits accrue. In the case of vacation benefits, they accrue but cannot be used until the completion of the orientation period,

iii) At the close of the orientation period the department head shall submit the new employee's written evaluations and may recommend up to a 2.75% increase for the new employee.

b. Career Ladder Adjustment: Employees participating in a Career Ladder Adjustment will not participate in an orientation period.

c. Promoted or Transferred Employee Orientation: Promoted or transferred employees who fail to demonstrate competence and/or compatibility with the new assignment within the six-month orientation period may be reassigned to the same or equivalent position with the equivalent pay and tangible benefits previously held if one is available. Reassigned employees shall have all rights of appeal and due process as defined by policy and procedures. There shall be no orientation period increase at the completion of a promoted or transferred employee orientation period.

SECTION 5 - HIRING FOR NEW AND VACANT POSITIONS

A. **Recruiting:**

Selecting and advancing employees in the District personnel system shall be on the basis of their ability, knowledge and skill levels related to the vacant position.

When recruiting for non-merit positions or certain services, the Fire Chief may execute, with the approval of the Board, written employment agreements.

B. **Disqualification:**

The District reserves the right to reject any application which is incomplete or indicates on its face that the applicant does not possess the minimum qualifications required for the position. Applicants and subsequently hired applicants who make false or misleading statements, or who are found to have engaged in any type of deception or fraud in the application or testing process shall be rejected or immediately terminated.

Failure to successfully pass a physical exam, when appropriate, including drug screening; or a background review, including motor vehicle records and criminal conviction history shall result in disqualification.

C. **Hiring Procedures:**

1. When a need arises to fill a position, the Human Resource Officer shall prepare a notification that will include:
 1. Position title;
 2. Description of the duties, responsibilities and essential functions of the job;
 3. The required knowledge and skills;
 4. Minimum qualifications for education and experience;
 5. FLSA status of the job;
 6. Salary range;
 7. Application procedure;
 8. Examination process.
2. Human Resource Officer shall prepare, advertise and post the opening where all District employees will be made aware of the opportunity. First consideration in filling a vacancy for a merit position will be given to current District employees who qualify. Employees interested in the position must apply for the position with Human Resources within seven calendar days of the posting date. If the same position is being recruited for multiple times within the span of one year of the first in-house advertisement, the in-house posting requirement is waived, however first consideration of District employees for open positions will still be given.
3. Following the in house posting, if the position is not filled, the community

and labor market shall become the object of an appropriate recruitment effort. All applications will be received by the Human Resource Officer. Outside applications will be accepted for a minimum of seven calendar days.

D. Application Process

1. All applicants shall be required to complete and submit an application form in order to be considered for employment. The Human Resource Officer shall screen incoming applications to identify candidate qualifications. All applicants shall be required to provide copies of educational transcripts, copies of certificates/degrees, and other required documentation as set forth in the job announcement.
2. All applicants shall be notified of their approval or rejection for participation in the examination process. Those applicants approved for the examination shall receive notification of the date, time, place, and conditions of the testing.
3. The Fire Chief and/or designated representative shall have the authority to reject an applicant for the following causes:
 - a. Failure to submit a completed application packet.
 - b. Lack of minimum qualifications or requirements as set forth in the position announcement.
 - c. Falsification of information or material omission of information in the application process.
 - d. Prior employment with PCFSD that resulted in a status of ineligibility for rehire.
4. Upon closing the community and labor market recruitment the Human Resource Officer shall review all applications to determine those that meet the minimum qualifications.

E. Testing/Examination Process

In the event of a position *above* entry level, a competitive internal examination shall be administered, unless the Fire Chief determines that there are not sufficient numbers of qualified internal candidates to meet the needs of the District. In such instance, the position shall be subject to an open competitive process.

1. Internal Competitive Testing Process
 - a. The testing process shall be established by the Fire Chief or designated representative, and may include any of the following components: review of minimum qualifications, review of job performance and attendance, written examination, practical skills evaluation, physical ability test, oral interview(s), and/or assessment center.
2. Open Competitive Testing Process

- a. Applicants may be subjected to competitive testing which may include, but is not limited to: rating of education and experience, written exam, oral interview, physical ability tests (see section J. below), essential function demonstrations, preliminary background investigations, reference checks, proof of academic attainment, determination of bondability, etc.
- b. Preliminary background and reference checks may only be done if the applicant submitted a signed application form and a release form allowing the District to conduct a background investigation.

The minimum passing score for all examinations shall be determined by the Fire Chief.

F. Veterans Preference

1. For purposes of new hires, any eligible veteran of the armed forces of the United States separated from the armed forces under honorable conditions following more than six months of active duty shall, in the final determination of scoring, be given a veteran preference of 5% of the total possible score for eligible veterans and 10% of the total possible score for veterans with a disability or a purple heart recipient, pursuant to Utah Code §71-10-2. This shall be added to the grade earned by such veteran only if the veteran earns a passing score without preference.
2. Additionally, for purposes of new hires, there will be a preference score added pursuant to Utah Code §71-10-2 for any preference eligible veteran's spouses or unmarried widows or widowers.

G. Eligible List

Those applicants who successfully pass the examination process shall be ranked by the Human Resource Officer using applicant testing scores, training, education and experience, Veterans or other preference points, etc. The rated list then constitutes the list of eligible applicants and a hiring register for the recruited position and functionally similar positions within the District. The eligible list for the advertised position shall remain active from six months up to one year.

H. Additional Selection Processes

1. Final Interview
 - a. When certain vacant positions are to be filled, the top three qualified applicants that successfully complete the testing and examination process may be interviewed by the Fire Chief or designee. If more than one vacancy is to be filled, the Chief of designee may interview up to three additional applicants for each vacancy. The Fire Chief or designee will make the determination of hiring as a result of the interview.

I. Conditional Job Offers

1. After extending a conditional offer of employment to the finalist, the Human

Resource Officer will secure the following:

- a. Signed documentation by the Fire Chief if a new employee is hired or a current employee is promoted to an amount higher than the starting wage for that position.
 - b. Necessary criminal background check information.
 - i. Although a prior criminal conviction record shall not automatically disqualify an applicant for employment, a background investigation shall be thoroughly reviewed and the Fire Chief shall make an appropriate determination on an individual case basis.
 - c. All notes, scores, or other documentation created and or received during the process.
 - d. The results (pass/fail only) of any pre-employment drug screening/physical/medical/psychological examinations.
 - e. The results of any job related skills or agility tests.
2. New hire job offers shall be contingent upon successful completion of a medical/physical examination where appropriate, drug screening, and background checks. If the individual does not successfully pass these examinations, the offer shall be withdrawn.
 3. No offer is final until approved by the Fire Chief.

J. Physical Examination/Drug Testing:

Public health and safety demands that employees be physically able to perform the duties and essential functions of the position for which they are hired. The physical requirements of the job constitute bona-fide occupational qualifications. The District will make every effort to provide reasonable accommodations for employees and applicants in compliance with the Americans with Disabilities Act (ADA), however if the requested accommodation creates an undue hardship on the District it shall not be obligated to provide such.

1. A physical examination may be required before an applicant is appointed to any District position. The pass/fail results of the exam will be presented to the Human Resource Officer, in writing. A disabled applicant may be required to submit to a physical exam only subsequent to a job offer being made and only if all others being hired are required to do the same.
2. The District may require a medical examination at any time during the employee's work tenure, if deemed necessary to assure the safety and health of the employee, co-workers and the public. The District will pay the cost of any required medical examination.
3. Final candidates for any position shall be required to undergo chemical screen testing to determine the presence of chemical substances in the body. Subject to the ADA, any applicant who tests positive, tampers with or adulterates their sample may be disciplined according to these policies and

procedures and state law (see Drug Free Work Place policy, Utah Code §34-38-8, District Policies and Procedures, Section 12, paragraph H, subparagraph 6).

K. Employment Eligibility Verification:

1. In conformance with the "Immigration Reform and Control Act of 1986" (P.L. 99-603) and in order to avoid monetary penalties for the hiring of undocumented workers, the Human Resource Officer shall establish an employment verification system, and shall verify that all applicants for vacant positions or persons hired to fill vacant positions are authorized to work within the boundaries of the United States.
 - a. The Human Resource Officer shall complete or have completed Immigration and Naturalization Service Form I-9 prior to or on a hired employee's first day of work and verify work eligibility through examining such documents listed as acceptable by the Department of Homeland Security.
 - b. Forms shall be kept in accordance with the Utah State Records Management Act. These documents shall be made available to the Immigration and Naturalization Service or the Department of Labor as requested.

L. Employee Induction:

After the new employee is hired, they shall promptly receive a general orientation concerning benefits, compensation practices, personnel policies and procedures and various employment expectations from the Fire Chief or their designee and/or their immediate supervisor. Job specific orientation shall be conducted by the Supervisor or Training Officer. All new employees must sign a document stating they have received a copy of District's Personnel Policies and Procedures.

Some employees may be required to take an oath of office administered by the District affirming that one will support and defend the constitution of the United States and the State of Utah.

M. Orientation Period:

All appointments to positions within the District, whether new hires, rehire, reinstated (affected by reduction-in-force or leave without pay), or promotional, require an orientation period during which both the District and the employee can determine compatibility and competence.

This period is regarded as a testing period designed to acquaint the new employee with the position and allow the employee, Supervisor, and Fire Chief, to measure fairly the employee's ability to perform the job.

1. **New Hire Orientation:**
During the orientation period, the supervisor shall conduct a written performance review to coach the employee in the job duties, apprise the

employee of their suitability for the position and determine the employment action to be recommended to the Fire Chief. (*see* Section 6, para E, Conditional Employees)

- a. The orientation period for all District employees shall be six (6) months in duration for administrative and full-time EMT personnel. For fire suppression personnel, the orientation shall be for one (1) year. Orientation periods may be extendable up to an additional six (6) months for good cause, but with the condition that the orientation period employee may appeal any undue prolongation of the period designed to thwart merit principles. The employment relationship may be terminated at any time during the new hire orientation period, with or without notice, and with or without cause, by either the employee or the District.
- b. During the new hire orientation period, all benefits accrue.
- c. At the close of the orientation period the supervisor shall submit the new employee's written evaluations and may recommend a reasonable pay increase for the new administrative employees. Full-time EMT and Suppression employees may receive the pay increase as established by the pay scale.

2. Promoted or Reclassified Employee Orientation:
Promoted or reclassified employees who fail to demonstrate competence and/or compatibility with the new assignment within the six-month orientation period may be reassigned/reclassified to the same or equivalent position with the equivalent pay and tangible benefits previously held if one is available. Reclassified employees shall have all rights of appeal and due process as defined by policy and procedures. There shall be no orientation period increase at the completion of a promoted or reclassified employee orientation period except for those that have been established by the pay scale.

2022 BOE Adjustments from Hearing officers

Account #	RDN	Serial #	New Market Value	Old Market Value	MV Difference	New Taxable Value	Old Taxable Value	Taxable Difference	County tax Difference	Old Total Tax Estimate	% Difference	Hearing DATE	Explanation for adjustment	Hearing Officer Change made
0518599	00-08-01	NS-1-2-3-G2	\$ 2,398,720	\$ 2,398,720	\$ -	\$ 2,398,720	\$ 2,398,720	\$ -	\$ -	15,013.59	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518645	00-08-01	SS-25-G6	\$ 333,400	\$ 333,400	\$ -	\$ 333,400	\$ 333,400	\$ -	\$ -	2,224.78	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518614	00-08-01	SS-26-G4	\$ 1,606,928	\$ 1,606,928	\$ -	\$ 1,606,928	\$ 1,606,928	\$ -	\$ -	10,723.03	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518638	00-08-01	NS-3-G6	\$ 1,003,800	\$ 1,003,800	\$ -	\$ 1,003,800	\$ 1,003,800	\$ -	\$ -	6,282.78	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518575	00-08-01	NS-1-3-G1	\$ 646,920	\$ 646,920	\$ -	\$ 646,920	\$ 646,920	\$ -	\$ -	4,049.07	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518582	00-08-01	SS-23-G2	\$ 733,960	\$ 733,960	\$ -	\$ 733,960	\$ 733,960	\$ -	\$ -	4,897.72	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518607	00-08-01	SS-23-26-G3	\$ 681,040	\$ 681,040	\$ -	\$ 681,040	\$ 681,040	\$ -	\$ -	4,544.58	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518621	00-08-01	SS-25-26-G5	\$ 361,200	\$ 361,200	\$ -	\$ 361,200	\$ 361,200	\$ -	\$ -	2,410.29	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0420731	18-01-14	GCC-OS-2	\$ 1,775	\$ 1,775	\$ -	\$ 1,775	\$ 1,775	\$ -	\$ -	11.11	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518722	00-08-01	SS-25-52-PVG2	\$ 1,505,680	\$ 1,505,680	\$ -	\$ 1,505,680	\$ 1,505,680	\$ -	\$ -	10,047.40	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518669	00-08-01	SS-25-52-PVG1	\$ 1,238,560	\$ 1,238,560	\$ -	\$ 1,238,560	\$ 1,238,560	\$ -	\$ -	8,264.91	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518676	00-08-01	SS-52-54-A-PVG3	\$ 1,284,680	\$ 1,284,680	\$ -	\$ 1,284,680	\$ 1,284,680	\$ -	\$ -	8,572.67	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518683	00-08-01	SS-52-54-A-PVG4	\$ 606,720	\$ 606,720	\$ -	\$ 606,720	\$ 606,720	\$ -	\$ -	4,048.64	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518690	00-08-01	SS-52-PVG5	\$ 573,880	\$ 573,880	\$ -	\$ 573,880	\$ 573,880	\$ -	\$ -	3,829.50	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518652	00-08-01	NS-3-G7	\$ 15,696,956	\$ 15,696,956	\$ -	\$ 15,696,956	\$ 15,696,956	\$ -	\$ -	98,247.25	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518708	00-08-01	SS-52-PVG6	\$ 7,663,275	\$ 7,663,275	\$ -	\$ 7,663,275	\$ 7,663,275	\$ -	\$ -	51,137.03	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0518715	00-08-01	SS-25-52-BH7H7	\$ 1,334,300	\$ 1,334,300	\$ -	\$ 1,334,300	\$ 1,334,300	\$ -	\$ -	8,970.51	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change
0181481	00-08-01	SS-69-B-12	\$ 1,473,001	\$ 1,473,001	\$ -	\$ 1,473,001	\$ 1,473,001	\$ -	\$ -	8,418.20	0.00%	3/7/2023	It is recommended 2022 BOE make no adjustment	Michael O' Gara No Change



To: Summit County Board of Equalization
From: Cindy Keyes, Clerk of the Board of Equalization
Date: April 12, 2023
RE: 2023 Property Tax Exemptions 501(c)(3)

County Council,

Please reconvene as the Board of Equalization on April 12, 2023, and consider approving applications for exclusive use property tax exemptions for 501(c)(3) organizations.

Property Tax Exemptions are due March 1 and a courtesy reminder letter for these exemptions was mailed out on 1/30/2023. (See page 2 for sample courtesy letter)

As a couple of you are new and I am new as well, I thought it would be helpful to have the portion of the Standards on Non-Profit Use Exemptions. (See attached Standard02)

For 2023; 140 applications were reviewed of these 111 met the requirements under Utah Code UAC 59-2-1101 (3)(a)(iv); 29 either missed the deadline or are being questioned.

I have attached a spreadsheet listing the approved organizations on the first tab along with the date that they filed the PT-21 (Annual Statement for Continued Property Tax Exemption.) The second tab shows the organizations that failed to file on time or are being questioned for not meeting code requirements. There is a brief explanation for this recommendation.

After the decision is made, if the organization disagrees with the board's determination, they can appeal to the State Tax Commission through the auditor's office.

Thank you for your consideration of these exemptions.

Sincerely,

Cindy M. Keyes

Clerk of the Board of Equalization



EXEMPTION DEADLINE: MARCH 1, 2023, by 5:00 PM

1/30/2023

Name
Address 1
Address 2

PARCEL NUMBER: Number

Dear Property Owner,

Utah State statute provides that "property owned by a qualified nonprofit entity that is used exclusively for religious, charitable, or educational purposes" is exempt from property tax (59-2- 1101). Utah Tax Commission rules require that any property receiving the exemption be **actively used for the purpose under which the exemption is being granted**. Vacant land, which is held for future development or other use, is not deemed to be devoted exclusively to charitable purposes and is therefore ineligible for a property tax exemption (Tax Commission Rule R884-24P-35).

This use-based exemption must be applied for initially by **March 1** of the first tax year it will be receiving the exemption or within 30 days after acquisition of the property. **Maintaining exempt status requires submitting annually the Statement of Continued Use by March 1st (Tax Commission Rule R884-24P-35)**. The Annual Statement for Continued Property Tax Exemption (Form PT-21) is found on the Summit County Auditor's website:

The use-based exemption for properties owned by nonprofit entities shall be revoked if property owners fail to file the required annual statement by **March 1st of each calendar year**. Summit County encourages property owners to be aware of the statutes and rules governing this process so their real estate may continue to correctly receive the property tax exemption.

This letter is being sent as a courtesy only. It is the property owner's responsibility to file a Statement of Continued Use annually prior to the deadline of March 15¹ to continue to receive the exemption.

Please contact Cindy Keyes, at ckeyes@summitcounty.org or (435) 336-3254 with any questions regarding property tax exemptions.

Sincerely,

Cindy Keyes, Summit County Auditor

Cindy Keyes, Auditor
60 North Main • P.O. Box 128 • Coalville, UT 84017
Phone (435) 336-3254 Email ckeyes@summitcounty.org

Section II.IV

Non-Profit Use Exemptions

Standard 2.13 Non-Profit Entities: Religious, Charitable and Educational

2.13.0 Nonprofit Entities

Property owned by a nonprofit entity which is used exclusively for religious, charitable, or educational purposes is exempt. Qualification under federal tax law as a 501(c)(3) organization, or otherwise disregarded for federal income tax purposes, does not automatically qualify the organization's real or personal property for exemption from property tax, but it is necessary to fall under the definition of a nonprofit entity. The applicant must prove to the satisfaction of the BOE that any profits benefit only the nonprofit entity. (§ 59-2-1101 and Utah State Constitution, Art. XIII, § 3)

Nonprofit entity is defined in § 59-2-1101 as:

- An organization organized on a nonprofit basis that has declared their property for the nonprofit purpose. The organization makes no dividend or other form of financial benefit to a private interest.
- If there is any dissolution, the entities' assets are distributed only for exempt purposes under state law or the government for a public purpose.
- The nonprofit entity does not receive income from any source that produces a profit to the entity in the sense that the income exceeds operating and long-term maintenance expenses. This income includes gifts, donations, or payments from recipients of the products or services provided. None of the net earnings or donations that are made to the entity inure to the benefit of the private shareholders or other individuals, as interpreted by the private inurement standard under 501(c)(3)

Nonprofit entities that are charitable, educational, or religious MAY NOT receive the exemption if the nonprofit entity participates in any political campaign on behalf of or in opposition to any candidate for public office. This may include publishing or distributing statements or carrying on propaganda or otherwise influencing legislation, except as provided in subsection 501(h) of the Internal Revenue Code

2.13.1 Exclusive Use

The Utah Supreme Court has determined that although exclusivity should be strictly construed, minor deviations from "exclusive use" should not automatically defeat an exemption. Clearly defined sections of a property can also qualify for an exemption even if other sections are used for profit, or another non-qualifying purpose. [*Loyal Order of Moose 259 v. Salt Lake County Board of Equalization* (657 P2d 257), 1982]..

2.13.2 Partial Exemption

A partial exemption may be granted only where a separately identifiable portion of a property is exclusively used for qualified purposes. It may not be granted based upon percentage use of shared or common space or facilities. When part of a building is devoted to charitable purposes and part is rented out to individual private concerns for profit, only the part of the property that is used for charitable purposes is exempt from taxation, not the part of the building rented out for

revenue. [*Parker v. Quinn*, (23 Utah 332)(64P 961), 1901], [*Odd Fellows' Bldg. Ass'n v. Naylor*, 53 Utah 111, 177 P. 214 (1918)]

2.13.3 Initial Application

A written application for exemption should be filed by March 1. The BOE may question the applicant under oath and subpoena witnesses regarding the submitted evidence. No exemption can be granted unless the applicant attends and answers the BOE's questions. The BOE may adopt rules to administer the exemptions or waive the application or personal appearance requirements.

When a nonprofit entity acquires property on or after January 1 that qualifies for an exclusive use exemption, that entity may apply for the exclusive use exemption on or before the later of March 1st or 30 days after the property is acquired. (§§ 59-2-1101 and 59-2-1102)

The BOE should request the following information on application:

- Owner of record and the date the property was acquired;
- Description of the property;
- Internal Revenue Service 501(c)(3) not-for-profit authorization, or other evidence from the IRS that the organization is disregarded for federal income tax purposes;
- Federal income tax returns for previous years;
- All financial statements that reflect the use of the property, the source of all funds and the way they were expended including a list of all paid staff, how they are paid, and the nature of their services;
- A description of use including percentage of time the property is used for various purposes and the degree that such purposes are carried out by volunteer staff;
- Copies of leases or rental agreements for the property and descriptions of how the rents are determined;
- A copy of the Articles of Incorporation, by-laws and other organizational information; and
- Depending on the use of the property, additional information should also be considered.

2.13.4 Charitable Purpose Criteria

Charitable purpose means, property used as a nonprofit hospital, or a nursing home (outlined in *Howell v. County Board of Cache County* ex rel. IHC Hospitals, Inc 881 P.2d 880, Utah 1994), and property that provides a gift to the community. (§ 59-2-1101)

A gift to the community is defined as one of the following:

- Lessening the burden on the government.
- Providing a significant service to others without immediate expectation of material award.
- The use of the property is supported to a material degree by donations and gifts including volunteer service.
- The recipients of charitable activities that are provided on the property are not required to pay for the assistance received, except to a material degree.
- The beneficiaries of the charitable activities on the property are unrestricted, if it is restricted then the restriction bears a reasonable relationship to the charitable objectives.

- Any commercial activities provided on the property are subordinate or incidental to the charitable activity.

The following criteria for determining charitable purpose were identified by the Utah Supreme Court in *Utah County v. Intermountain Health Care Inc.*, (709 P2d 265), 1985:

- Whether the stated purpose of the entity is to provide a significant service to others without immediate expectation of material reward.
- Whether the entity is supported, and to what extent, by donations and gifts.
- Whether the recipients of the charity are required to pay for the assistance received, in whole or in part; whether there is “material reciprocity”.
- Whether the income received from all sources (gifts, donations, and payment from recipients) produces a profit to the entity in the sense that the income exceeds operating and long-term maintenance expenses.
- Whether the beneficiaries of the charity are restricted or unrestricted and, if restricted, whether the restriction bears a reasonable relationship to the entity’s charitable objectives.
- Whether dividends or some other form of financial benefit, or assets upon dissolution, are available to private interests, and whether the entity is organized and operated so that any commercial activities are subordinate or incidental to charitable ones.

These criteria may be used to determine charitable use. Specific criteria for hospitals, nursing homes, and other health care related organizations have been established by the Commission and are included in [Appendix 2B](#).

2.13.5 The Common Good and Giving

Providing a common good and the act of giving is a necessary element in charitable purpose. What constitutes common good is subjective and changes with community standards. Something that may not have been considered charitable in the past could be considered as such today.

Fraternal organizations that collect money for charity, subsidized housing provided to the indigent, and wildlife conservation efforts have all come before the Commission or the Utah Supreme Court over several decades. In these cases, the adjudicating body has validated the common good inherent in the gift provided to the community by these nonprofit entities. However, the exemption was still denied if the applicant failed to satisfy charitable purpose criteria.

Consider the following to determine if the applicant is contributing something of value to the common good:

- An individual or group sacrifice for the welfare of the community, i.e. the act of giving itself;
- It is a service or gift provided by public agencies federally or in other states;
- It is a service or gift provided by other charitable groups, suggesting widespread recognition; and/or
- The gift provided could not otherwise be obtained by the beneficiaries without assistance from a nonprofit entity. [*Salt Lake County v. TAX COMMISSION, ETC.*, 596 P.2d 641

(Utah 1979)], [Yorgason v. County Bd. of Equalization, 714 P.2d 653 (Utah 1986)] and [Petitioner v. County Board of Equalization of County 1 (UTC Appeal No. 15-1569)]

These tests could help determine if a nonprofit entity meets the first criteria in [2.13.4 “Charitable Purpose Criteria”](#)

2.13.6 Religious Purpose

“Religion” has not been defined by legislative or judicial action. The BOE has no authority or responsibility to define religious use. If the applicant has a religious exemption under IRS 501(c)(3), then an exemption should be granted unless available information indicates that use of the facility is contrary to the organization’s purpose.

2.13.7 Homes of Clergy

Parsonages, rectories, monasteries, homes and residences of the clergy, if used exclusively for religious purposes, are exempt from property taxes if they meet all of the following requirements:

- The land and building are owned by a religious organization which has qualified with the Internal Revenue Service as a 501(c)(3) organization and continues to meet the requirements of that section;
- The building is occupied by persons whose full-time efforts are devoted to the religious organization and the immediate families of such persons; and
- The religious organization, and not the individuals who occupy the premises, pay all payments, utilities, insurance, repairs, and all other costs and expenses related to the care and maintenance of the premises and facilities.

Monasteries and other religious residences for more than one persona qualify for those parts exclusively used for religious purposes. (R884-24P-40)

2.13.8 Vacant Land

Land which is not actively used by the religious, charitable, or educational organization, is not deemed to be devoted exclusively to religious purposes, and therefore not exempt from property taxes.

Vacant land which is held for future development or utilization by a religious organization may not be deemed to be devoted exclusively to exempt purposes, and therefore not tax exempt, until either construction commences or a building permit is issued for construction of improvements that are intended for exclusive use. (R884-24P-40)

Guideline 1

Although R884-24P-40 refers specifically to land owned by religious organizations, vacant land or buildings owned by religious, charitable, and educational nonprofit entities should also be exempt if they have been issued a building permit or commenced construction on an improvement intended exclusively for their stated purpose. “The same statutory and constitutional constraints apply to the other non-profits seeking the exemption...” [Petitioner v. Board of Equalization of Salt Lake County, Utah (UTC Appeal No. 07-1121)].

The State Tax Commission has previously found that construction “incidental and reasonably necessary” to charitable purpose qualifies for the exemption. [in Utah County v. Intermountain Health Care., 725 P.2d 1357 (Utah 1986)]. Further, the Utah Supreme Court has found that:

*“To deny a charitable exemption for real estate on which a hospital is being constructed when its use is irrevocably committed to purposes that will qualify for a charitable exemption at its completion would not be consistent with **the constitutional policy of encouraging private charities.**” (ibid.)*

These principles have been upheld in a more recent State Tax Commission decision, for a building undergoing extensive renovation. [Taxpayer v. Board of Equalization of Rural County, State of Utah (UTC Appeal No. 14-1662)].

The burden still lies with the taxpayer to apply for the exemption. (§ 59-2-1102). Counties may consider informing exempt taxpayers they may apply for an exemption for a property under construction, but are not obligated to refund prior year’s taxes if the county BOE does not find sufficient reason to do so. (§ 59-2-1347)

Should a taxpayer apply for an exemption for land or building under construction, consider the following:

- *Has a building permit been issued or construction commenced (simply planning future construction is NOT sufficient)?*
- *Is the construction irrevocably committed to the stated exempt purpose?*

Guideline 2

In rare instances, “use” and “vacant” become subject to interpretation. Two cases have come before the Tax Commission concerning the exemption of land with little or no improvements. In both cases, the land was owned by nonprofit wild life refuges, where keeping the land in its natural state was the charitable gift. Both successfully received the charitable use exemption even though improvements were limited to “no trespassing” signs. [Petitioner v. County Board of Equalization of County, State of Utah (UTC Appeal No. 93-0071 & 93-0079)] and [Petitioner v. County Board of Equalization of County 1 (UTC Appeal No. 15-1569)]

2.13.9 Educational Purpose

Property owned by private nonprofit educational institutions and used exclusively to provide education is exempt. Educational purposes includes purposes carried on by an educational organization that maintains a regular facility and curriculum, and has regularly enrolled students.

The law does state that “Educational Purpose” does include the explicit inclusion of Olympic training by a 501(c)(3) tax exempt national governing body of sport recognized by the US Olympic Committee. (§ 59-2-1101)

Guideline

When considering an educational purpose application, the purpose stated on the application is considered when determining exclusive use. Applications cannot necessarily be denied simply because the stated purpose does not resemble a traditional school setting. They may be denied, or partial exemption granted (see [Standard 2.13.2 “Partial Exemption”](#)), if the property in question is not exclusively used for the stated purpose.

2.13.10 Board Decision

The county BOE is to hold a hearing and make its decision on or before the later of May 1 or 30 days after the day on which the application for exemption is filed. The BOE must send a copy of its decision to the person applying for the exemption on or before the later of May 15 or 45 days after the day on which the application is filed. (§ 59-2-1102)

Guideline

Consistency and sufficient evidence are important when granting or denying exemptions. Use exemptions and exemptions from privilege tax (see [Standard 2.6 “Privilege Tax”](#)) should be granted by considering the Equal Protection Clause of the US Constitution and Art. I, § 24 of the Utah Constitution which guarantee that persons situated similarly should be treated similarly, and persons in different circumstances should not be treated as if their circumstances are the same. [ABCO Enterprises v. Utah State Tax Commission (2009 UT 24)]

Counties should look to past exemptions granted or denied to similar applicants. They must also consider the differences between charitable, religious, and educational nonprofit organizations as their purposes are determined with different criteria. For example, there are six tests used by the Utah Supreme Court for charitable purpose, but no similar standard exists for religious purpose.

Similar applicants should be expected to provide a similar standard of evidence. [For example, churches are not required to file a 501\(c\)\(3\) application with the IRS, but charitable and educational organizations are, unless they have annual gross receipts of less than \\$5,000.](#) This could be considered when seeking financial statements as part of an application.

2.13.11 Appealing the Board’s Decision

Any property owner dissatisfied with the BOE decision has 30 days to appeal to the commission through the county auditor. (§§ 59-2-1102 and 59-2-1006)

2.13.12 Annual Signed Statement

The owner of certain tax-exempt property must file a signed statement, on or before March 1 each year, certifying the use of the property during the past year. This is a requirement for all properties that are granted exemptions based on exclusive use for religious, charitable, or educational purposes. (§ 59-2-1102 and R884-24P-35)

The annual application and statement is to contain the following information for each specific property for which an exemption is sought:

- The owner of record of the property;
- The property parcel, account, or serial number;
- The location of the property;
- The tax year in which the exemption was originally granted;

- A description of any change in the use of the real or personal property since January 1 of the prior year;
- The name and address of any person or organization conducting a business for profit on the property;
- The name and address of any organization that uses the real or personal property and pays a fee for that use that is greater than the cost of maintenance and utilities associated with the property;
- A description of any personal property leased by the owner of record for which an exemption is claimed;
- The name and address of the lessor of property;
- The signature of the owner of record or the owner's authorized representative; and
- Any other information the county may require.

It must be filed with the county legislative body in which the property is located on or before March 1 and using Tax Commission Form [PT-21 Annual Application and Statement for Continued Property Tax Exemption](#) or a form that contains the information outlined above. (R884-24P-35)

The county BOE is to notify an owner of exempt property that has previously received an exemption but failed to file annual statement of the BOE's intent to revoke the exemption on or before April 1. (§ 59-2-1102)

2.13.13 Non-Profit Exemption Records

All records pertaining to the granting of exemptions based on exclusive use for charitable, religious or educational purposes should be retained as outlined in the [Board of Equalization Standards of Practice](#). Use or ownership of a property may change frequently, and these records would assist in audits, the levying of proportional payments and applying consistency across BOE exemption decisions.



STAFF REPORT

To: County Council

From: Corrie Forsling, Treasurer

Date: April 5, 2023

Re: Property tax abatement for Parcel VKCS-7, Kathryn Clark

The property at 378 S 125 W in Kamas, owned by Kathryn Clark, is Ms. Clark's primary residence and has been taxed accordingly since she purchased it in 2011 – until last year, 2022. Ms. Clark is requesting an abatement of the additional property taxes in 2022 due to the loss of the primary residence exemption. Total requested abatement is \$1,619.09. (See Exhibit A: Application for a Discretionary Tax Abatement)

TIMELINE

- **November 9, 2011** – Property sold by Mountainlands Community Housing Association to Kathryn Clark. (See Exhibit B: Warranty Deed)
- **2012** – Property under construction
- **2013 – 2021** -- Property owner receives the primary residence exemption without submitting a Primary Residence Exemption application, either because it was not required by the Assessor's policy, or due to county error at the time of purchase.
- **March 4, 2022** – Property owner files Quit Claim Deed, deeding the property from "Kathryne L. Clark" to "Kathryne L. Clark, Trustee of The Clark Family Trust dated February 16, 2022, GRANTEE." (See Exhibit C: Quit Claim Deed) This QCD *incorrectly referenced Ms. Clark's prior address and Wasatch County parcel in the mailing address section.*
- **Spring 2022** – Assessor, following current policy to request a Primary Residence Exemption application when ownership changes, sends an application to the property owner. *Property owner never receives the application because of the mailing address error.*
- **Tax Year 2022** – Property owner loses Primary Residence Exemption because the application was not submitted.

PROPERTY OWNER STATEMENT

Please see Exhibit D: Statement from Kathryn Clark March 27, 2023.

TREASURER RECOMMENDATION

- **Grant the application for a discretionary tax abatement.**

The Treasurer recommends a retroactive abatement of 45% of the 2022 property tax, equaling the primary residence exemption amount. Our understanding is that policies have changed since 2011 and the property owner may have been inadvertently affected.

1. The property owner followed the requirements in place at the time of the purchase of her home and was not required to have a Primary Residence Exemption application in place in order to receive the exemption. (Perhaps this was because it was purchased from Mountainlands Community Housing, perhaps it was just county error at the time. We do not know.)
2. The property owner deeded the property from herself to herself as grantee of her own trust. Does this meet the definition of a “change in ownership interest” as referenced in County Ordinance 1-12B-3(F)? Or does it meet the requirement that “sufficient evidence exists that {the} property no longer qualifies for the primary residence tax exemption” as referenced in County Ordinance 1-12B-3(G)? Council can determine.

Exhibit A

LETTERHEAD

Application for a Discretionary Tax Abatement under Utah Code Annotated §59-2-1347

1) Property Owner Information

Property owner name: Kathryn Clark
Mobile phone number: 801 8640015 Work phone number: N/A
Property owner address: 378 S. 125 W
City: Kamas State: Ut Zip: 84036

2) Property Information

Parcel ID or Account Number: VKCS-7 14-30-257-009-0000
Type of property (e.g., commercial, primary residential, etc.): Primary Resident
Property Address: 378 S. 125 W, Kamas, UT

3) Property Taxes Currently Outstanding

Tax Year	Taxes	Penalty	Interest	TOTAL
n/a				

4) If Requesting Abatement, Requested Abatement as follows:

Treasurer Note: Should be \$1,619.09.

Tax Year	Taxes	Penalty	Interest	TOTAL
<u>2022</u>	<u>3,597.98</u>			<u>3,597.98</u>

5) If Requesting Deferral, Requested Amounts to Defer and Payment Schedule as follows:

Tax Year	Taxes	Penalty	Interest	Deferred Payment Until	TOTAL

6) Property Owner's statement of circumstances and request for relief (attach additional pages if needed): Filed Family Trust Quit Claim Deed
At that time, property was registered
as NON-PRIMARY
Property has always been primary. I can
no longer afford house payment with increase

7) Current Year Market Value of Property (attach recent tax notice): 557,480

8) Lienholders (i.e. mortgage or deed of trust): yes X no _____

If there is a lienholder, State Form PT-33A should be attached for each lien holder. A deferral may not be granted without the written consent of the holder of any mortgage or trust deed outstanding on the property.

9) Property Owner is advised that the County Council may request additional information at a later time in order to make their determination under §59-2-1347. This includes but is not limited to income information, assets/liabilities, and IRS filings.

10) Signature(s): I certify to the best of my knowledge and understanding, that this information is true, correct, and complete.

Signature of Property Owner(s) Kathryn L Clark

Date: 3/13/2023

Signature of Property Owner(s) _____

Date: _____

FOR COUNTY USE ONLY:

Date Application Received: 3/13/2023

Case of Factual Error (State Rule R884-24P-66): Yes _____ No X

Basis for Factual Error: _____

Staff Signature and Date: Corrie Forsling 4/5/2023

PLEASE SEE IMPORTANT EXPLANATIONS & INSTRUCTIONS ON REVERSE SIDE

NOTICE OF PROPERTY VALUATION AND TAX CHANGES



Summit County Auditor 2022
60 North Main
PO Box 128
Coalville, UT 84017
435-336-3019

ACCOUNT NUMBER	PARCEL NUMBER	ACRES	TAX AREA
0477252	VKCS-7	0.36	04

PARTIAL LEGAL DESCRIPTION – FOR TAX ID ONLY
LOT 7 VILLAGE AT KAMAS COMMONS SUBDIVISION;
ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 15,837 SQ FT OR 0.36 AC 2102-19...

MAILING ADDRESS
000225 *****
CLARK FAMILY TRUST et al.
KATHRYNE L CLARK TRUSTEE
~~12744 DEER MOUNTAIN BLVD # 712~~
~~HIDEOUT, UT 84036~~
378 S. 125 W
Kamas, UT 84040

PROPERTY ADDRESS
378 S 125 W

OWNER
CLARK FAMILY TRUST et al.

VALUE OF YOUR PROPERTY				
PROPERTY TYPE	2021 Market Value	2021 Taxable Value	2022 Market Value	2022 Taxable Value
NON-PRIMARY IMPROVED PROPERTY	N/A	N/A	557,480	557,480
PRIMARY IMPROVED PROPERTY	302,715	166,493	N/A	N/A
TOTAL PROPERTY VALUE	302,715	166,493	557,480	557,480

TAXING ENTITIES	2021 TAXES	COMPARE		PROPOSED		CHANGES		BE HEARD						
		2022 IF NO INCREASE	2022 IF PROPOSED BUDGET APPROVED	2022 IF PROPOSED BUDGET APPROVED	TAXES	IF 2022 INCREASE	IF 2022 INCREASE	PUBLIC TRUTH-IN-TAXATION MEETING						
		RATE	TAXES	RATE	TAXABLE VALUE	TAXES	CHANGE IN TAX	CHANGE IN %	Date	Time	Place			
SS SCH DIST	596.21	0.002579	1437.74	0.002579	557,480	1437.74	0.00	0.00%	Aug-4	6:30 PM	2837 E HWY 193 LAYTON, UT 84040			
STATE BASIC SCHOOL LEVY	276.55	0.001401	781.03	0.001652	557,480	920.96	139.93	17.90%						
KAMAS	200.12	0.000856	477.20	0.000856	557,480	477.20	0.00	0.00%						
SUMMIT COUNTY	112.38	0.000619	345.08	0.000619	557,480	345.08	0.00	0.00%						
SS FIRE	79.25	0.000324	180.62	0.000324	557,480	180.62	0.00	0.00%						
WEBER BASIN	21.98	0.000103	57.42	0.000167	557,480	93.10	35.68	62.10%						
LOCAL ASSESS/COLLECT	23.31	0.000104	57.99	0.000104	557,480	57.99	0.00	0.00%						
SS CEMETERY	22.31	0.000093	51.85	0.000093	557,480	51.85	0.00	0.00%						
SS CHARTER SCHOOL LEVY	5.49	0.000027	15.05	0.000027	557,480	15.05	0.00	0.00%						
MOSQUITO ABATEMENT	4.00	0.000018	10.03	0.000018	557,480	10.03	0.00	0.00%						
MULTI COUNTY A & C	2.00	0.000010	5.57	0.000015	557,480	8.36	2.79	50.10%						
TOTALS	1,343.60	0.006134	3,419.58	0.006454	557,480	3,597.98	178.40	5.20%				LAST PROPERTY REVIEW: 2021		

THIS IS NOT A BILL DO NOT PAY ----- THIS IS NOT A BILL DO NOT PAY

PROPERTY OWNERS: If this parcel is your primary residence or you have a yearly lease with a domiciled Utah resident, your Property Type/Status should read "Primary Improved Property." Primary Improved Property is taxed at 55% of market value. If your Property Type/Status reads "Primary Improved Property" and this parcel is NOT your primary residence or a long-term residential rental with a yearly lease, you must notify the Summit County Assessor.

If you wish to appeal the market value and/or property type of your parcel, you may file an appeal application with the County Board of Equalization. Please note that **only the market value as of January 1, 2022 and/or property type** can be appealed to the Board of Equalization. **Submit supporting evidence for your estimation of market value when filing the application.**

For further information or to obtain an appeal application, please visit the Summit County website at summitcounty.org/boe or call (435) 336-3019 from July 31 through September 15 from **8:00 AM to 5:00 PM, MDT**. Information is also available at the County Auditor's Office at 60 N Main, Suite #202, Coalville, UT 84017. **The appeal deadline is September 15, 2022 at 5:00 PM, MDT. All appeal applications and supporting evidence must be received prior to that time.**

01010002250



00242

Please report any change of address to the Summit County Recorder at (435) 336-3284. If this property has sold, please forward this notice to the new owner. Property Tax Notices will be mailed prior to November 1, 2022.

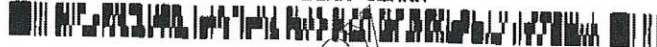
THIS DOES NOT INCLUDE TAX CREDITS, CIRCUIT BREAKERS, OR ABATEMENTS

July

WRONG ADDRESS

ENTRY NO. 01184579

03/04/2022 08:54:15 AM B: 2727 R: 0110
Quit Claim Deed PAGE 1/1
RHONDA FRANCIS, SUMMIT COUNTY RECORDER
FEE 40.00 BY KATHRYNE LINN CLARK



Record and Return to:
KATHRYNE L. CLARK
12774 Deer Mountain Blvd., #712
Hideout, UT 84036

Parcel 14-30-257-009-0000

QUIT CLAIM DEED

KATHRYNE L. CLARK,

GRANTOR,

hereby quit claims to:

KATHRYNE L. CLARK, Trustee of The Clark Family Trust dated February 16, 2022,
GRANTEE,

for the sum of Ten and no/100 (\$10.00) ----- DOLLARS
and other good and valuable consideration, the following described tract of land in
Summit County, State of Utah:

LOT 7, VILLAGE AT KAMAS COMMONS SUBDIVISION according to the
official plat thereof on file and of record in the Summit County recorder's office.

Parcel No. VKCS-7

WITNESS the hand of said Grantor, this 1st day of March, 2022.

GRANTOR:

Kathryne L. Clark
KATHRYNE L. CLARK

STATE OF UTAH)
COUNTY OF SUMMIT) ss.

On the 1st day of March, 2022, personally appeared before me KATHRYNE CLARK, the signer of the within instrument, who duly acknowledged to me that she is authorized to execute and did execute the foregoing.

Heidi Riches
Notary Public



Founders Title Company S12221

MAIL TAX NOTICE TO

Kathryne L. Clark

12774 Deer Mountain Blvd. #712
Hidolout, UT 84036

Exhibit B

WARRANTY DEED
(CORPORATE FORM)

MOUNTAINLANDS COMMUNITY HOUSING ASSOCIATION, a Utah Nonprofit Corporation a corporation organized and existing under the laws of the State of Utah with its principal office at 1960 Sidewinder Drive, Park City, UT 84060, of County of SUMMIT, State of Utah, Grantor(s) hereby CONVEYS AND WARRANTS TO

KATHRYNE L. CLARK, an unmarried woman

Grantee(s)

of 12774 North Deer Mountain Blvd Kamas, Utah 84036 for the sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION -----

the following described tract of land in SUMMIT County, State of UTAH, to-wit:

Lot 7, Village at Kamas Commons Subdivision according to the official plat thereof on file and of record in the Summit County recorders office.

The following is shown for informational purposes only: Tax Parcel No. VKCS-7.

Subject to easements restrictions and rights of way appearing of record or enforceable in law and equity and 2012 taxes and thereafter.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the Board of Directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 16th day of October, 2011.

BY: 
Scott J. Loomis-Executive Director

STATE OF UTAH
COUNTY OF SUMMIT)

On the 16th day of **October**, 2011, personally appeared before me **Scott J. Loomis**, who being by me duly sworn, did say, that the said **Scott J. Loomis**, is the Executive Director of **Mountainlands Community Housing Association** Company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said, **Scott J. Loomis** duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of the said corporation.

Natasha A. Pearce
NOTARY PUBLIC

My Commission Expires: 5/17/2014

Residing  **NATASHA L PEARCE**
NOTARY PUBLIC-STATE OF UTAH
COMMISSION # 502827
COMM. EXP. 05-17-2014

Exhibit C

ENTRY NO. 01184579

03/04/2022 08:54:15 AM B: 2727 P: 0110
Quit Claim Deed PAGE 1/1
RHONDA FRANCIS, SUMMIT COUNTY RECORDER
FEE 40.00 BY KATHRYNE LINN CLARK



Record and Return to:
KATHRYNE L. CLARK
12774 Deer Mountain Blvd., #712
Hideout, UT 84036

Parcel 14-30-257-009-0000

QUIT CLAIM DEED

KATHRYNE L. CLARK,

GRANTOR,

hereby quit claims to:

KATHRYNE L. CLARK, Trustee of The Clark Family Trust dated February 16, 2022,
GRANTEE,

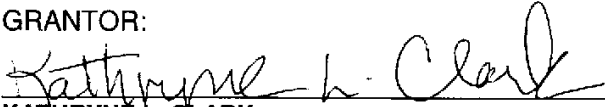
for the sum of Ten and no/100 (\$10.00) -----DOLLARS
and other good and valuable consideration, the following described tract of land in
Summit County, State of Utah:

LOT 7, VILLAGE AT KAMAS COMMONS SUBDIVISION according to the
official plat thereof on file and of record in the Summit County recorder's office.

Parcel No. VKCS-7

WITNESS the hand of said Grantor, this 1st day of March, 2022.

GRANTOR:


KATHRYNE L. CLARK

STATE OF UTAH)
)
) :ss.
COUNTY OF SUMMIT)

On the 1st day of March, 2022, personally appeared before me KATHRYNE L.
CLARK, the signer of the within instrument, who duly acknowledged to me that she is authorized to
execute and did execute the foregoing.


Notary Public

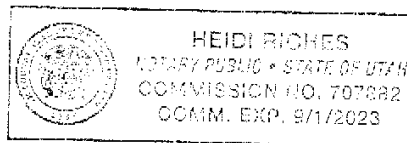


Exhibit D

Statement from Kathryn Clark March 27, 2023

I just completed working for Department of Health and Human Services as a Covid-19 Contact Tracer and Community Investigations worker. I love serving the community with information and resources that most likely saved lives of our most vulnerable populations, including refugees, elderly and disabled. The program ended January 27th and I am desperately looking for more work. I have a disability and it is a bit difficult for me to get another position as I need to work from home. I have been receiving assistance from Vocational Rehabilitation, however, I have not been able to find another job yet.

My disabilities cause me to have difficulty at times visually and I have needed accommodations to be able to work, as I have had working for Utah State. Also, due to my age, I decided it was time to have my home put in a family trust in case of the inevitable and I won't be able to manage on my own. I built this home through USDA Rural Development and my payment is subsidized as I am unable to make the full payment myself, all of the time. This is another reason, the approximate annmortgage has made my home unaffordable.

My home was put in a family Trust in February of 2022. Many pages of paperwork were shuffled back and forth between Summit County, the attorney who put it together and my children. All that I can figure out is that the property was changed in February to "non-primary". This did not surface until I received my February 2023 mortgage statement from USDA Rural Development that my payment increased \$450.00. I had no idea the reason until I started digging and contacted the servicing company (CSC) that processes statements. I believed there was a mistake and they told me it was because my escrow increased that much. I finally traced it to property taxes. I still did not know why they increased enough to raise my payment that high.

This is the first year since living in the home had I not been able to receive the "Circuit Breaker" deductions on taxes due to the fact that I wanted to work in some way to help pandemic response and data collection in our community. 2022 was the first year I have ever not qualified due to income. I made \$2000 too much. That \$2000 will not go very far with having to pay an extra \$450 for house payment. The correction from Non-Primary to Primary was made last month and that will save me a bit.... not much, however, since all of 2022 I was considered "Non-Primary". Also, I never understood how I could be non-primary on home and not on the property. The statement I received was extremely confusing and I had to go to Summit County office to have it explained to me. Also, the statement I was given, still had my address from 12 years ago at the top. I asked again that it be corrected and I was told that it couldn't be because it is part of some kind of "batch" printing, or something. Then I began to wonder how much correspondence had been sent to wrong address? I actually still do not know.

Nothing had seriously changed as far as taxes for me for 12 years. Since it all came out of escrow, I thought it was always taken care of. I saw no reason to be concerned. I have never dealt with a trust before and managed to get paper back to you that you needed after sending you my complete trust. I learned you needed a quit claim deed. I had it notarized and quickly returned to you. It appears after bringing up all of this paperwork and what I received back from Summit County that there was an incorrect address at the top of the quit claim deed. It was also my past residence of 12 years ago. Having never done this before, it seemed like all was as it should be. I am still trying to figure out why it was decided that my home is taxed as non-resident.

I am 71 years old and disabled. I have been experiencing some of the worst possible anxiety as I have attempted to dig up the additional approximately \$450.00/month house payment as I am now laid off from job. This has caused me to become very depressed and has a huge influence and my ability to even attempt to find another job, I am so distraught. Adding to these desperate feelings is the anxiety created by having to appear in front of Summit County Council with my inability to quickly process information due to my medical condition. I do not do well under high pressure situations and what is more high pressure that the possibility of losing the home that you were actually on the crew who built the home and being told you were negligent in getting this information straightened out on time. I have a very difficult time processing questions and formulating responses.

Sincerely,
Kathryne Clark

SUMMIT COUNTY, UTAH
ORDINANCE # 961

AMENDING THE SNYDERVILLE BASIN ZONE MAP TO REZONE PARCELS PP-52-1-X (71.93 ACRES) AND PP-52-1 (1.00 ACRE) FROM “HILLSIDE STEWARDSHIP (HS)” ZONE TO THE “RURAL RESIDENTIAL (RR)” ZONE

WHEREAS, the Snyderville Basin Development Code and Zoning Map were adopted on December 22, 2004 and effective January 12, 2005; and

WHEREAS, Section 10-7-4 of the Snyderville Basin Development Code outlines a process for an amendment to a zone district; and

WHEREAS, the owners of Parcels PP-52-1-X (71.93 acres) and PP-52-1 (1.00 acre) have applied for a ~105,000 sq. ft. expansion of the Ecker Hill Middle School, located at 2465 Kilby Rd, Park City, UT 84098; and

WHEREAS, the Ecker Hill Middle School is located in the Hillside Stewardship Zone; and

WHEREAS, Schools are a prohibited use in the Hillside Stewardship Zone; and

WHEREAS, the owners of Parcels PP-52-1-X (71.93 acres) and PP-52-1 (1.00 acre) have applied for a Rezone to accommodate for the proposed expansion; and

WHEREAS, the Ecker Hill Middle School is an established facility within the Jeremy Ranch/Pinebrook Neighborhood; and

WHEREAS, on December 13, 2022, the Snyderville Basin Planning Commission forwarded a positive recommendation to the Summit County Council regarding the proposed Rezone and associated Master Planned Development (MPD); and

WHEREAS, on January 11, 2023, the Summit County Council reviewed and determined; (1) The Rezone complies with the goals, objectives and policies of the general plan, the neighborhood planning area plan, and the land use plan maps; (2) The Rezone is compatible with adjacent land uses and will not be overly burdensome on the local community; (3) The specific development plan is in compliance with all applicable standards and criteria for approval as described in chapters 3 and 4 of the Snyderville Basin Development Code; and (4) The Rezone does not adversely affect the public health, safety and general welfare.; and

WHEREAS, the Summit County Council conducted a public hearing on January 11, 2023 and voted to approve the proposed Rezone and associated Master Planned Development (MPD).

NOW THEREFORE, the Legislative Body of Summit County, Utah, hereby ordains the following:

AMENDING THE SNYDERVILLE BASIN ZONE MAP TO REZONE PARCELS PP-52-1-X (71.93 ACRES) AND PP-52-1 (1.00 ACRE) FROM “HILLSIDE STEWARDSHIP (HS)” ZONE TO THE “RURAL RESIDENTIAL (RR)” ZONE.

The Summit County Council, acting in its legislative capacity, hereby approves the proposed amendment to the Snyderville Basin Zone Map.

SECTION 2. EFFECTIVE DATE:

This Ordinance shall take effect fifteen (15) days after the date of its publication.

APPROVED, ADOPTED, AND PASSED and ordered published by the Summit County Council, this 12TH day of April, 2023.

**SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH**

By: _____
Roger Armstrong, Council Chair

Council Member Armstrong voted _____
Council Member Stevens voted _____
Council Member Robinson voted _____
Council Member Hanson voted _____
Council Member Harte voted _____

ATTEST:

County Clerk, Summit County, Utah

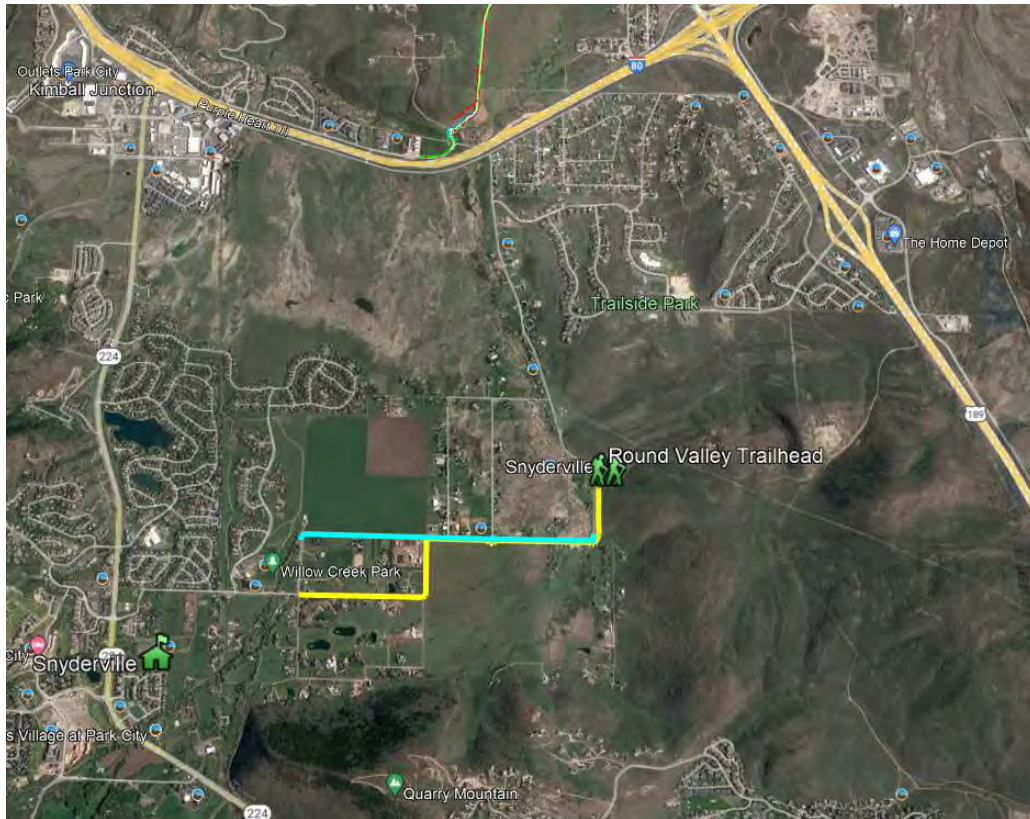


STAFF REPORT

To: County Council
From: Mike Kendell, County Engineer
Date: April 12, 2023
Subject: Old Ranch Road – trail and roadway project update

Background:

The project will construct 1.7 miles of paved trail to connect the recreationists to Willow Creek Park and Round Valley trail head. The project also will provide wider roadside shoulders, two roundabouts for increased safety at the intersections and narrow travel lanes as a traffic calming measure.



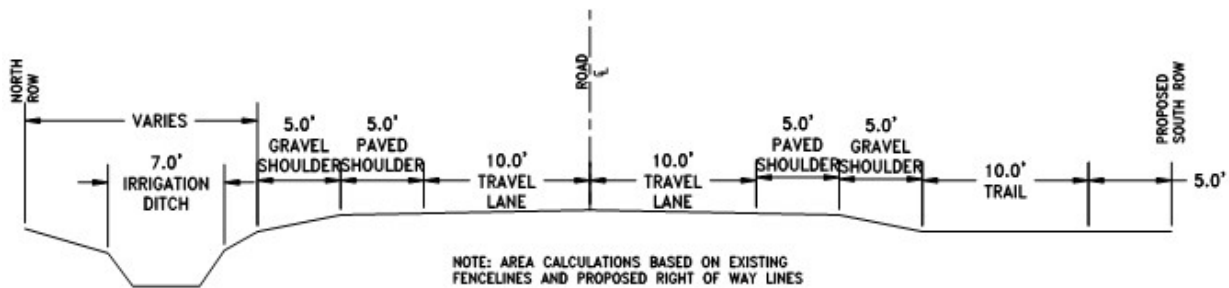
Existing Conditions:

The existing roadway is approximately twenty two feet wide with little to no shoulder and has a ditch running along the north side.



Proposed Typical Section:

The proposed section will include reducing lane widths to ten feet, one lane in each direction. A five-foot paved shoulder on each side to match what is constructed on the east end to the project. A five-foot gravel shoulder will not only provide roadside clear zone recover area, but will also provide snow storage. In the past, snowplows have pushed the snow into the ditch on the north side of the road and this has caused some issues. The snow can form ice dams that block the snow runoff and irrigation as well as cause frost heave under the road itself. On the north side of the road, the ditch will remain basically in place as the road will be constructed south of it's current alignment. On the south side of the road will be constructed a ten-foot-wide asphalt trail.



In addition to providing an update of the project, I am seeking guidance from the Council on a few items to finalize the scope of the project.

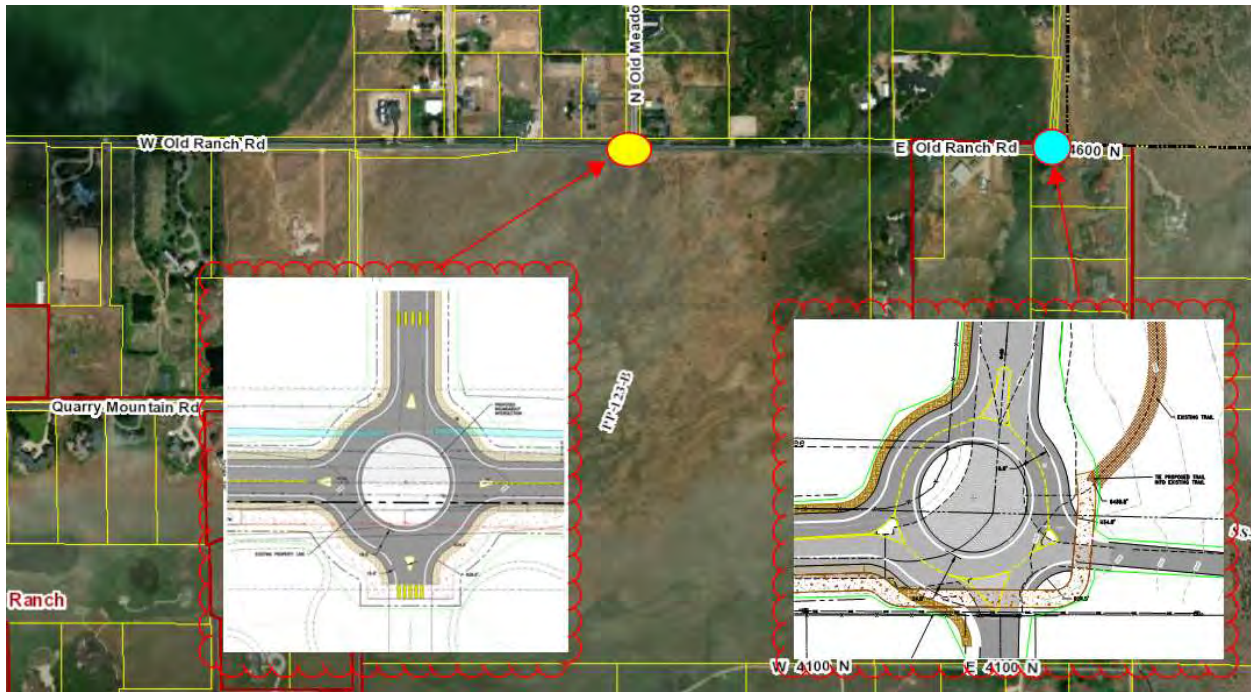
Trail Alignment

Last summer, there was a meeting at the Richins Library with the property owners that lived along this section of Old Ranch Road. In the meeting we discussed the overall scope of the project. In that meeting there was a comment to alter the proposed alignment of the trail along the west end of the project. The proposal would be to pave the existing dirt trail on the north side of Quarry Mountain Road. This would reduce the amount of right of way that would be required to be purchased and reduce the impact to adjacent residents. The County meet with Basin Recreation staff to discuss this change to the alignment. They were supportive of this change and agreed to maintain the trail.



Second Round-A-Bout

Currently, the project consists of two Round-A-Bouts (RAB) along Old Ranch Road. The first RAB is located at 300 West. It will provide traffic calming along this stretch of road, as well as serve as the intersection to the development on Parcel PP-123-B. The second RAB would be located at the east end of Old Ranch Road where it turns north. This RAB was proposed to make this corner function like an intersection and help the residents east of here. The proposed RAB does create some issues. First it would require additional right of way to be purchased. This area is within the floodplain and wetlands. The residents to the south have a gate that would need to be relocated. We would also need to relocate or address the power lines if the RAB was constructed in this location.



Power Poles: Relocate or Underground

The developer of parcel PP-123-B has stated that he is going to underground the power lines that run along the frontage of his property. Does the County have any desire to underground the lines as part of this project?

Where to terminate the roadway improvements on the west end of the project

When Derrick Radke turned the project over to me, the west end of the roadway improvements ended as shown below.



Should the road improvements continue to Quarry Mountain Road?

Moving forward

Once the scope is finalized, staff will move forward working with our consultant to finish the design and prepare for construction. We need to finish Civil Design, Road right of way boundary staking and legal descriptions, Utility Coordination, and Environmental permitting.

We have applied to TAP funds, TST funds and Corridor Preservation Funds. We are targeting construction in 2024.

In conclusion, staff would like an comments that the Council has pertaining to the project and seeks direction regarding trail alignment, the second round-a-bout, power pole relocation vs. undergrounding and where to terminate the roadway improvements on the west end of the project.

Summit County Council Resolution No. 2023-05
**A Resolution Appointing A Member To The Administrative Control Board for the Timberline
Special Service District**

WHEREAS, the County lawfully created the Timberline Special Service District (the “District”) codified in Summit County Code Title 2, Chapter 38 (the “Code”), which created an Administrative Control Board (the “ACB”) and delegated certain powers thereto to administer the responsibilities of the District; and

WHEREAS, the Code requires the ACB be comprised of 5-7 members appointed by the County Council, and that each member shall be a registered voter within the District; and

WHEREAS, the ACB member Tor Boschen has resigned effective November 21, 2022; and

WHEREAS, pursuant to Utah Code Annotated §17B-1-304(2), the County prepared a notice of vacancy for this ACB position, posted the notice, and otherwise complied with all requirements of law for filling vacancies; and

WHEREAS, the Council has conducted interviews with interested applicants who responded to the notice of vacancy; and

WHEREAS, the Council has complied with Utah’s Open and Public Meetings Act in making this appointment and has allowed interested persons an opportunity to speak with respect to this proposed appointment; and

WHEREAS, pursuant to Utah Code Annotated §17B-1-304 et. seq., the County now desires to appoint member(s) to the ACB of the District.

NOW, THEREFORE, the SUMMIT COUNTY COUNCIL resolves as follows:

The following registered voter of the Timberline Special Service District is hereby appointed to serve the unexpired term of Tor Boschen on the Timberline Special Service District’s Administrative Control Board for the term specified herein.

Christoph Gorder to fill the unexpired term of Tor Boschen; term of service to expire 12/31/2024

APPROVED, ADOPTED AND PASSED by the Summit County Council on 12th day of April,

2023

SUMMIT COUNTY COUNCIL

Council Chair

ATTEST:

County Clerk

APPROVED AS TO FORM:

Deputy County Attorney

MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
LEDGES EVENT CENTER
202 EAST PARK ROAD, COALVILLE, UT 84017
TUESDAY, NOVEMBER 22, 2022

Members of the County Council, presenters, and members of public, could attend by electronic means, using Zoom (phone or video). Such members could fully participate in the proceedings as if physically present.

To view Council meeting, live, remotely, attendees visited the “Summit County, Utah” Facebook page
OR
To participate in Council meeting remotely, attendees joined the Zoom webinar at <https://zoom.us/j/772302472>
OR
To listen by phone only attendees dialed 1-301-715-8592, Webinar ID: 772 302 472

PRESENT:

Roger Armstrong, Council Vice-Chair **Amy Price, Chief Deputy Clerk**
Malena Stevens, Council Member **Margaret Olson, Attorney**
Tonja Hanson, Council Member Elect **Corrie Forsling, Treasurer**
Glenn Wright, Council Member **Janna Young, Interim County Manager**
 Dave Thomas, Chief Civil Deputy Attorney
 Brian Craven, IT Specialist
 Jennifer Lee, Elections Clerk
 Eve Furse, Clerk

ON ZOOM:

Chris Robinson, Council Chair

The Council was called to order at 4:05 P.M.

Work Session (4:05 P.M.)

Pledge of Allegiance (4:06 P.M.)

Canvass of the 2022 General Election; Amy Price (4:06 P.M.)

Chief Deputy Clerk Amy Price introduced the Final Ballot Summary, the 2022 General Election Summary Results, and the 2022 General Election Precinct Table Report. Council Vice Chair Armstrong described the 8 hour audit he participated in on November 14, 2022.

Karen Ballash, Republican Party Chair, asked questions about the audit process and the people who conducted the audit. Council Vice Chair Robinson responded. Two people conducted each part of the audit, and Vice Chair Robinson observed. Interim County Manager Janna Young and Kayli Hudson, Facilities Office Manager completed the first half of the audit process; Peter Barnes, Director of Planning, Zoning and Design, and Molly Orgill, County Planner, completed the second half, as it extended well into the evening.

Jack Murphy, Council Candidate, asked a question about what the audit confirms. Clerk Furse responded that the ballot audit checks the programming of the software and the accuracy of the vote counting equipment; the signature audit checks the signature verification process accuracy; and the voter registration audit checks the voter registration information support all based on a 1% sample of ballots cast as chosen by the Lieutenant Governor's Office.

Karen Spencer, Republican Party Treasurer, explained what she observed during the audit of the primary ballots.

Clerk Furse explained that the audit for both the Primary and General Elections was of 1% of the ballots cast. So, the actual number of ballots analyzed differed between the Primary and the General Election.

Ms. Spencer asked if the audit had been noticed.

Clerk Furse responded that notice had been Published in the Park Record.

Vice Chair Armstrong explained the delay in initial results on election night was due to having three races with write in candidates and two races with withdrawn candidates. Chief Deputy Price gave further detail about how they individually reviewed thousands of votes that night.

Convene as the Board of Canvassers (4:22 P.M.)

Council Member Stevens moved to convene as the Board of Canvassers. Council Member Wright seconded the motion. All voted in favor (4-0). (4:23 P.M.)

Council Chair Robinson presented the Canvass of the 2022 General Election.

Council Member Stevens moved to approve the Canvass; Council Member Wright seconded the motion. All voted in favor (4-0). (4:23 P.M.)

Karen Ballash, Republican Park Chair, asked to make a public statement about their issues with the election. The Summit County Republic Party reported the problems they saw with the Primary Election to the Clerk and Ryan Cowley, Lieutenant Governor's Election Director, and Summit County's legislative representatives. As far as they are aware, the issues have not been resolved.

Security breaches in chain of custody for ballot box pickups.

Only one password used by staff, preventing chain of custody online.

There were two hotspots in each polling place to connect the Poll Pad to the both the Clerk's Office and the Lieutenant Governor's Office to check signatures.

There is no proof the surveillance cameras of the drop boxes are even recording. They are not accessible and available to the public, and the video is not stored for 22 months.

The results are removed from the tabulators to a desktop via USB drive. At that point it is in a system that has full on-line capabilities. She said she wasn't saying they are on, but that they are there.

Audits at the primary were a simple signature check.

She submitted a GRAMA request for the Cast Vote Records of the 2020 Election just so they could not be legally destroyed. Even though they reveal no private information that could connect to a voter, the request was denied.

In what seemed to them retaliation from the County Clerk, she issued a new policy saying no one from the executive board of either party could serve as a poll worker even though they met the qualifications posted on the Lieutenant Governor's website. They argued that this policy was illegal because it was not in Utah Code.

They had volunteers who were ready and wanted to be trained. She told us the positions were filled. Utah law encourages community engagement. She told us it is easier for staff to use repeat players, which Ms. Ballash said she understood but that the Clerk should use new people rather than turning to the same people all the time.

They asked for the names and political affiliation of all poll workers, which should be a matter of public record and should be balanced between parties. Again, she said they were denied by the Clerk and backed up by the Lieutenant Governor's Office.

She instituted a mandatory background check to be a poll worker, which was not required by code.

Once a ballot is separated from its envelope, the ballot can be tallied repeatedly. She has no way of detecting if it has already been counted.

Summit County has no process for training Poll Workers and no process for reporting a problem observed. The only option is to call the Clerk and interrupt her or perhaps the Sheriff.

In conclusion, Ms. Ballash stated it is well known that mail in voting states are the ones most susceptible to fraud. The Republican grassroots supports do not trust the system that's in place. When there is not faith in elections, participation drops off. They have seen this in the last two elections since the Presidential Election in 2020. The simplest solution to her is to return to in person voting and hand counting the votes. They are waiting days for results that used to be available in 24 hours. There would be no need to upgrade expensive machines and maintain expensive software. But if Utahns are not willing to give up the convenience of drop boxes and early voting then they should have random forensic audits each election. This is the only way to restore faith in elections. One need look no further than Brazil, where the citizens are still taking to the streets to protest an election, even after the vote was certified.

Council Member Stevens moved to dismiss as the Board of Canvassers and reconvene as the Summit County Council. Council Member Wright seconded the motion. All voted in favor (4-0). (4:30 P.M.)

Swearing In Ceremony (4:30 P.M.)

Oath of Office – Swearing in of Council Member, Tonja Hanson.

Council Chair Robinson moved to confirm the selection of the Democratic Party of Tonja Hanson to fill the unexpired term of Doug Clyde. Council Member Stevens seconded the Motion. All voted in favor (4-0). (16:33 P.M.)

Eve Furse, County Clerk, swore in new Council Member Tonja Hanson as the new member of County Council following her election to the position by the Democratic Party delegates.

Council Member Stevens moved to adjourn; Council Member Wright seconded the motion; all voted in favor (4-0). (4:36 P.M.)

The Council meeting adjourned at 4:36 p.m.

Chris Robinson, *Chair*

Eve Furse, *Clerk*



MINUTES

SUMMIT COUNTY

Summit County Council Meeting

1885 W. UTE BLVD.

1885 W. UTE BLVD., PARK CITY, UT, 84098

WEDNESDAY, JANUARY 4, 2023

Meeting also conducted via Zoom.

DRAFT

Welcome (11:35 A.M.)

PRESENT:

Chris Robinson
Roger Armstrong
Tonja Hanson
Canice Harte
Malena Stevens

Janna Young
Margaret Olson
Justin Martinez
Cindy Keyes
Eve Furse
Dave Thomas
Jess Kirby
Emily Quinton
Kirsten Whetstone
Pat Putt
Glenn Wright
Travis Lewis
Amy Yost
David Darcey
Brian Craven

Pledge of Allegiance (11:36 A.M.)

Oaths of Office conducted by Judge Shauna Kerr (11:37 A.M.)

- a. Oath of Office - Ceremony for elected Council Member, Christopher F. Robinson (11:38 A.M.)

Attachment: Oath of Office - Robinson

- b. Oath of Office - Ceremony for elected Council Member, Canice Harte (11:39 A.M.)

Attachment: Oath of Office - Harte

- c. Oath of Office - Ceremony for elected County Auditor, Cindy Keyes (11:40 A.M.)
Attachment: Oath of Office - Keyes
- d. Oath of Office - Ceremony for elected County Sheriff, Justin Martinez (11:41 A.M.)
Attachment: Oath of Office - Martinez
- e. Oath of Office - Ceremony for elected County Clerk, Evelyn Furse (11:42 A.M.)
Attachment: Oath of Office - Furse
- f. Oath of Office - Ceremony for elected County Attorney, Margaret Olson (11:43 A.M.)
Attachment: Oath of Office - Olson

Tonja Hanson made a motion to leave open session and convene in closed session to discuss personnel. Roger Armstrong seconded, and all voted in favor, (5-0).

Move to conference room.

Closed Sessions (11:45 A.M.)

Attachment: Closed Meeting Affidavit 1.4.23

a. **Personnel**

The Summit County Council met in closed session from 11:45 A.M. to 12:25 P.M. to discuss personnel. The following people were present:

Chris Robinson , Council Chair	Margaret Olson , Attorney
Roger Armstrong , Council Vice-Chair	Dave Thomas , Civil Chief Dep. Attorney
Tonja Hanson , Council Member	David Warnock , Personnel Director
Canice Harte , Council Member	Andrew Gorgey , Colombia Limited
Malena Stevens , Council Member	

Canice Harte made a motion to leave closed session to discuss personnel and convene in closed session to discuss property acquisition. Tonja Hanson seconded, and all voted in favor, (5-0).

b. **Property acquisition**

The Summit County Council met in closed session from 12:25 P.M. to 2:35 P.M. to discuss property acquisition. The following people were present:

Chris Robinson , Council Chair	Janna Young , Interim <i>Manager</i>
Roger Armstrong , Council Vice-Chair	Margaret Olson , Attorney
Tonja Hanson , Council Member	Dave Thomas , Civil Chief Dep. Attorney
Canice Harte , <i>Council Member</i>	Annette Singleton , Executive Assistant
Malena Stevens , <i>Council Member</i>	Jess Kirby , Open Space Manager
	Pat Putt , Community Dev. Dir.
	Dana Jones , SBRD District Director
	Phares Gines , SBRD Trails & Open Space Manager/OSAC Member

Roger Armstrong made a motion to leave closed session to discuss property acquisition and convene in closed session to discuss litigation. Tonja Hanson seconded, and all voted in favor, (5-0).

c. **Litigation**

The Summit County Council met in closed session from 2:35 P.M. to 2:56 P.M. to discuss litigation. The following people were present:

Chris Robinson , Council Chair	Janna Young , Interim Manager
Roger Armstrong , Council Vice-Chair	Margaret Olson , Attorney
Tonja Hanson , Council Member	Dave Thomas , Civil Chief Dep. Attorney
Canice Harte , Council Member	Annette Singleton , Executive Assistant
Malena Stevens , Council Member	

Roger Armstrong made a motion to leave closed session to discuss litigation and convene in closed session to discuss personnel. Tonja Hanson seconded, and all voted in favor, (5-0).

d. **Personnel**

The Summit County Council met in Closed session from 2:56 P.M. to 3:01 P.M. to discuss personnel. The following people were present:

Chris Robinson , Council Chair	Janna Young , Interim Manager
Roger Armstrong , Council Vice-Chair	Margaret Olson , Attorney
Tonja Hanson , Council Member	Dave Thomas , Civil Chief Dep. Attorney
Canice Harte , Council Member	Annette Singleton , Executive Assistant
Malena Stevens , Council Member	

Tonja Hanson made a motion to leave closed session to discuss personnel and convene in open session. Canice Harte seconded, and all voted in favor, (5-0).

Move to auditorium (3:01 P.M.)

Regular Session (3:14 P.M.)

a. **Consideration and appointment of 2023 Council Chair and Vice Chair (3:14 P.M.)**

Malena Stevens made a motion to appoint Roger Armstrong as 2023 Council Chair. Canice Harte seconded, and all voted in favor, (5-0).

Canice Harte made a motion to appoint Malena Stevens as 2023 Council Vice Chair. Chris Robinson seconded, and all voted in favor, (5-0).

b. **Approval of Summit County Council 2023 Annual Notice of Scheduled Meetings (3:17 P.M.)**

Council Chair Armstrong introduced the Annual Notice of Scheduled Meetings.

Tonja Hanson made a motion to approve the 2023 Annual Notice of Scheduled Meetings with the deletion of the November 22 and December 27 meetings. Chris Robinson seconded, and all voted in favor, (5-0).

Attachment: 2023 Notice of Scheduled Meetings

c. **Discussion regarding 2023 committee assignments (3:22 P.M.)**

Council Chair Armstrong presented his suggestions for the 2023 committee assignments. Council Members asked questions and expressed their preferences regarding committee assignments for 2023.

Glenn Wright, Former Council Member, Janna Young, Interim Manager, Jess Kirby, Public Land Manager, Dave Thomas, Civil Chief Deputy Attorney, and Emily Quinton, Sustainability Program Manager, answered questions and contributed to the discussion.

Malena Stevens made a motion to approve Council Chair Armstrong's suggested committee assignments for 2023 as stated by the Chair. Tonja Hanson seconded, and all voted in favor, (5-0).

Attachment: Committee Assignments

Attachment: Results of Committee Assignments Discussion

- d. **Discussion and adoption of Proclamation No. 2023-01, a Proclamation Recognizing Kirsten Whetstone for 29 Years of Public Service to the Citizens of Summit County, Utah, and its Communities; Pat Putt (4:22 P.M.)**

Patrick Putt, Community Development Director, presented Proclamation No. 2023-01 to Council to recognize Kirsten Whetstone's service to Summit County for the last 29 years.

Council Members and Janna Young, Interim Manager, expressed their gratitude for Ms. Whetstone's service. Ms. Whetstone thanked everyone for the recognition.

Chris Robinson made a motion to adopt Proclamation No. 2023-01, a Proclamation Recognizing Kirsten Whetstone for 29 Years of Public Service to the Citizens of Summit County, Utah. Malena Stevens seconded, and all voted in favor, (5-0).

Attachment: Kirsten Whetstone Proclamation

Attachment: Kirsten Whetstone Proclamation signed

- e. **Discussion and approval of Proclamation No. 2023-02, a Proclamation Recognizing Glenn Wright for 6 Years of Service on the Summit County Council (4:39 P.M.)**

Council Member Robinson presented Proclamation No. 2023-02 recognizing Glenn Wright's 6 years of service on the Summit County Council.

Council Members, Janna Young, Interim Manager, and Margaret Olson, Attorney, expressed their gratitude for former Council Member Wright's service. Council Member Wright thanked everyone for the recognition.

Chris Robinson made a motion to adopt Proclamation 2023-03 a Proclamation Recognizing Glenn Wright for 6 Years of Service on the Summit County Council. Malena Stevens seconded, and all voted in favor, (5-0).

Attachment: Glenn Wright Proclamation

Attachment: Glenn Wright Proclamation signed

Convene as the Board of Equalization (4:54 P.M.)

Tonja Hanson made a motion to convene as the Board of Equalization. Malena Stevens seconded, and all voted in favor, (5-0).

- a. **Discussion and approval of 2022 stipulations; Travis Lewis (4:54 P.M.)**

Travis Lewis, Chief Deputy Assessor, presented additional 2022 stipulations regarding property tax appeals. Council Members asked questions. Mr. Lewis responded.

Malena Stevens made a motion to approve the 2022 Stipulations. Chris Robinson seconded, and all voted in favor, (5-0).

Attachment: BOE Stipulations

Dismiss as the Board of Equalization (4:55 P.M.)

Malena Stevens made a motion to dismiss as the Board of Equalization. Chris Robinson seconded, and all voted in favor, (5-0).

Work Session (4:55 P.M.)

- a. **Presentation and discussion regarding Recreation Arts and Parks (RAP) Tax Recreation Committee's recommendations; Amy Yost and David Darcey (4:55 P.M.)**

Amy Yost, Recreation Arts and Parks (RAP) Tax Recreation Committee Chair, and David Darcey, RAP Tax Recreation Committee Vice-Chair, presented committee recommendations regarding how to use the funds received from the RAP Tax on recreation projects. Council Members asked questions to which Ms. Yost, Mr. Darcey, Janna Young, Interim Manager, Dave Thomas, Civil Chief Deputy Attorney, and Jess Kirby, committee member, responded.

Attachment: RAP Recreation Recommendations

- b. **Discussion regarding possible topics for the 2023 Council retreat; Roger Armstrong and Janna Young (5:32 P.M.)**

Council Chair Armstrong and Janna Young, Interim Manager, led a discussion regarding topics for the 2023 Council Retreat Agenda. Council Members and Interim Manager Young discussed possibilities.

Attachment: Staff Report - 2023 Council Retreat

Public Input (6:07 P.M.)

Council Chair Armstrong opened the meeting for public input. (6:08 P.M.)

No public input was offered.

Council Chair Armstrong closed the meeting for public input. (6:09 P.M.)

Attachment: Public Comment Instructions

Work Session, Continued (6:09 P.M.)

- b. **Discussion regarding possible topics for 2023 Council Retreat: Roger Armstrong and Janna Young - continued (6:09 P.M.)**

Council Members and Interim Manager Young continued their discussion.

- c. **Council comments (7:03 P.M.)**

Canice Harte thanked Council and is looking forward to the coming year. (7:03 P.M.)

Chris Robinson is excited for the next year. (7:03 P.M.)

Malena Stevens provided updates on her activities on behalf of Council during the last week. (7:03 P.M.)

- d. **Interim County Manager comments (7:10 P.M.)**

Janna Young provided updates to Council about upcoming activities. (7:10 P.M.)

Adjourn (7:12 P.M.)

Tonja Hanson made a motion to adjourn . Chris Robinson seconded, and all voted in favor, (5-0).

Roger Armstrong, Chair

Eve Furse, Clerk



MINUTES

SUMMIT COUNTY

Summit County Council Meeting

RICHINS BUILDING

1885 UTE BLVD., PARK CITY, UT, 84098

WEDNESDAY, JANUARY 11, 2023

Meeting also conducted via Zoom.

DRAFT

The Council was called to order at 1:43 P.M.

Malena Stevens made a motion to convene in closed session to discuss litigation. Canice Harte seconded, and all voted in favor, (5-0).

Closed Session (1:43 PM)

a. **Litigation**

The Summit County Council met in closed session from 1:43 P.M. to 2:39 P.M. to discuss litigation. The following people were present:

Roger Armstrong , Council Chair	Janna Young , Interim Manager
Malena Stevens , Council Vice-Chair	Margaret Olson , Attorney
Chris Robinson , Council Member	Dave Thomas , Civil Chief Deputy Attorney
Tonja Hanson , Council Member	Tim Loveday , Solid Waste Superintendent
Canice Hart , Council Member	John Angell , Public Works Director
	Annette Singleton , Executive Assistant

Malena Stevens made a motion to leave closed session to discuss litigation and convene in closed session to discuss property acquisition. Canice Harte seconded, and all voted in favor, (5-0).

b. **Property acquisition**

The Summit County Council met in closed session from 2:39 P.M. to 3:55 P.M. to discuss property acquisition. The following people were present:

Roger Armstrong , Council Chair	Janna Young , Interim Manager
Malena Stevens , Council Vice-Chair	Margaret Olson , Attorney
Chris Robinson , Council Member	Dave Thomas , Civil Chief Deputy Attorney
Tonja Hanson , Council Member	Annette Singleton , Executive Assistant
Canice Hart , Council Member	Frank Pignanelli , Foxley & Pignanelli MP
	Renae Cowley , Foxley & Pignanelli Partner
	Steven Styler , Foxley & Pignanelli Partner

Malena Stevens made a motion to leave closed session to discuss property acquisition and convene in open session. Canice Harte seconded, and all voted in favor, (5-0).

Move to auditorium

PRESENT:

Roger Armstrong
Malena Stevens
Chris Robinson
Tonja Hanson
Canice Harte

Janna Young
Annette Singleton
Margaret Olson
Lynda Viti
Phil Bondurant
Jess Kirby
Lizzie Marsters
Natasha Collins
Amy Yost
David Darcey
Amir Caus
Eve Furse
Brian Craven

Work Session (4:06 P.M.)

- a. **Pledge of Allegiance** (4:06 P.M.)
- b. **Discussion regarding possible nightly rental policy; Lynda Viti, Margaret Olson, Eve Furse, and Janna Young** (4:07 P.M.)

Lynda Viti, Civil Deputy Attorney, Margaret Olson, Attorney, Eve Furse, Clerk, and Janna Young, Interim Manager, presented for discussion potential regulations for nightly rentals. Council Members discussed the options and asked questions. The panelists and Phil Bondurant, Public Health Department Director, responded.

Attachment: Staff Report - Nightly Rentals

- c. **Update progress of the Weber River Resilience Project; Jess Kirby, Lizzie Marsters and Natasha Collins** (5:38 P.M.)

Jess Kirby, Public Lands Manager, Lizzie Marsters, World Resources Institute, Natasha Collins, World Resources Institute, provided an updated on the Weber River Watershed Project and Resilience Fund for Summit County. Council Members asked questions. The panelists and Janna Young, Interim Manager, responded.

Attachment: Weber River Resilience Project Presentation

Attachment: Staff Report - Weber River Watershed

- d. **Discussion regarding National Association of Counties (NACo) Public Lands request; Janna Young** (6:04 P.M.)

Janna Young, Interim Manager, provided information on the National Association of Counties (NACo) Public Lands request for funding contributions from public lands counties to establish a National Center for Public Lands Counties.

Attachment: Staff Report - NACo

Public Input (6:05 P.M.)

Council Chair Armstrong opened the meeting for public input. (6:05 P.M.)

LuAnn Lukenbach commented.

Council Chair Armstrong responded.

Council Chair Armstrong closed the meeting for public input. (6:10 P.M.)

Attachment: Public Comment Instructions

Short Break

Consideration of Approval (6:18 P.M.)

- a. **Discussion and approval of the Restaurant Arts and Parks (RAP) Tax Recreation Committee's recommendations; Amy Yost and David Darcey (6:18 P.M.)**

Amy Yost, RAP-REC Committee Chair, and David Darcey, RAP-REC Committee Member, presented for discussion and possible approval of the RAP Tax Recreation Committee's grant recommendations.

Chris Robinson made a motion to approve RAP TAX Recreation Committee's recommendations. Canice Harte seconded, and all voted in favor, (5-0).

Attachment: RAP Recreation Recommendations

Public Hearings (2) (6:22 P.M.)

- a. **Public Hearing to consider potential projects for which funding may be applied under the CDBG Small Cities Program for Program Year 2023; Annette Singleton (6:22 P.M.)**

Annette Singleton, Executive Assistant, presented for public hearing the small cities Community Development Block Grant Program.

Council Chair Armstrong opened the public hearing. (6:25 P.M.)

Yehemy Zavala commented. (6:26 P.M.)

Council Chair Armstrong closed the public hearing. (6:27 P.M.)

Ms. Singleton introduced two applicants who are seeking CDBG sponsorship from the County.

Ben Nielson, North Summit Fire Chief, presented their project to the Council. (6:30 P.M.)

Robert Young, Wanship Water President, and TJ Bates, Wanship Water Vice President, presented their project to the Council. (6:35 P.M.)

Attachment: Staff Report - CDBG

- b. **Public hearing regarding the Ecker Hill Middle School Expansion Master Planned Development (MPD) – Rezone and Conditional Use Permit, located 2465 Kilby Rd, Summit County, UT; Todd Hansen (Park City School District), Applicant; Amir Caus, AICP, Senior Planner (6:46 P.M.)**

Amir Caus, AICP Senior Planner, presented for public hearing and possible action regarding the Ecker Hill Middle School Expansion Master Planned Development (MPD) - Rezone and Conditional Use Permit, located at 2465 Kilby Rd, Park City, UT.

Council Chair Armstrong opened the public hearing. (6:48 P.M.)

No public input was offered.

Council Chair Armstrong closed the public hearing. (6:49 P.M.)

Canice Harte made a motion to approve the Ecker Hill Middle School Expansion Master Planned Development (MPD) – Rezone and Conditional Use Permit, located 2465 Kilby Rd, Summit County, UT according to the findings of fact, conclusions of law and conditions of approval as found in the staff report. Malena Stevens seconded, and all voted in favor, (5-0).

Attachment: Staff Report - Ecker Hill Expansion

Council comments (6:51 P.M.)

Canice Hart provided an update on Council's activities. (6:51 P.M.)

Malena Stevens provided an update on her activities on behalf of the Council during the last week. (6:53 P.M.)

Chris Robinson provided an update on his activities on behalf of the Council during the last week. (6:54 P.M.)

Roger Armstrong provided an update on his activities on behalf of the Council during the last week and upcoming activities. (6:58 P.M.)

Interim County Manager comments (7:00 P.M.)

Janna Young provided updates to the Council about upcoming activities.

Adjourn (7:12 P.M.)

Malena Stevens made a motion to adjourn . Chris Robinson seconded, and all voted in favor, (5-0).

Roger Armstrong, Chair

Eve Furse, Clerk



MINUTES

SUMMIT COUNTY

Summit County Council Meeting

SOUTH SUMMIT COUNTY SERVICES BUILDING

110 NORTH MAIN STREET, KAMAS, UT, 84098

FRIDAY, MARCH 3, 2023

Meeting also conducted via Zoom.

DRAFT

The Council was called to order at 1:33 P.M.

Canice Harte made a motion to convene in closed session to discuss property acquisition. Chris Robinson seconded, and all voted in favor, (4-0).

Closed Session (1:33 P.M.)

a. **Property acquisition**

The Summit County Council met in closed session from 1:33 P.M. to 3:09 P.M. to discuss property acquisition. The following people were present:

Roger Armstrong, Council Chair

Shayne Scott, Manager

Chris Robinson, Council Member

David Ure, URE Ranches, Inc., President

Tonja Hanson, Council Member

Kent Ure, URE Enterprises, LLC, Manager

Canice Harte, Council Member

Chris Robinson made a motion to to leave closed session to discuss property acquisition and convene in open session. Tonja Hanson seconded, and all voted in favor, (4-0).

Move to open session (3:20 P.M.)

PRESENT:

Roger Armstrong

Shayne Scott

Chris Robinson

Janna Young

Tonja Hanson

Jeff Bolinger

Canice Harte

Matt Leavitt

John Angell

Emily Quinton

Scott Henriksen

Danny Page

Frank Smith
Kacey Bates
Eve Furse
Brian Craven

Work Session (3:35 P.M.)

- a. **Pledge of Allegiance** (3:36 P.M.)
- b. **Continued discussion of preliminary design, program elements, and budget for Summit County's new facility, the Silver Summit County Services Building on the F. J. Gillmor parcel; Janna Young, John Angell, Emily Quinton, Scott Henriksen, Danny Page, Jeff Bolinger, and Clio Rayner** (3:37 P.M.)

Janna Young, Deputy Manager, introduced the panelists and provided background on the facility project.

Jeff Bolinger, GSBS Architects, was called to speak. He showed a video rendition of the proposed building. Council Members asked questions, and Mr. Bolinger and Deputy Manager Young responded.

Matt Leavitt, Financial Officer, addressed some of the financial questions.

Shayne Scott, Manager, provided his input.

Brian Craven, Multimedia Specialist, gave input on the convention space.

Council Members asked questions and the presenters responded to those questions. A further meeting is planned.

Attachment: Staff Report - County Services Building

Captain Kasey Bates departed (4:52 P.M.)

Public Input (5:41 P.M.)

Council Chair Roger Armstrong opened the meeting for public input at 5:41 P.M.

No public input was offered.

Council Chair Roger Armstrong closed the meeting for public input at 5:42 P.M.

Attachment: Public Comment Instructions

Adjourn (5:43 P.M.)

Chris Robinson made a motion to adjourn . Canice Harte seconded, and all voted in favor, (4-0).

Roger Armstrong, Chair

Eve Furse, Clerk

Public Comment Instructions

4/12/2023

If you would like to make public comments, please email publiccomments@summitcounty.org by 12:00 p.m. on Wednesday, April 12th. Your comments will be 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.



STAFF REPORT

To: Summit County Council
From: Brandon Brady, Transportation Planning Deputy Director
Date of Meeting: April 12, 2023
Type of Item: Summit County Transportation Impact Fee Facilities Plan

Background:

Transportation impact fees are assessed to development to provide Summit County a source of revenue to help deal with the growing impacts that development has on the transportation system due to growth and congestion. The revenue collected is used for specific capital improvement projects aimed at maintaining a certain level of service. The eligible projects are selected through studies governed by Utah Code 11-36a.

In 2008, a fee analysis done by Lewis Young Robertson & Birmingham, Inc. established a cost per PM peak hour trip of \$1,924.38, used to establish the transportation impact fees in Ordinance 652A. This fee is only assessed and can only be used for projects within the Basin Transportation Impact Fee Area (see Figure 1).

In 2022, Summit County worked with Hales Engineering to complete an Impact Fee Facilities Plan (IFFP) to revise the impact fee to be assessed in the County. While transportation impact fees are currently only assessed in the Basin Transportation Impact Fee Area, the increased development on the east side of the County will also have infrastructure impacts that need to be reflected by impact fees. The IFFP reflect county-wide project needs. No City or State projects could be included in these studies.

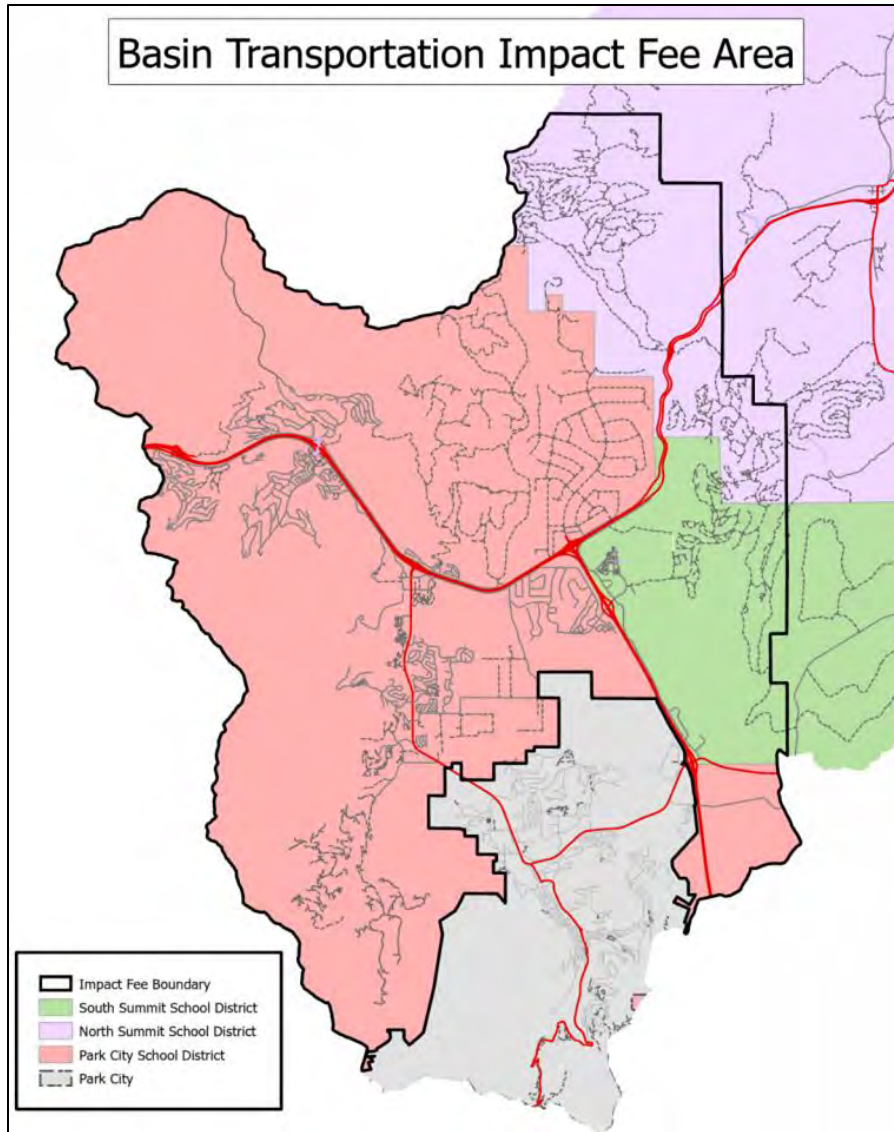


Figure 1: Basin Transportation Impact Fee Area

Summary:

The IFFP that was completed by Hales Engineering. For the IFFP, projects were taken from the Summit County Long Range Transportation Plan (LRTP) 2022-2050 adopted in August of 2022. The purpose of this analysis is to identify infrastructure improvements that are needed to accommodate anticipated development and determine which projects may be funded with the impact fees. This analysis focuses on Phase 1 of the LRTP from 2022-2030. Within the eight year period it is anticipated that the traffic growth on Summit County roadways will be 4,656 PM peak hour trips. There are 17 trail and roadway projects that have been planned by 2030 and are eligible for impact fees. The total impact fee eligible cost for these 17 projects is \$24,530,260. Table 1 shows a list of the eligible projects and the costs associated with them. The full IFFP report can be found in Appendix A.

Table 1: IFFP Projects

#	Description	2030 Cost	% Eligible	Eligible Cost
1	Extend Landmark Dr. from Olympic Pkwy to Bear Cub Dr. (2 Lanes)	\$7,000,000	11.7%	\$819,000
2	New Bitner Rd. extension from Bitner Rd. to Silver Creek Rd. (2 Lanes)	\$15,630,000	6.7%	\$1,023,760
3	New Old Ranch Rd. Sidepath	\$1,200,000	100.0%	\$1,200,000
4	Widen Pace Frontage Rd. from Silver Creek Dr. to Park City Storage (4 Lanes)	\$3,480,000	46.9%	\$1,632,120
5	Upgrade I-80 pedestrian/bike tunnel near Silver Creek Village with vehicle lanes (2 Lanes)	\$15,500,000	1.3%	\$201,500
6	Upgrade Silver Creek Dr. / Pace Frontage Rd. roundabout to dual-lane roundabout	\$1,340,000	20.4%	\$273,360
7	New Silver Summit Pkwy Sidepath	\$8,000,000	100.0%	\$8,000,000
8	Widen Silver Creek Dr. from Pace Frontage Rd. to Promontory Ranch Rd. (4 lanes)	\$3,070,000	40.0%	\$1,228,000
9	Upgrade Promontory Ranch Rd. / Silver Creek Dr. intersection to a single-lane roundabout	\$2,010,000	30.7%	\$617,070
10	Grade separation of Olympic Pkwy/Newpark Blvd with SR-224	\$46,800,000	0.2%	\$93,600
11	Grade separation of Ute Blvd with SR-224	\$46,800,000	5.2%	\$2,433,600
12	Realignment of Old Highway 40 at the intersection with S.R. 248	\$4,450,000	32.6%	\$1,450,700
13	Widen Landmark Drive from Landmark Loop to Outlets Roundabout (4 lanes)	\$3,300,000	21.3%	\$702,900
14	New Hallam Road extension from SR-248 to Lambert Ln. (2 Lanes)	\$7,320,000	15.2%	\$1,112,640
15	New SR-32 Pathway	\$3,500,000	100.0%	\$3,500,000
16	Add shoulder & improve intersections along Hoytsville Rd.	\$3,000,000	2.7%	\$81,000
17	Widen Weber Canyon Rd. by adding turn lanes from Oakley to the end (3 Lanes)	\$6,710,000	2.4%	\$161,040
TOTAL		\$179,110,000		\$24,530,290

Recommendation:

The Summit County Transportation Division recommends that the Summit County Council (Council) have a public hearing. If there are no significant findings during the public hearing, it is recommended that the Council adopt the Summit County Transportation Impact Fee Facilities Plan with Ordinance 959.

Appendices:

Appendix A: Summit County Transportation Impact Fee Facilities Plan

Appendix B: Transportation Impact Fee Facilities Plan Ordinance 959

Appendix A

Summit County Transportation Impact Fee Facilities Plan

P.O. Box 128 X Coalville, UT 84017

Coalville: (435) 336-3250 X Kamas: (435) 783-4351 ext. 3250 X Park City (435) 615-3250

Fax: (435) 336-3043 X Park City Fax (435) 615-3043

Summit County Transportation Impact Fee Facilities Plan



January 2023

HALES  **ENGINEERING**
innovative transportation solutions





EXECUTIVE SUMMARY

The purpose of the Summit County transportation Impact Fee Facilities Plan (IFFP) is to identify public roadway improvements that are needed to accommodate anticipated development and to determine which projects may be funded with impact fees. This document focuses on the County roadway improvements that will be needed for the eight-year period from 2022 to 2030.

This analysis incorporates information from the Summit County Long-Range Transportation Plan (LRTP) update. The LRTP includes information regarding the existing and future demands on the transportation infrastructure and the proposed improvements. It is anticipated that the traffic growth on County roadways between 2022 and 2030 will be 4,656 PM peak hour trips.

17 projects have been planned by 2030 to accommodate future development and growth. The impact fee eligible cost of each project was calculated based on the project type, existing and future roadway volumes, pass-through traffic for roadway projects, and trail miles. As shown in Table ES-1, the total impact fee eligible cost for Summit County between 2022 and 2030 is \$24,530,290.

Table ES-1: Transportation Project List

#	Description	2030 Cost	% Eligible	Eligible Cost
1	Extend Landmark Dr. from Olympic Pkwy to Bear Cub Dr. (2 Lanes)	\$7,000,000	11.7%	\$819,000
2	New Bitner Rd. extension from Bitner Rd. to Silver Creek Rd. (2 Lanes)	\$15,630,000	6.7%	\$1,023,760
3	New Old Ranch Rd. Sidepath	\$1,200,000	100.0%	\$1,200,000
4	Widen Pace Frontage Rd. from Silver Creek Dr. to Park City Storage (4 Lanes)	\$3,480,000	46.9%	\$1,632,120
5	Upgrade I-80 pedestrian/bike tunnel near Silver Creek Village with vehicle lanes (2 Lanes)	\$15,500,000	1.3%	\$201,500
6	Upgrade Silver Creek Dr. / Pace Frontage Rd. roundabout to dual-lane roundabout	\$1,340,000	20.4%	\$273,360
7	New Silver Summit Pkwy Sidepath	\$8,000,000	100.0%	\$8,000,000
8	Widen Silver Creek Dr. from Pace Frontage Rd. to Promontory Ranch Rd. (4 lanes)	\$3,070,000	40.0%	\$1,228,000
9	Upgrade Promontory Ranch Rd. / Silver Creek Dr. intersection to a single-lane roundabout	\$2,010,000	30.7%	\$617,070
10	Grade separation of Olympic Pkwy/Newpark Blvd with SR-224	\$46,800,000	0.2%	\$93,600
11	Grade separation of Ute Blvd with SR-224	\$46,800,000	5.2%	\$2,433,600
12	Realignment of Old Highway 40 at the intersection with S.R. 248	\$4,450,000	32.6%	\$1,450,700
13	Widen Landmark Drive from Landmark Loop to Outlets Roundabout (4 lanes)	\$3,300,000	21.3%	\$702,900
14	New Hallam Road extension from SR-248 to Lambert Ln. (2 Lanes)	\$7,320,000	15.2%	\$1,112,640
15	New SR-32 Pathway	\$3,500,000	100.0%	\$3,500,000
16	Add shoulder & improve intersections along Hoytsville Rd.	\$3,000,000	2.7%	\$81,000
17	Widen Weber Canyon Rd. by adding turn lanes from Oakley to the end (3 Lanes)	\$6,710,000	2.4%	\$161,040
TOTAL		\$179,110,000		\$24,530,290



ACKNOWLEDGEMENTS

Summit County Council

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GLOSSARY OF TERMS

ADT	Average Daily Traffic
IFA	Impact Fee Analysis
IFFP	Impact Fee Facilities Plan
ITE	Institute of Transportation Engineers
LOS	Level of Service
LRTP	Long-Range Transportation Plan
TDM	Travel Demand Model
UDOT	Utah Department of Transportation



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I certify that the attached impact fee facilities plan:

1. *includes only the costs of public facilities that are:*
 - a. *allowed under the Impact Fees Act; and*
 - b. *actually incurred; or*
 - c. *projected to be incurred or encumbered within six years after the day on which each impact fee is paid*
2. *does not include:*
 - a. *costs of operation and maintenance of public facilities*
 - b. *costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents; and*
3. *complies in each and every relevant respect with the Impact Fees Act.*

Josh Gibbons, PE, PTOE

Hales Engineering



I. INTRODUCTION

A. OVERVIEW

The purpose of the Summit County Transportation Impact Fee Facilities Plan (IFFP) is to identify public roadway improvements that are needed to accommodate anticipated development and to determine which projects may be funded with impact fees. Utah law requires communities to prepare an IFFP prior to preparing an impact fee analysis (IFA) and establishing an impact fee. According to Title 11, Chapter 36a, Section 302 of the Utah Code, the IFFP is required to identify the following:

- The existing level of service (LOS)
- A proposed LOS
- Any excess capacity to accommodate future growth at the proposed LOS
- The traffic demands placed on existing public facilities by new development at the proposed LOS
- A proposed improvement plan to address the traffic demands
- A general consideration of all potential revenue sources to finance system improvements

This analysis incorporates information being developed for the on-going update to the Summit County Long-Range Transportation Plan (LRTP), which was recently adopted. The LRTP will include information regarding the existing and future demands on the transportation infrastructure and the proposed improvements to provide acceptable levels of service. The LRTP provides additional detail regarding the methodology used to determine future travel demand.

This document focuses on the improvements that will be for the eight-year period between 2022 and 2030. Utah law requires that any impact fees collected for those improvements be spent within six years of being collected. Only capital improvements are included in this plan; all other maintenance and operation costs are assumed to be covered through the County's General Fund as tax revenues increase as a result of additional development.

II. ANALYSIS METHODOLOGY

A. PURPOSE

The purpose of this chapter is to discuss the LOS methodology and the proposed LOS threshold of Summit County roadways and trails. According to the Impact Fees Act, LOS is defined as “the defined performance standard or unit of demand for each capital component of a public facility within a service area.” The LOS of a roadway segment or intersection is used to determine if capacity improvements are necessary. LOS is measured on a roadway segment using its daily traffic volume as an approximation of PM peak hour congestion. For trail projects, it was determined that County trail miles per capita would be used to identify level of service.

B. ROADWAY LOS

PROPOSED LEVEL OF SERVICE

LOS is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst.

The capacity of roadway segments is generally determined based on the number of lanes and/or functional classification of the roadway. The roadway LOS is then determined by comparing the actual traffic volumes with the capacity. The Summit County standard is that LOS A through LOS C are acceptable for roadway segments. Table 1 summarizes the maximum acceptable capacities (LOS C) for roadway segments as defined by UDOT for long-range planning purposes. LOS C capacities for intersections was identified by a calculation using the roadway segment capacities, UDOT signal data, or sensitivity capacity analyses in Synchro software.

Table 1: Roadway Segment Maximum Capacities (LOS C)

Functional Classification	Number of Lanes	LOS C Capacity (vehicles per day)
Rural Collector	2	7,500
	4	16,000
Small Urban Collector	3	8,500
	5	26,000

Source: UDOT Generalized LOS C Thresholds

The proposed LOS provides a standard of evaluation for roadway conditions. This standard will determine whether or not a roadway will need improvements. According to the Utah Impact Fee Law, the proposed LOS may:

- Diminish or equal the existing LOS;
- Exceed the existing LOS if, independent of the use of impact fees, the political subdivision or private entity provides, implements, and maintains the means to increase the existing LOS for existing demand within six years of the date on which new growth is charged for the proposed LOS; or



- Establish a new public facility if, independent of the use of impact fees, the political subdivision or private entity provides, implements, and maintains the means to increase the existing LOS for existing demand within six years of the date on which new growth is charged for the proposed LOS

As discussed previously, the proposed LOS threshold for Summit County is LOS C. Therefore, improvements are eligible for impact fees for roadways that operate at LOS D, E, or F.

EXCESS CAPACITY

An important element of the IFFP is the determination of excess capacity on the roadway network. Excess capacity is defined as the amount of available capacity on any given street in the roadway network under existing conditions. This capacity is available for new development in the County before additional infrastructure will be needed. This represents a buy-in component from the County if the existing residents/property owners have already paid for these improvements.

New roads do not have any excess capacity and roads which are not under County jurisdiction have their capacity information removed from the calculations. The excess capacity for roadways that are identified as needing improvements in the IFFP was calculated and accounted for in the impact fee calculations.

TRIPS

The unit of demand for transportation impact is the vehicle trip. A vehicle trip is defined by the Institute of Transportation Engineers (ITE) as a single or one-directional vehicle movement to or from a location during a defined time period. The total traffic impact of a new development can be determined by the sum of the total number of vehicle trips generated by a development in a typical weekday. This trip generation number or impact can be estimated for an individual development using the ITE *Trip Generation*, 11th Edition, 2021.

The modeled roadway volumes and capacities in the travel demand model (TDM) are calculated using daily traffic volumes. A travel demand model trip is counted once as a vehicle leaves home and then again as it arrives at work for a total of two trips, also known as trip ends. This is similar to the ITE Trip Generation method, which uses driveway counts as its measure of a trip. Based on this, the travel demand model and ITE trip generation trip numbers are equivalent, and no conversion was needed.

An additional consideration is that certain developments generate pass-by trips. Pass-by trips are trips taken on the way from one development to another. An example of this is someone stopping at a gas station on the way home from work. The pass-by trip is still counted at the gas station access. However, the pass-by trip was completed by a vehicle already on the road due to other developments.

Pass-by trips do not add traffic to the roadway and, therefore, do not create additional impact. Many land use types in the ITE Trip Generation Manual have a suggested reduction for pass-by trips where applicable. In each case, the pass-by trip reduction rate will be applied to the trip generation rate used in the IFA.

C. TRAILS LOS

In order to determine the impact fee eligibility of trail projects, the LOS was based on trail miles per capita in the County. The future eight-year horizon condition should not exceed the existing ratio of trail miles per capita to maintain the same LOS. The trail miles include only trails located within the County itself, and not those within City boundaries. The capita includes both residents and employees within the County itself.

The existing (2022) trail miles were identified along with the proposed project trail miles, as shown in Table 2. The summary of existing and future anticipated capita is provided in Table 3.

Table 2: Trail Miles Summary

Scenario	Trail Miles
Existing (2022)	35
New Proposed	7.9
Future (2030)	42.9

Table 3: Capita Summary

Scenario	Capita		
	Residents	Employees	Total
Existing (2022)	26,364	16,333	42,697
Future (2030)	31,927	20,451	52,378

Based on the existing trail miles and capita, the existing (2022) ratio is approximately 0.00082 trail miles per capita. With the future (2030) anticipated capita of 52,378 people, this means the County could gather impact fees to have 42.94 total trail miles in 2030, which is slightly more than the proposed 42.9 trail miles. Therefore, all of the new proposed 7.9 trail miles will be impact fee eligible. In other words, 100% of the proposed new trails can be built with impact fee funding. This percentage was used as the impact fee eligible percentage for all new trail projects.



III. TRANSPORTATION DEMANDS

A. PURPOSE

The purpose of this chapter is to identify the existing and future transportation demands on existing roadway facilities. Future transportation demands are based on new development in the County. Once defined, the transportation demands help identify roadways that have excess capacity and those that require additional capacity due to high transportation demands.

B. ROADWAY CONDITIONS

Future traffic volumes were projected using a TDM in the development of the County LRTP and calibrated where possible with recent traffic counts. The TDM was a model used for Summit County, prior to a recent combined model for both Summit County and Wasatch County. Summit County staff completed the travel demand modelling to determine future transportation demands. Several new roadways and improvements to existing roadways were identified by Summit County staff as being needed due to new development. Based on the analysis, the following are existing roadways that need improvement:

- Pace Frontage Road
- Silver Creek Drive / Pace Frontage Road intersection
- Silver Creek Drive
- Hoytsville Road
- Weber Canyon Road

The TDM was also used to determine the number of new trips being added to the system due to new development between 2022 and 2030. The TDM outputs daily person trips and truck trips. The person trips were converted to vehicle trips using standard vehicle occupancies. These were then converted from a daily number to a PM peak hour number based on standard ratios of PM peak hour trips versus daily trips for the various land uses proposed in the County. 4,656 new PM peak hour trips are anticipated in the County between 2022 and 2030.

IV. MITIGATION PROJECTS

A. PURPOSE

The purpose of this chapter is to discuss the recommended improvements that will mitigate capacity deficiencies on County roadways and the cost of those improvements. The cost of the recommended improvements is critical in the calculation of the impact fees.

B. FUTURE PROJECTS

Poor levels of service on roadways are generally mitigated by building new roads or adding travel lanes. In some cases, additional lanes can be gained by re-striping the existing pavement width. This can be accomplished by eliminating on-street parking, creating narrower travel lanes, and adding two-way left-turn lanes where they do not currently exist. For all roadway capacity improvements, it is recommended to investigate other mitigation methods before widening the roadway. Improvements can also be made at intersections to improve LOS by changing the intersection type or the intersection control. At signalized intersections, methods to improve intersection LOS include additional left and right turning lanes and signal timing improvements.

The existing and future (2030) no-build scenarios were used as a basis to predict the necessary projects to include in the IFFP. For the purposes of this IFFP, only projects that are planned to be completed within the next eight years will be considered. In other words, projects recommended for future (2030) conditions in the LRTP were identified and accounted for within this IFFP. Table 4 shows all County projects expected to be constructed in the next eight years to meet the demands placed on the roadway network by new development. These projects are included in the IFFP analysis. UDOT projects and transit projects will be funded with other monies and are therefore not eligible for impact fee expenditure and are not included in this analysis.

C. PROJECT COSTS ATTRIBUTABLE TO FUTURE GROWTH

Table 4 represents all projects expected to be constructed based on the expected eight-year growth. Preliminary cost estimates were completed for each of the proposed projects and inflated to a 2030 condition. The total 2030 cost for the projects is estimated to be \$179,110,000. Only a portion of these costs is impact fee eligible. The County will need to find funding to cover the portion of the projects that is not impact fee eligible. The cost that is due to future growth can be shared by new development through the assessment of transportation impact fees.

The amount of each project to be funded by impact fees varies depending on the pass-through traffic, projected traffic volumes, and capacity of each roadway. A vehicle trip is considered pass-through when the origin and the destination for a specific trip occurs outside the County limits. A pass-through traffic analysis was completed on each roadway where a project is planned in the County using a select-link analysis on the travel demand model. Specific pass-through values were assigned to each project roadway based on this analysis. A select-link analysis was also used to estimate the portion of traffic on project roadways generated by Summit County. Overall, the pass-through was found to be zero or close to zero for these County roadways.

Table 4: Roadway and Trail Project List

#	Description	2030 Cost
1	Extend Landmark Dr. from Olympic Pkwy to Bear Cub Dr. (2 Lanes)	\$7,000,000
2	New Bitner Rd. extension from Bitner Rd. to Silver Creek Rd. (2 Lanes)	\$15,630,000
3	New Old Ranch Rd. Sidepath	\$1,200,000
4	Widen Pace Frontage Rd. from Silver Creek Dr. to Park City Storage (4 Lanes)	\$3,480,000
5	Upgrade I-80 pedestrian/bike tunnel near Silver Creek Village with vehicle lanes (2 Lanes)	\$15,500,000
6	Upgrade Silver Creek Dr. / Pace Frontage Rd. roundabout to dual-lane roundabout	\$1,340,000
7	New Silver Summit Pkwy Sidepath	\$8,000,000
8	Widen Silver Creek Dr. from Pace Frontage Rd. to Promontory Ranch Rd. (4 lanes)	\$3,070,000
9	Upgrade Promontory Ranch Rd. / Silver Creek Dr. intersection to a single-lane roundabout	\$2,010,000
10	Grade separation of Olympic Pkwy/Newpark Blvd at SR-224	\$46,800,000
11	Grade separation of Ute Blvd at SR-224	\$46,800,000
12	Realignment of Old Highway 40 at the intersection with S.R. 248	\$4,450,000
13	Widen Landmark Drive from Landmark Loop to Outlets Roundabout (4 lanes)	\$3,300,000
14	New Hallam Road extension from SR-248 to Lambert Ln. (2 Lanes)	\$7,320,000
15	New SR-32 Pathway	\$3,500,000
16	Add shoulder & improve intersections along Hoytsville Rd.	\$3,000,000
17	Widen Weber Canyon Rd. by adding turn lanes from Oakley to the end (3 Lanes)	\$6,710,000
TOTAL		\$179,110,000

The impact fee eligibility of each roadway widening project was calculated by dividing the new demand from new development in the next eight years by the future (2030) traffic volume roadway capacity on the subject roadway. This eligibility percentage was then multiplied by the project cost to calculate the impact fee eligible cost for each project. The percentages for existing volume and volume beyond eight years were also calculated. For new roadway projects, the percent of existing versus next eight years demand was estimated based on the proportion of new to existing trips generated. As discussed, trail projects were given an impact fee eligibility of 100.0% based on trail miles per capita.

Funding for regional projects can also come through other sources. In this case, the Snyderville Basin Recreation District plans to contribute \$350,000 towards project 2, extending Bitner Road to Silver Creek Road. A summary of the costs and impact fee eligibility of each project is shown in Table 5. As shown, the total impact fee eligible cost for the planned projects in the next eight years is \$24,530,290.



Table 5: Transportation Impact Fee Eligible Costs

#	2030 Cost	Other Funding	2022		2030		% Pass-through	% Existing	% Eligible (8 Years)	% Beyond 8 Years	Eligible Cost
			ADT	Cap.	ADT	Cap.					
1	\$7,000,000	\$0	0	0	3,500	7,500	0%	35.0%	11.7%	53.3%	\$819,000
2	\$15,630,000	\$350,000	0	0	2,000	7,500	0%	20.0%	6.7%	73.3%	\$1,023,760
3	\$1,200,000	\$0	-	-	-	-	N/A	-	100.0%	-	\$1,200,000
4	\$3,480,000	\$0	5,800	7,500	13,300	16,000	0%	36.3%	46.9%	16.8%	\$1,632,120
5	\$15,500,000	\$0	0	0	400	7,500	0%	4.0%	1.3%	94.7%	\$201,500
6	\$1,340,000	\$0	17,000	18,750	23,900	33,750	0%	50.4%	20.4%	29.2%	\$273,360
7	\$8,000,000	\$0	-	-	-	-	N/A	-	100.0%	-	\$8,000,000
8	\$3,070,000	\$0	9,500	7,500	15,900	16,000	0%	59.4%	40.0%	0.6%	\$1,228,000
9	\$2,010,000	\$0	5,600	9,500	9,900	14,000	0%	40.0%	30.7%	29.3%	\$617,070
10	\$46,800,000	\$0	46,200	32,000	46,300	65,000	0%	71.1%	0.2%	28.7%	\$93,600
11	\$46,800,000	\$0	47,600	32,000	51,000	65,000	0%	73.2%	5.2%	21.6%	\$2,433,600
12	\$4,450,000	\$0	10,000	15,000	21,100	34,000	0%	29.4%	32.6%	38.0%	\$1,450,700
13	\$3,300,000	\$0	11,600	8,500	15,000	16,000	0%	72.5%	21.3%	6.2%	\$702,900
14	\$7,320,000	\$0	0	0	4,600	7,500	0.2%	46.0%	15.2%	38.8%	\$1,112,640
15	\$3,500,000	\$0	-	-	-	-	N/A	-	100.0%	-	\$3,500,000
16	\$3,000,000	\$0	2,200	7,500	2,400	7,500	0%	29.3%	2.7%	68.0%	\$81,000
17	\$6,710,000	\$0	1,600	7,500	1,800	8,500	0%	18.8%	2.4%	78.8%	\$161,040
TOTAL	\$179,110,000	\$350,000									\$24,530,290

Appendix B

Transportation Impact Fee Facilities Ordinance 959

P.O. Box 128 X Coalville, UT 84017

Coalville: (435) 336-3250 X Kamas: (435) 783-4351 ext. 3250 X Park City (435) 615-3250

Fax: (435) 336-3043 X Park City Fax (435) 615-3043

SUMMIT COUNTY, UTAH

ORDINANCE NO. 959

**AN ORDINANCE ADOPTING A SUMMIT COUNTY
TRANSPORTATION IMPACT FEE FACILITIES PLAN**

WHEREAS, Summit County (the “**County**”) is a political subdivision of the State of Utah, authorized and organized under the provisions of Utah law; and

WHEREAS, the County is authorized pursuant to the Impact Fees Act, Utah Code Ann. § 11-36-101 et seq. to adopt and impose impact fees as a condition of development approval; and

WHEREAS, the County currently has impact fees for transportation facilities within the Western Snyderville Basin transportation (“**WSBT**”) service area but the County desires to expand transportation facilities to encompass all of unincorporated Summit County; and

WHEREAS, on or about August 31, 2022, the County adopted a Long-Range Transportation Plan, which identified potential future transportation and roadway projects within Summit County between 2022 and 2050; and

WHEREAS the County provided written notice of its intent to prepare a Transportation Impact Fee Facilities Plan (“**Facilities Plan**”) pursuant to Utah Code Ann. §§ 11-36a-501 and retained Hales Engineering to prepare the Facilities Plan, a copy of which is attached hereto as **Exhibit A** and incorporated herein by reference; and

WHEREAS, Hales Engineering has certified its work on the Facilities Plan under Utah Code Ann. § 11-36a-306(1); and

WHEREAS, the County provided notice and held a public hearing prior to adopting the Facilities Plan in satisfaction of Utah Code Ann. § 11-36a-502; and

WHEREAS, the County desires to adopt the Facilities Plan in satisfaction of the requirements of Utah Code § 11-36a-302.

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

1. The Council hereby adopts the Facilities Plan set forth in **Exhibit A**.

SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH

Roger Armstrong

Armstrong voted ___
Hanson voted ___
Stevens voted ___
Robinson voted ___
Harte voted ___

ATTEST:

Evelyn Furse, County Clerk

APPROVED AS TO FORM:

Helen Strachan
Deputy County Attorney

Exhibit A: Impact Fee Facilities Plan