

MINUTES

**SUMMIT COUNTY**  
BOARD OF COUNTY COUNCIL  
WEDNESDAY, OCTOBER 10, 2018  
SUMMIT COUNTY COURTHOUSE  
COALVILLE, UTAH

**PRESENT:**

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

The Council was called to order at 2:40 p.m.

**Closed Session – Property Acquisition and Litigation**

**Council Member Wright made a motion to convene in closed session to discuss property acquisition. The motion was seconded by Council Member Clyde and passed unanimously, 5 to 0.**

The Summit County Council met in closed session from 2:43 p.m. to 3:40 p.m. to discuss property acquisition. Those in attendance were:

<b>Kim Carson, Council Chair</b>	<b>Tom Fisher, Manager</b>
<b>Roger Armstrong, Council Vice-Chair</b>	<b>Margaret Olson, Attorney</b>
<b>Chris Robinson, Council Member</b>	<b>Dave Thomas, Chief Civil Deputy</b>
<b>Doug Clyde, Council Member</b>	<b>Annette Singleton, Executive Assistant</b>
<b>Glenn Wright, Council Member</b>	<b>Brian Hanton, SBSRD</b>
	<b>Melissa O'Brien, SBSRD</b>

**Council Member Robinson made a motion to dismiss from closed session to discuss property acquisition and convene in closed session to discuss litigation. Council Member Armstrong seconded with all voting in favor, 5-0.**

The Summit County Council met in closed session from 3:40 p.m. to 4:02 p.m. to discuss litigation. Those in attendance were:

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

**Tom Fisher, Manager**  
**Margaret Olson, Attorney**  
**Dave Thomas, Chief Civil Deputy**  
**Annette Singleton, Executive Assistant**

**Council Member Wright made a motion to leave session to discuss litigation and convene in open session. Council Member Robinson seconded with all voting in favor, 5-0.**

**Pledge of Allegiance**

**Convene as the Board of Equalization**

**Council Member Armstrong made a motion to convene as the Board of Equalization with Council Member Clyde seconding and all voting in favor, 5-0.**

**Discussion and possible approval of 2018 stipulations; Kathryn Rockhill and Steve Martin**

The following stipulations were presented by Travis Lewis from the Assessor's Office with a recommendation of approval.

**Council Member Wright made a motion to approve the stipulations as presented. Council Member Armstrong seconded. The motion passed 4-0. Council Member Robinson absent for the vote.**

**Dismiss as the Board of Equalization**

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

**Work Session**

**Discussion regarding appropriate uses within County Right-Of-Way, and Franchise Agreements; Michael Kendell**

Mike Kendell, County Engineer, reviewed the following staff report regarding County Right-of-way and Franchise Agreements. Some questions have risen and he recommended creating a formal policy for appropriate uses within the right of way.

Ted Barnes, representing Gorgoza Water Company, explained no other water companies in the state have been or are required to obtain franchise agreements for public rights-of-way. They are proposing a safer way to provide loading water trucks on Pinebrook Boulevard.

County Engineer Kendell had some concerns about traffic during peak times. Chair Carson asked Dave Thomas to do more research regarding water agreements in other jurisdictions.

## **Consideration of Approval**

### **Consideration and possible amendment of Summit County Employee Chart of Positions – Health Department; Cindy Keyes and Carolyn Rose**

Cindy Keyes and Carolyn Rose, from the Health Department, recommended changes to the County Chart of Positions to reflect moving one full time Occupational Therapy position to a Speech Pathologist position. There will be no impact to the program budget.

**Council Member Armstrong made a motion to approve the changes to the Chart of Positions as presented. Council Member Robinson seconded the motion with all voting in favor, 5-0.**

### **Discussion and possible approval of Grant Agreement between Summit County and the Community for Children’s Justice dba, Friends of the Summit County Children’s Justice Center; Margaret Olson**

Margaret Olson, County Attorney, reviewed the following information in support of a proposed Grant Agreement between the County and the Friends of the Summit County Children’s Justice Center. She recommended approval.

Council Member Robinson suggested some language changes to the agreements that could be included for approval. The attorneys will make those changes and bring a final draft back for consideration later in this meeting.

**After further review and discussion, Council Member Armstrong made a motion to approve the Grant Agreement and exhibits of the Master Lease Agreement including changes discussed and amended, between Summit County and the Community for Children’s Justice, dba Friends of the Summit County Children’s Justice Center, the final form to be reviewed by Council Members before signature by the Chair. Council Member Robinson seconded with all voting in favor, 5-0.**

### **Summit County Manager’s 2019 budget message and presentation to the Council; Tom Fisher and Matt Leavitt**

Manager Tom Fisher and Finance Officer Matt Leavitt presented the Manager’s 2019 proposed budget for Summit County. All statutory requirements and deadlines have been met. This document will be discussed and changed before adoption scheduled for December 12, 2018. No action is needed at this time.

## **Public Input**

There was no public input.

### **Advice and Consent of County Manager’s recommendation to appoint members to the County Fair Advisory Board**

**Council Member Armstrong made a motion to consent to the County Manager’s recommendation to appoint Gene Richins and Elsie Ercanbrack as members of the County Fair Advisory Board to replace Holly Erickson and Chablee Padgett with Mr. Richins term to expire December 31, 2019 and Ms. Padgett term to expire December 31, 2020. Council Member Wright seconded and all voted in favor, 5-0.**

## **Council Minutes dated September 19, 2018, and September 26, 2018**

**Council Member Robinson made a motion to approve the minutes of September 19, 2018 as written and September 26, 2018 with one correction noted. Council Member Armstrong seconded the motion and all voted in favor, 5-0.**

### **Public hearing to discuss and possibly take action regarding a rezone of Lots 3 and 4 of the Red Onion Subdivision from Agriculture - 5 (AG-5) to Commercial (C) located at 2135 South 50 East, Wanship Utah, and possible adoption of Ordinance No. 888, an Ordinance Amending the Eastern Summit County Zone District Map; Ray Milliner**

Ray Milliner, County Planner, presented and reviewed the following staff report regarding a rezone request of the proposed Red Onion project. He asked the Council to conduct a public hearing and consider approving the rezone request by adoption of Ordinance 888.

The public hearing was opened for comment.

Jan Perkins asked that the Council think about a community village overlay with thoughtful design and layout that would make visitors attracted to this area. Wanship is a prime location for this with the stream nearby, the rail trail, and the old antiques across the road. Whatever is approved should enhance Wanship. It should not look like every other place.

Hearing no other comments, the public hearing was closed.

Chair Carson stated she agreed with the public comments and would like to see some commercial or retail use that could be of interest to those who use the rail trail.

Ray stated the Planning Commission asked that a note on the plat be included for protection of the stream.

**Council Member Robinson made a motion to approve the rezone of Lots 3 and 4 of the Red Onion Subdivision from Agriculture - 5 (AG-5) to Commercial (C) located at 2135 South 50 East, Wanship Utah, through adoption of Ordinance 888, including findings of fact and conclusions of law outlined in the staff report with four additional conditions being, (1) no development will be allowed in the 100 foot setback area from Siler Creek, remaining open space, (2) no development on the remaining portions of the lots exceeding 65% impervious surface, (3) these two conditions being placed as plat notes, (4) all storm drains comply with and are consistent with County Code. Council Member Armstrong seconded the motion and all voted in favor, 5-0.**

### **Council Comments**

- Council Member Robinson expressed a concern that rumors were he would have a personal benefit if the proposed road through the Chalk Creek basin was built. That is not true and he asked the County Manager to prepare a map showing exactly where the potential road would be located
- Chair Carson suggested Council Members discuss priorities at the COG meeting
- Coffee with the Council is scheduled next month in Coalville

- Council Member Armstrong attended a meeting discussing the proposed parking area on I-80. The Council asked that this be a chair-up area, not continuous parking. Concerns are lighting, signage, air quality, smells, and safety issues. Enforcement may also be a problem. More discussion with UDOT for truck movement plan
- Council Member Clyde had discussions for future bus services this winter, including express bus, improving the Kamas route, and a stop at the hospital

### **Manager Comments**

- Manager Fisher said November 14, and 21 meeting are cancelled
- Additional meeting for budget are scheduled
- Summit County Library has been re-certified with the statewide system
- The Legislative Reception is scheduled November 7

The Council meeting adjourned at 8:25 p.m.

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**Kim Carson, Chair**

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**Kent Jones, Clerk**