

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
November 25, 2014 - 9:00 A.M.

PRESENT: COMMISSIONER GARY J. ANDERSON, CHAIR
COMMISSIONER LARRY A. ELLERTSON, VICE-CHAIR
COMMISSIONER DOUG WITNEY

ALSO PRESENT:

Jeffrey R. Buhman, Utah County Attorney
E. Kent Sundberg, Civil Division Chief Attorney
David Shawcroft, Utah County Deputy Attorney
Paul Jones, Utah County Deputy Attorney
Bryan E. Thompson, Utah County Clerk/Auditor
Julie Rollins, Utah County Purchasing Agent
Clarissa Reeve, Utah County Assessor's Office
Dr. Joseph K. Miner, Health Department Exec. Director
Jan Rogers, Utah County Health Department
Cheri Tuckett, Utah County Health Department
Lana Jensen, Utah County Personnel Director
Richard Nielson, Utah County Public Works Director
Jeff Smith, Utah County Recorder
Andrea Allen, Utah County Recorder's Office

James O. Tracy, Utah County Sheriff
Gary Ratcliffe, Utah County Surveyor
Robert C. Kirk, Utah County Treasurer
Joel Racker, Utah Valley Convention & Visitors Bureau
Charlene Christensen, U.V. Convention & Visitors Bureau
Frank Gonzales, Thanksgiving Village Homeowners Assoc.
Ryan Clark, City of Orem
Kathy Hoffman, Rocky Mountain Power
Don Watts, Rocky Mountain Power
Kelly Pfost, Lewis Young Robertson & Burningham, Inc.
Arthur Woodbury, Woodbury Corporation
Eldon A. Neves, Citizens for Rural Utah
Chase Saddleback, -No further information given-
Mike Stansfield, Fairways Media
Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Anderson called the meeting to order at 9:08 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Larry A. Ellertson, Utah County Commissioner
PLEDGE OF ALLEGIANCE: Doug Witney, Utah County Commissioner

CONSENT AGENDA

1. **RATIFY THE SIGNATURE OF THE COMMISSION VICE-CHAIR ON THE GROUP SERVICES PLAN APPLICATION AND BUSINESS ASSOCIATE AGREEMENT BETWEEN UTAH COUNTY AND TASC FOR ADMINISTRATION OF FLEXIBLE SPENDING ACCOUNTS AND COBRA**
2. **DECLARE SPECIFIED LANDSCAPING EQUIPMENT AS SURPLUS TO BE DISPOSED OF AS JUNK AND SOLD AS SCRAP METAL TO A LOCAL RECYCLER**
3. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH TRUCK TRANSPORT INC (DBA TTCD) TO PERFORM POST-WILDFIRE ONE-WAY CHAINING OF AN AREA WEST OF UTAH LAKE**

The Board requested Consent Agenda Item No. 3 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

4. **APPROVE AND AUTHORIZE THE NOTICE OF TERMINATION OF CONTINUING DISCLOSURE AGREEMENT NO. 1999-261 BETWEEN UTAH COUNTY AND ZIONS BANK PUBLIC FINANCE**

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - November 25, 2014

Page 2

5. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20321, DATED NOVEMBER 19, 2014
6. ADOPT A RESOLUTION APPROVING A VOLUNTEER WHO WISHES TO DONATE THEIR SERVICES TO THE UTAH COUNTY HEALTH DEPARTMENT
7. APPROVE THE MINUTES OF THE NOVEMBER 4, 2014 COMMISSION MEETING
8. APPROVE THE MINUTES OF THE NOVEMBER 18, 2014 COMMISSION MEETING

The commissioners requested Consent Agenda Item No. 8 be continued to the December 2, 2014 meeting of the Board.
CONTINUED TO DECEMBER 2, 2014

9. RATIFICATION OF WARRANT REGISTER SUMMARY

Register No. 1115	November 17, 2014	Direct Deposit:20858-20865	Total: \$	9,821.36
Register No. 1116	November 17, 2014	Bond Wires:340-341	Total: \$	451.49
Register No. 1117	November 17, 2014	Check Nos. 201077-201083	Total: \$	7,298.24
Register No. 1118	November 17, 2014	Purchasing Cards 3422-3440	Total: \$	9,507.40
Register No. 1119	November 17, 2014	Bond Wires:342-344	Total: \$	255.94
Register No. 1120	November 17, 2014	Purchasing Cards 3441-3491	Total: \$	16,301.20
Register No. 1121	November 17, 2014	Check Nos. 201084-201109	Total: \$	22,959.05
Register No. 1122	November 17, 2014	Direct Deposit:20866-20868	Total: \$	301,144.50
Register No. 1123	November 18, 2014	Purchasing Cards 3492-3553	Total: \$	24,768.16
Register No. 1124	November 18, 2014	Check Nos. 201110-201135	Total: \$	45,243.62
Register No. 1125	November 19, 2014	Check Nos. 201136-201163	Total: \$	18,610.22
Register No. 1126	November 19, 2014	Purchasing Cards 3554-3575	Total: \$	10,658.43
Register No. 1127	November 20, 2014	Check Nos. 201164-201169	Total: \$	189,686.91
Register No. 1128	November 20, 2014	Purchasing Cards 3576-3576	Total: \$	3,857.96
Register No. 1129	November 20, 2014	Purchasing Cards 3577-3580	Total: \$	4,023.53
Register No. 1130	November 20, 2014	Direct Deposit:20869-20887	Total: \$	57,107.92
Register No. 1131	November 20, 2014	Check Nos. 201170-201197	Total: \$	32,712.92
Register No. 1132	November 21, 2014	Check Nos. 201198-201244	Total: \$	2,466.00
Register No. 1133	November 21, 2014	Check Nos. 201245-201246	Total: \$	330.00
Register No. 1134	November 21, 2014	Check Nos. 201247-201251	Total: \$	5,240.00
Register No. 1135	November 21, 2014	Direct Deposit:20888-20889	Total: \$	540.37
Register No. 1136	November 21, 2014	Check Nos. 201252-201291	Total: \$	64,062.62
Register No. 1137	November 21, 2014	Purchasing Cards 3581-3600	Total: \$	67,578.80
Register No. 1138	November 21, 2014	Direct Deposit:20890-20899	Total: \$	40,723.73
Register No. 1139	November 21, 2014	Check Nos. 201292-201327	Total: \$	32,513.13
			<u>Total: \$</u>	<u>967,863.50</u>

Consent Agenda Item Nos. 1, 2, 4 through 7, and 9 were approved as written. Commissioner Anderson recommended the following Regular Agenda items be moved to Consent:

1. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE NEW CUSTOMER INFORMATION SHEET FROM BATTERY SYSTEMS OF SALT LAKE (*Continued from the November 18, 2014 Commission meeting*)

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - November 25, 2014

Page 3

2. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 1 TO AGREEMENT NO. 2014-486 WITH THE UTAH DEPARTMENT OF HEALTH TO PROVIDE ADDITIONAL FUNDING FOR THE REGIONAL HEALTHCARE COALITION EQUIPMENT PURCHASES**
3. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN CHANGE ORDER NO. 2 TO AGREEMENT NO. 2014-452 WITH RAASS BROTHERS, INC. FOR THE HISTORIC COURTHOUSE ROOF/PARAPET/WEST STEPS PROJECT**
5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH JOURNAL TECHNOLOGIES FOR A PROSECUTOR CASE MANAGEMENT SYSTEM FOR THE UTAH COUNTY ATTORNEY'S OFFICE** *(Continued from the November 18, 2014 Commission meeting)*
The commissioners requested Regular Agenda Item No. 5 be continued to the December 2, 2014 meeting of the Board.
CONTINUED TO DECEMBER 2, 2014
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE 2015 AGREEMENT BETWEEN UTAH COUNTY AND THE UTAH VALLEY CONVENTION AND VISITOR'S BUREAU, INC.**
7. **ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH MAPLETON CITY REGARDING LIBRARY SERVICES**

ACTIONS TAKEN

Consent Agenda Item Nos. 1 and 9 were ratified; No. 2 was declared as surplus; No. 3 was tabled for further discussion; Nos. 4, 5, and 7 were approved; No. 6 was adopted; and No. 8 was continued to the December 2, 2014 meeting of the Board. **Regular Agenda Item Nos. 1, 2, 3 and 6** were approved and authorized; No. 5 was continued to the December 2, 2014 meeting of the Board; and No. 7 was adopted.

AGREEMENT NOS.: 2014-769, 2014-770, 2014-771, 2014-772, 2014-773, 2014-774, 2014-775, 2014-776 and 2014-777
RESOLUTION NOS.: 2014-119 and 2014-120

REGULAR AGENDA

(PULLED FROM CONSENT)

3. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH TRUCK TRANSPORT INC (DBA TTCI) TO PERFORM POST-WILDFIRE ONE-WAY CHAINING OF AN AREA WEST OF UTAH LAKE**

Utah County Public Works Director Richard Nielson mentioned this expense is funded by grants.

Commissioner Ellertson made the motion to approve and authorize the agreement with Truck Transport Inc (dba TTCI) to perform post-wildfire one-way chaining of an area West of Utah Lake as described in Consent Agenda Item No. 3. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

AGREEMENT NO. 2014-778

REGULAR AGENDA

4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN CHANGE ORDER NO. 3A TO AGREEMENT NO. 2011-373 WITH CONDIE CONSTRUCTION TO ADD BOX AND GRATE TO THE SUMMIT CREEK HIGH WATER INLET IN THE AMOUNT OF \$13,107.58

Commissioner Ellertson asked about the consequences of denying this change order, and Utah County Public Works Director Richard Nielson explained there would not be a functioning system for the project out of Santaquin Canyon. Mr. Nielson mentioned this was an anticipated agreement, and Commissioner Witney jokingly questioned whether a new numbering system should be created to accommodate the many amendments to the original Condie Construction contract; Mr. Nielson assured the Board this would be the last change order for this project.

Commissioner Ellertson made the motion to approve and authorize Change Order No. 3A to Agreement No. 2011-373 with Condie Construction to add box and grate to the Summit Creek High Water Inlet in the amount of \$13,107.58 as specified in Regular Agenda Item No. 4. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

AGREEMENT NO. 2014-779

8. ADOPT A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF OREM, UTAH AND UTAH COUNTY

Orem City Mayor Richard Brunst introduced staff member Ryan Clark, who in turn introduced several members of the Woodbury Corporation and Kelly Pfof of Lewis Young Robertson & Burningham, Inc.; all individuals involved in the University Place project. Mr. Clark presented a slide show of the maps, plans and goals for the development (*a copy of which can be found attached to these minutes*). Highlights included hundreds of thousands of square feet in new offices, hotels, and residential structures; a park featuring an outdoor stage, water fountains, and activity kiosks; additional jobs; and letters of support from the Utah State Governor's Office and Utah Valley University. Mayor Brunst commented on the importance of this addition to the community, as well as increased income to Utah County. The commissioners thanked them for the presentation, with Commissioner Anderson lauding the Woodbury Corporation and expressing pride in supporting such a venture.

Commissioner Ellertson made the motion to adopt the resolution approving an interlocal cooperation agreement between the Redevelopment Agency of the City of Orem, Utah and Utah County as outlined in Regular Agenda Item No. 8. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

UTAH COUNTY BOARD OF COMMISSIONERS
MINUTES - November 25, 2014
Page 5

RESOLUTION NO. 2014-121
AGREEMENT NO. 2014-780

At this point, the commissioners determined which closed meetings would be necessary to set and which could be stricken from the Regular Agenda.

12. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY

STRICKEN

13. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., AS AMENDED

STRICKEN

Commissioner Ellertson made the motion to strike Regular Agenda Item Nos. 12 and 13 to set dates, times and locations for closed meetings for a strategy session to discuss the sale of real property; and to discuss commercial information as defined in Section 59-1-404, U.C.A., as amended. The motion was seconded by Commissioner Witney and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

9. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or individuals to immediately follow the public comment portion of the regular public meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

SET

10. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss pending or reasonably imminent litigation to immediately follow the previously scheduled closed meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

SET

11. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss the purchase, exchange, or lease of real property to immediately follow the previously scheduled closed meetings today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

SET

WORK SESSION

1. PRESENTATION BY KATHY HOFFMAN OF ROCKY MOUNTAIN POWER ON CURRENT ROCKY MOUNTAIN POWER ISSUES AND CONCERNS *(Continued from the November 18, 2014 Commission meeting)*

Kathy Hoffman is a Customer & Community Manager at Rocky Mountain Power in the Utah County area. She introduced Don Watts, another manager who has been given the responsibility of making sure that the University Mall project as discussed in Regular Agenda Item No. 8 takes place. Ms. Hoffman expressed that University Place is very important to Utah County, and Rocky Mountain Power is committed to making sure the infrastructure can support it.

Don Watts came forward and echoed Kathy Hoffman's enthusiasm for University Place. There has been much coordination between Rocky Mountain Power and the developers. Mr. Watts explained how the older lines are reaching their limits; money has been set aside for the engineering and re-building of the loops over the next couple of years with an estimated construction completion date of 2017.

Don Watts and Kathy Hoffman answered the commissioners' questions regarding plans for development, including additional transformers, the potential purchase of an electrical system from Eagle Mountain, and changes in leadership. They discussed community funding and Commissioner Witney mentioned a recent update to the lighting in his home, which led Ms. Hoffman to address incentives for using less electricity. The more energy efficient people are, the more services that can be provided. Commissioner Ellertson agreed, and the Board thanked them for their presentation.

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - November 25, 2014

Page 7

PUBLIC COMMENTS

Utah County Treasurer Robert C. Kirk approached the bench with Frank Gonzales, President of the Thanksgiving Village Homeowners Association. Mr. Gonzales thanked the Board for the opportunity to share some concerns, and presented pictures of erosion along the Jordan River Trail which runs behind the neighborhood. Mr. Gonzales is worried about the safety hazard to people and also that the crumbling asphalt will disturb the river. Commissioner Witney noted that improvement work has recently been approved by the Board, and Utah County Public Works Director confirmed his department would begin in Spring 2015.

Frank Gonzales also spoke about Phragmites and asked whether the commissioners are familiar with the term. Commissioner Witney clarified that hundreds of thousands of dollars are spent annually in Utah County to combat the problem. Mr. Gonzales thanked the Board for proactively working on behalf of the citizens, and Robert Kirk added that Public Works staff has actually inspired the neighbors to become more involved. Mr. Kirk and Mr. Gonzales wished to publicly declare their thanks and officially acknowledge Richard Nielson, Aaron Eager, and other Public Works Department employees on the record.

This concluded the public comment portion of the open meeting, and the meeting recessed at 10:00 A.M. to go into closed meetings. The public meeting reconvened at 10:21 A.M.

Commissioner Witney made the motion to adjourn the November 25, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

There being no further business nor public comment, the meeting adjourned at 10:21 A.M. The minutes of the November 25, 2014 Commission meeting were approved as transcribed on December 2, 2014.

GARY J. ANDERSON, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor

Copies Available on the County Web Site at www.utahcountyonline.org
Recorded by Renée Huggins-Caron, Clerk/Auditor Administrative Assistant