

Chapter 19

SNYDERVILLE BASIN OPEN SPACE ADVISORY COMMITTEE

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2-19-1: PURPOSE:

The Snyderville Basin open space advisory committee ("BOSAC") is created for the purpose of advising and providing input to the county manager and the county council regarding the creation, preservation, and identification of open space within the Snyderville Basin in order to ensure high conservation values and promote the resort and scenic character of the area. (Ord. 749-A, 12-15-2010)

2-19-2: MEMBERSHIP:

- A. Members are appointed by the county manager with the advice and consent of the county council at the first regular meeting in March of each calendar year, or at such other time as soon as practical.

- B. Members may serve for three (3) consecutive three (3) year terms.

- C. The committee shall be comprised of no less than seven (7) members and no more than eleven (11) members, and may include members from among the following groups:
 - 1. A representative of the Snyderville Basin special recreation district;
 - 2. A real estate appraiser;
 - 3. A professional real estate agent;
 - 4. A local business representative;
 - 5. An at large community representative;
 - 6. A representative from the Summit County weed board;
 - 7. A representative from Mountain Trails Foundation;
 - 8. Nonvoting ex officio members:

- a. Representatives from the Summit County department of community development;
 - b. Representative from the office of the county manager;
 - c. Staff representatives from the Snyderville Basin special recreation district.
- D. The committee is advisory and shall report directly to the county manager and shall serve at the manager's pleasure.
- E. All open space acquisitions or conservation easement funding proposed by the committee shall be presented to the county manager for his or her decision.
- F. Members shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid by the county.
- G. The county manager shall appoint from among the voting members a chair, vice chair, and secretary to the committee. (Ord. 749-A, 12-15-2010)

2-19-3: POWERS AND DUTIES:

- A. The committee shall advise the county manager on acquiring and permanently preserving open spaces in the Snyderville Basin. In order to better accomplish this task, the committee shall consider implementing the following:
1. Creating criteria and a scoring system whereby open space can be evaluated in relation to its potential importance to the Snyderville Basin and broader Summit County community.
 2. Developing recommendations for the county manager on different methods that may be used to preserve and acquire open spaces including, but not limited to, transfer of development rights, donated or purchased conservation easements, and public (including federal, state, and local) and private funding sources and mechanisms.
- B. The committee shall advise the county manager on selecting a land trust to hold conservation easements on county owned properties. In order to facilitate this decision, the following criteria should be considered:
1. The land trust must be a qualified organization in accordance with section 170H of the internal revenue code.
 2. The land trust must have a 501(c)(3) nonprofit status under federal law.

3. Only one land trust may be selected per property to complete all of the related functions with a conservation easement, including the baseline, preparing the conservation easement, and the perpetual monitoring.
 4. To prepare or cause to be prepared and to recommend to the Snyderville Basin planning commission recommendations on transfer of development rights "sending" and "receiving" locations in compliance with the general plan and development code.
- C. The committee shall advise the county manager on contributing or acquiring funds for the preservation of open space through conservation easements on open space to be held under private ownership.
- D. The chair of the committee shall have responsibility of presenting all proposals from the committee to the county manager.
- E. Notwithstanding anything in the foregoing to the contrary, the county manager retains final authority regarding such transactions and if deemed necessary for the health, safety, or general welfare of the residents of the county, the county manager may take direct action on any issues discussed herein with or without the involvement of the committee.
- F. The committee shall make an annual presentation to the county manager and county council on its goals, budget, and activities. (Ord. 749-A, 12-15-2010)

2-19-4: CONDUCT OF COMMITTEE MEMBERS:

- A. Ethical Principles: The following ethical principles shall guide the actions of the committee and its members in carrying out the powers and duties described above:
1. **Serve The Public Interest:** The primary obligation of the committee and each member is to serve the public interest.
 2. **Support Citizen Participation In Planning:** The committee shall ensure a forum for meaningful citizen participation and expression in the planning process and assist in the clarification of community goals, objectives, and policies.
 3. **Recognize The Comprehensive And Long Range Nature Of Decisions:** The committee and its members shall continuously gather and consider all relevant facts, alternatives and means of accomplishing them, and explicitly evaluate all consequences before making a recommendation of decision.
 4. **Facilitate Coordination Through The Process:** The committee shall ensure that individuals and public and private agencies possibly affected by a prospective decision receive adequate information far enough in advance of the decision.
 5. **Avoid Conflict Of Interest:** Committee members shall avoid conflicts of interest and even the appearance of

impropriety. At the commencement of any matter before the committee, members shall divulge in public, any past, present, or expected relationship with any party affiliated with such matter. A member with a potential conflict of interest shall abstain from voting on the matter, not participate in any deliberations on the matter, and leave the commission table, but may remain in the chamber. The member shall also not discuss the matter privately with any other official voting on the matter.

6. **Render Thorough And Diligent Service:** If a committee member has not sufficiently reviewed relevant facts and advice affecting a planning decision, that member should not participate in that decision.
7. **Not Seek Or Offer Favors:** A committee member must not directly or indirectly solicit any gift or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, promises, or in some other form) under circumstances in which it could be reasonably inferred that the gift was intended or could reasonably be expected to influence them in the performance of their duties or was intended as a reward for any recommendation or decision on their part.
8. **Not Disclose Or Improperly Use Confidential Information For Financial Gain:** A committee member shall not disclose or improperly use confidential information for financial gain, and must not disclose to others confidential information acquired in the course of their duties or use it to further a personal interest.
9. **Ensure Full Disclosure At Public Meetings:** The committee shall ensure that the presentation of information on behalf of any party to a question occurs only at the scheduled public meeting on the question, not in private, unofficially, or with other interested parties absent, and must make partisan information regarding the question received in the mail or by telephone or other communication part of the public record.
10. **Maintain Public Confidence:** A committee member must conduct himself/herself publicly so as to maintain public confidence in the public body, and the member's performance of the public trust.
11. **Respect For And Courtesy To Other Members, Public And Staff:** Each member has the same rights and privileges as any other member. Any member has the right to be heard and to hear what others have to say about items being considered by the committee.

- B. **Representation Of Applicants Or Petitioners:** No member of the committee shall physically represent applicants or petitioners before the committee on matters on which the committee is to make determinations or recommendations.
- C. **Ex Parte Communication:** Prearranged private meetings between a committee member and an individual(s), and their agents, or other interested parties with a matter pending before the committee are prohibited. Partisan information on any application received by a commissioner whether by mail, telephone, or other communication should be avoided. When such communication does occur it must be made part of the public record by the committee member.
- D. **Attendance:** Each committee member shall be responsible for attending all scheduled meetings of the committee. Should circumstances arise where a member is unable to attend a scheduled meeting, the member shall be responsible for notifying the director of community development as soon as possible. Committee members who fail to attend three (3) regular meetings of the committee within any consecutive three (3) month period may, at the discretion of the county manager, be removed from the committee. (Ord. 749-A, 12-15-2010)

2-19-5: MEETINGS AND ORGANIZATION:

- A. Regular meetings of the committee shall be scheduled at least twice a month unless there are mitigating circumstances, such as lack of quorum, lack of items to be discussed, holidays and other similar circumstances.

- B. Special meetings, work sessions and field trips, for any purpose, may be held at the call of the chair, the county manager or the director of community development. Work session and field trip meetings shall be for discussion and informational purposes only; no action shall be taken on any item.

- C. All regular, special, work sessions, and field trip meetings of the committee are open to the public and will be noticed in accordance with the requirements of the development code and Utah open meetings act.

- D. All recommendations shall be made at a public meeting by motion, made and seconded and by a voice vote. The motion shall be in the form of findings of fact and shall state the reason for the findings by the committee and a statement of any conditions to be attached to the action.

- E. Executive sessions may be held to discuss real property acquisition, disposal or transfer.

- F. The committee shall conduct its business according to bylaws, which shall be approved by the county council, with the committee meeting as needed to act on the business of the committee. (Ord. 749-A, 12-15-2010)