

**A RESOLUTION OF THE COUNTY COUNCIL SETTING FORTH
CRITERIA FOR THE USE OF GENERAL OBLIGATION OPEN
SPACE BOND MONIES**

SUMMIT COUNTY, UTAH

WHEREAS, on November 2, 2021, the citizens of Summit County voted in favor of an open space general obligation bond in the amount of \$50,000,000.00 (the “Open Space Bond”), pursuant to a resolution of the Summit County Council (“Council”) adopted March 30, 2022 (the “Bond Resolution”) and a Terms Certificate for the Open Space Bond, dated June 1, 2022; and,

WHEREAS, the Open Space Bond is limited to the “acquisition of passive and active open space, conservation easements, and constructing recreational amenities and environmental and wildlife mitigation measures and related improvements;” and,

WHEREAS, the Council has adopted an Open Space Advisory Committee, Summit County Code, Title 2, Chapter 42, which set forth a public process for acquisitions using the Open Space Bond as a funding source; and,

WHEREAS, it is in the best interests for the Council to provide some additional criteria for the use of the Open Space Bond;

NOW, THEREFORE, BE IT RESOLVED by the County Council, Summit County, Utah, as follows:

Section 1. OSAC Process; Mandatory. All potential acquisitions seeking to utilize the Open Space Bond as the funding source shall go through the process set forth in Summit County Code, Title 2, Chapter 42, and receive a recommendation from the Open Space Advisory Committee.

Section 2. Loans. The use of the Open Space Bond as a source of funds for a loan or other instrument of indebtedness to acquire active and passive open space, conservation easements, and constructing recreational amenities and environmental and wildlife mitigation measures is prohibited.

Section 3. Sellers; Full Disclosure. Where a transaction to acquire active and passive open space or conservation easements using Open Space Bond funds, involves third parties other than the seller (e.g., land trusts, purchaser, and other such third parties), (a) Summit County (“County”) shall deal directly with the seller and such other third parties, and (b) there shall be a full and fair disclosure to County of the entire transaction with the seller and third party, including all terms, conditions, and purchase price. Failure to make such a disclosure to the

County renders the transaction ineligible for Open Space Bond funding.

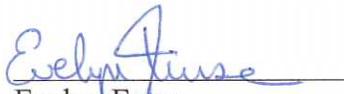
Section 4. Confidential Information. Discussions of specific property acquisitions, including potential properties (and a description of any such properties), and all terms, conditions and purchase prices, shall be limited to executive session meetings in accordance with the Utah Open and Public Meetings Act (“UOPMA”). All purchase agreements must be approved in an open session of the Council consistent with UOPMA.

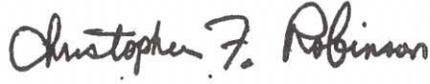
Effective Date: August 31, 2022.

PASSED, APPROVED AND ADOPTED this 31st day of August, 2022.

SUMMIT COUNTY COUNCIL

ATTEST:


Evelyn Furse
County Clerk

By: 

Christopher F. Robinson
Chair

APPROVED AS TO FORM:



David L. Thomas
Chief Civil Deputy