

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
December 2, 2014 - 9:00 A.M.

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

ALSO PRESENT:

Paul Jones, Utah County Deputy Attorney
Curtis Larson, Utah County Attorney's Office
Bryan E. Thompson, Utah County Clerk/Auditor
Scott C. Hogensen, Chief Deputy Clerk/Auditor
Julie Rollins, Utah County Purchasing Agent
Dr. Joseph K. Miner, Health Department Exec. Director
Toni Allman, Utah County Health Department
Carrie Bennet, Utah County Health Department
Afton Chipman, Utah County Health Department
Patty Cross, Utah County Health Department
Kim Doroghian, Utah County Health Department
Eric Edwards, Utah County Health Department
Marlo Evans, Utah County Health Department
Linnea Fletcher, Utah County Health Department
Crystal Forbes, Utah County Health Department
Jayne Jacobson, Utah County Health Department
Andrea Jensen, Utah County Health Department
Karen Marshall, Utah County Health Department
Steve Mickelson, Utah County Health Department
Travis Olsen, Utah County Health Department
Kohar Oshier, Utah County Health Department
Amanda Ottley, Utah County Health Department
Ranae Powell, Utah County Health Department
Marla Raff, Utah County Health Department
Sarah Simons, Utah County Health Department
Wendy Whatcott, Utah County Health Department
Robert Johnson, Drug & Alcohol Prevention & Treatment
Richard Nance, Drug & Alcohol Prevention & Treatment
Lance Madigan, Drug & Alcohol Prevention & Treatment
Alie Valencia, Drug & Alcohol Prevention & Treatment

Mardene Barker, Utah County Assessor's Office
Sandy Hoffman, Utah County Assessor's Office
Peggy Kelsey, Community Development
Brandon Larsen, Community Development
Joshua K. Ivie, Community Development
Lana Jensen, Utah County Personnel Director
Mark Brady, Assistant Personnel Director
Richard Nielson, Utah County Public Works Director
Jay Isaac, Public Works
Jeff Smith, Utah County Recorder
Andrea Allen, Utah County Recorder's Office
James O. Tracy, Utah County Sheriff
Pam Bair, Utah County Sheriff's Office
Bryan Christensen, Utah County Sheriff's Office
Jewel Christensen, Utah County Sheriff's Office
Jeff Cornell, Utah County Sheriff's Office
Darin Durfey, Utah County Sheriff's Office
Mike Forshee, Utah County Sheriff's Office
Dalene Higgins, Utah County Sheriff's Office
Tom Hodgson, Utah County Sheriff's Office
Wayne Keith, Utah County Sheriff's Office
Doug Willies, Utah County Sheriff's Office
Pam Yee, Utah County Sheriff's Office
Gary Ratcliffe, Utah County Surveyor
Robert C. Kirk, Utah County Treasurer
Matt Dugdale, George K. Baum & Company
Grey Turner, Utah Transit Authority
Larry Ballard, Utah County Resident
Greg Graves, County Commissioner Elect
Mike Stansfield, Fairways Media
Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Anderson called the meeting to order at 9:09 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. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH TED HONE EXCAVATING, INC TO INSTALL A 3-INCH WATER LINE AT THE COUNTY ADMINISTRATION BUILDING
2. APPROVE AND AUTHORIZE A FIDUCIARY ENGAGEMENT AGREEMENT WITH GEORGE K. BAUM & COMPANY
3. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY SENIOR COMPANION PROGRAM
4. APPROVE THE MINUTES OF THE NOVEMBER 18, 2014 COMMISSION MEETING *(Continued from the November 25, 2014 Commission meeting)*
5. APPROVE THE MINUTES OF THE NOVEMBER 25, 2014 COMMISSION MEETING
6. RATIFICATION OF PAYROLL

Period 24	10 Checks: \$ 6,232.14	1,094 Total Deposits: \$1,432,548.52	Total:	\$ 1,438,780.66
		Federal Payroll Taxes	Total:	\$ 212,035.13
7. RATIFICATION OF WARRANT REGISTER SUMMARY

Register No. 1140	November 24, 2014	Direct Deposit:20900-20901	Total:	\$ 760,690.15
Register No. 1141	November 24, 2014	Check Nos. 201328-201337	Total:	\$ 12,626.00
Register No. 1142	November 25, 2014	Bond Wires:345-345	Total:	\$ 15.00
Register No. 1143	November 25, 2014	Purchasing Cards 3601-3607	Total:	\$ 642.34
Register No. 1144	November 25, 2014	Direct Deposit:20902-20910	Total:	\$ 12,462.95
Register No. 1145	November 25, 2014	Direct Deposit:20911-20915	Total:	\$ 10,461.16
Register No. 1146	November 25, 2014	Check Nos. 201338-201353	Total:	\$ 126,614.36
Register No. 1147	November 25, 2014	Purchasing Cards 3608-3616	Total:	\$ 726.64
Register No. 1148	November 25, 2014	Check Nos. 201354-201390	Total:	\$ 161,392.73
Register No. 1149	November 26, 2014	Check Nos. 201391-201398	Total:	\$ 32,542.36
Register No. 1150	November 26, 2014	Check Nos. 201399-201404	Total:	\$ 2,603.00
Register No. 1151	November 26, 2014	Purchasing Cards 3617-3619	Total:	\$ 14,280.50
Register No. 1152	November 26, 2014	Check Nos. 201405-201429	Total:	\$ 90,682.06
Register No. 1153	November 26, 2014	Direct Deposit:20916-20936	Total:	\$ 39,302.96
Register No. 1154	November 26, 2014	Bond Wires:346-346	Total:	\$ 212,035.13
Register No. 1155	November 26, 2014	Direct Deposit:20937-20947	Total:	\$ 772,717.89
Register No. 1156	November 26, 2014	Check Nos. 201430-201442	Total:	\$ 80,412.63
Register No. 1157	November 26, 2014	Direct Depositi:20948-20949	Total:	\$ 17,594.01
			Total:	<u>\$2,347,801.87</u>

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

5. ADOPT (OR DENY) AN ORDINANCE AMENDING THE UTAH COUNTY GENERAL PLAN, 2006 BY ADOPTING THE UTAH COUNTY GENERAL PLAN, 2014 *(Continued from the November 18, 2014 Commission meeting)*

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - December 2, 2014

Page 3

6. **ADOPT A RESOLUTION TO AMEND SECTION VI.C.7-9 OF THE UTAH COUNTY PERSONNEL RULES AND REGULATIONS CONCERNING COMPENSATORY TIME ACCRUALS**
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A SERVICE CONTRACT WITH NEOPOST NORTHWEST FOR THE HASLER WJ185 POSTAGE MACHINE LOCATED IN THE ADMINISTRATION BUILDING FOR 1/1/2015 THROUGH 12/31/2015**
8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH VALCOM FOR AN IMAGEWRITE C5255 COPIER, SERIAL NO. JME12070 LOCATED IN THE ATTORNEY'S OFFICE**
9. **APPROVE AND AUTHORIZE PAYMENT TO ALL POLL WORKERS AND ROVERS THAT PARTICIPATED IN THE NOVEMBER 4, 2014 GENERAL ELECTION**
10. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH WESTAT TO CONDUCT SURVEYS**
11. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2013-541 WITH GSBS ARCHITECTS FOR THE HISTORIC COURTHOUSE ROOF/PARAPET/WEST STEPS PROJECT**
13. **ADOPT A RESOLUTION AUTHORIZING THE COMMISSION CHAIR TO SIGN AN INTERLOCAL AGREEMENT WITH SANTAQUIN CITY FOR THE SANTAQUIN MAIN STREET PHASE 2 HIGHWAY PROJECT**
14. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH TELMATE, LLC FOR THE TABLET PILOT PROGRAM AT THE UTAH COUNTY JAIL**
15. **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 and November 25, 2014 Commission meetings)*

ACTIONS TAKEN

Consent Agenda Item Nos. 1 and 2 were approved and authorized; No. 3 was adopted; Nos. 4 and 5 were approved; and Nos. 6 and 7 were ratified. Regular Agenda Item Nos. 5, 6, and 13 were adopted; and Nos. 7 through 11, 14 and 15 were approved and authorized.

AGREEMENT NOS.: 2014-781, 2014-782, 2014-783, 2014-784, 2014-785, 2014-786, 2014-787, 2014-788, 2014-789 and 2014-790

RESOLUTION NOS.: 2014-122, 2014-123, and 2014-124

ORDINANCE NO.: 2014-12

REGULAR AGENDA

1. RECOGNITION OF THE UTAH COUNTY EMPLOYEE OF THE MONTH FOR DECEMBER 2014
Dave Bennett of the Sheriff's Office was recognized as the Utah County Employee of the Month for December 2014.

2. PRESENTATION ON SCHOOL FLAG PROGRAM BY UTAH COUNTY HEALTH DEPARTMENT EMPLOYEE AND MEMBER OF THE CLEAN AIR TASK FORCE: ANDREA JENSEN

Utah County Health Department Executive Director Dr. Joseph K. Miner addressed air quality in Utah County. Andrea Jensen of the Utah County Health Department explained how a \$9,000 grant had been awarded in order to distribute flags to 174 local schools; these green, yellow, orange, red, and purple pennants will serve to educate and notify the community about air conditions. The commissioners expressed support of the program and a desire to display the flags at the Utah County Administration Building. Commissioner Anderson praised Ms. Jensen, and surprised her with the award of 2014 Utah County Employee of the Year.

3. RECOGNITION OF THE 2014 UTAH COUNTY EMPLOYEE OF THE YEAR

Andrea Jensen of the Utah County Health Department was recognized as the 2014 Utah County Employee of the Year. Andrea Jensen, Health Department

4. RECOGNIZE EMPLOYEES WITH 20, 25 OR 30 YEARS OF SERVICE WITH UTAH COUNTY

The commissioners presented certificates to the following employees with 20, 25, or 30 years of service with the county:

35+ Years:

Mardene Barker of the Assessor's Office
Neil Peterson of Information Systems
Paulette Patten of Information Systems

30 Years:

Verna Bair of the Assessor's Office
Sherry Bullock of Information Systems
Don Street of Public Works
Mike Pientka of the Sheriff's Office

25 Years:

Doreen Radford of the Health Department
Anne Allan of Information Systems
Dean Richins of Information Systems

20 Years:

Cynthia Martine of the Assessor's Office
David Shawcroft of the Attorney's Office
Curtis Larson of the Attorney's Office
Peggy Kelsey of Community Development
Alejandra Valencia of Drug & Alcohol Prevention & Treatment
Jay Stone of the Health Department
Kathie Hill of the Health Department
Marla Raff of the Health Department
Wendy Whatcott of the Health Department
Crystal Forbes of the Health Department
Karen Marshall of the Health Department
Suzette Hodgson of the Sheriff's Office
David Farley of the Sheriff's Office
Wade Berry of the Sheriff's Office
Lane Critser of the Sheriff's Office
Wayne Keith of the Sheriff's Office

12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A SALES QUOTE AND MAINTENANCE SERVICES ORDER WITH NORTH AMERICAN COMMUNICATIONS RESOURCE, INC. TO RENEW ANNUAL HARDWARE AND SOFTWARE SUPPORT FOR THE TELEPHONE SWITCH SYSTEM AND VOICE MAIL SYSTEM

Utah County Public Works Director Richard Nielson confirmed that this item is a renewal of the support system for the county phone systems. Commissioner Witney mentioned that the account listed has insufficient funds, and Mr. Nielson noted he would double-check the numbers as the wrong account may have been identified or a budget transfer may be required.

Commissioner Witney made the motion to approve and authorize the sales quote and maintenance services order with North American Communications Resource, Inc. to renew annual hardware and software support as identified in Regular Agenda Item No. 12. The motion was seconded by Commissioner Ellertson and carried with the following vote:

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

AGREEMENT NO. 2014-791

16. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE PARTICIPATION AGREEMENT WITH PROVO CITY TO PROVIDE FUNDING FOR COMPREHENSIVE MASTER PLANNING OF A BEACH PARK ON THE EAST SHORE OF UTAH LAKE

Utah County Deputy Attorney Robert J. Moore summarized the participation agreement, and Commissioner Anderson questioned whether this same contract can be used to address Sandy Beach. Commissioner Ellertson noted that may slow down the process and Commissioner Anderson rescinded the suggestion. Commissioner Witney stated this is a great option to improve Utah Lake shores, and Commissioners Ellertson and Anderson agreed. Mr. Moore and the commissioners discussed cooperation with Provo City and similar contract with other entities. Utah County Clerk/Auditor Bryan E. Thompson asked about the funding source, and Commissioner Ellertson confirmed that TRCC monies will be used.

Commissioner Ellertson made the motion to approve and authorize the participation agreement with Provo City to provide funding for comprehensive master planning of a beach park as outlined in Regular Agenda Item No. 16. 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. 2014-792

17. ADOPT A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE PLEASANT GROVE REDEVELOPMENT AGENCY AND UTAH COUNTY

Commissioner Witney asked about the location, and Commissioner Ellertson directed questions towards Pleasant Grove City Manager Scott Darrington. Mr. Darrington clarified the dollar amounts for sales tax coming in to the county, not being spent by the county. Commissioner Ellertson requested the phrase "developer incentive fund" be revised, and Mr. Darrington spoke about infrastructure needs. They discussed changes to the exhibits included as attachments with the agreement.

Commissioner Ellertson made the motion to adopt the resolution approving an interlocal cooperation agreement between the Pleasant Grove Redevelopment Agency and Utah County as specified in Regular Agenda Item No. 17. The motion was seconded by Commissioner Witney and carried with the following vote:

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

RESOLUTION NO. 2014-125
AGREEMENT NO. 2014-793

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - December 2, 2014

Page 6

18. ADOPT A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND UTAH TRANSIT AUTHORITY

Commissioner Witney discussed financing with Utah County Clerk/Auditor Bryan E. Thompson. Mr. Thompson asked about county control in the year 2028, and Matt Dugdale of George K. Baum and Company explained how Utah Transit Authority (UTA) and Utah County have negotiated the details. If UTA is unable to bond in 2028 because of the market or other issues, they are still contractually obligated; however, the county can exercise discretion in how payments are made. Commissioner Anderson commented on the relationship between Utah County and UTA being one full of trust.

The commissioners continued to discuss details with Bryan E. Thompson, Utah County Civil Division Chief Deputy Attorney E. Kent Sundberg, and council for Utah Transit Authority. Commissioner Ellertson confirmed funding from the Mountainland Association of Governments (MAG), and Commissioner Anderson spoke about this being a regional project - not just directly impacting Provo/Orem and important for overall economic development. Commissioner Ellertson noted for the record that while this is a UTA project, Utah County support and funds are vital; the two are working hand in hand. The money being put into this will be returned to the county and can be used for future projects.

E. Kent Sundberg commented on the Metropolitan Planning Organization (MPO), and Commissioner Anderson mentioned that it was recommended for approval. Commissioner Witney agreed that while the project is great, he is concerned about funds and timing. Commissioner Ellertson encouraged the Board to look to the future.

Commissioner Ellertson made the motion to adopt the resolution approving an interlocal cooperation agreement between Utah County and Utah Transit Authority specified in Regular Agenda Item No. 18. The motion was seconded by Commissioner Witney and carried with the following vote:

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

RESOLUTION NO. 2014-126
AGREEMENT NO. 2014-794

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

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

STRICKEN

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

STRICKEN

23. 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

19. 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 Witney 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 Ellertson and carried with the following vote:

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

SET

21. 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 Witney 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 meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Ellertson and carried with the following vote:

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

SET

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

There were no public comments and the meeting recessed at 10:14 A.M. to go into closed meetings. The public meeting reconvened at 11:13 A.M.

Commissioner Witney made the motion to adjourn the December 2, 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 11:13 A.M. The minutes of the December 2, 2014 Commission meeting were approved as transcribed on December 16, 2014.

GARY J. ANDERSON, Commission Chair

UTAH COUNTY BOARD OF COMMISSIONERS
MINUTES - December 2, 2014
Page 8

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor