

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
January 20, 2015 - 9:00 A.M.

PRESENT: COMMISSIONER LARRY A. ELLERTSON, CHAIR
COMMISSIONER WILLIAM C. LEE, VICE-CHAIR
COMMISSIONER GREG GRAVES

ALSO PRESENT:

Bryan E. Thompson, Utah County Clerk/Auditor
Scott C. Hogensen, Chief Deputy Clerk/Auditor
Burt Harvey, Clerk/Auditor - Tax Admin. Supervisor
Julie Rollins, Utah County Purchasing Agent
Brian Voeks, Utah County Commission Office
Jim Stevens, Utah County Assessor's Office
Bryce Armstrong, Community Development
Peggy Kelsey, Community Development
Joshua K. Ivie, Community Development
Dr. Joseph K. Miner, Health Department Exec. Director
Kim Doroghian, Utah County Health Department
Eric Edwards, Utah County Health Department
Linnea Fletcher, Utah County Health Department
Steve Mickelson, Utah County Health Department
Jan Rogers, Utah County Health Department
Richard Nance, Drug & Alcohol Prevention & Treatment
Michelle Allen, Drug & Alcohol Prevention & Treatment
Pat Bird, Drug & Alcohol Prevention & Treatment
Dean Miner, Utah State University Extension 4-H
Neil Peterson, Information Systems Director
Patrick Wawro, Information Systems
Mark Brady, Assistant Personnel Director
Jane Ivie, Personnel Office
Richard Nielson, Utah County Public Works Director
Don Nay, Utah County Public Works Assoc. Director
Andrea Allen, Utah County Recorder's Office
Dalene Higgins, Utah County Sheriff's Office
Mike Forshee, Utah County Sheriff's Office

Gary Ratcliffe, Utah County Surveyor
Cary McConnell, Utah County Treasurer's Office
Garrick Hall, Utah Farm Bureau
Chad Eccles, Mountainland Association of Governments
Dan Ellsworth, Strawberry Electric Service District
Blair R. Hamilton, Strawberry Electric Service District
Stewart Lamb, Kilgore Companies
Peter Anderson, Assoc. of Mature American Citizens
Sharon Anderson, Orem Resident
Jennifer Baptista, Pleasant Grove Resident
Eric Bischof, Salem Resident
Lisa Clark, Provo Resident
Nancy Packer, Provo Resident
Bonnie Pence, Orem Resident
Julie Reneer, Provo Resident
Dora C. Schoenfeld, Orem Resident
Bliss W. Tew, Orem Resident
Bob Womack, Orem Resident
Cathy Young, Orem Resident
Karen Zea, Lake Shore Resident
Ruth Cardon, -No further information given-
R. Farland, -No further information given-
Carolina Herrin, -No further information given-
Margaret Pestano, -No further information given-
Ray Pestano, -No further information given-
Merlin Weekes, -No further information given-
Mike Stansfield, Fairways Media
Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Ellertson called the meeting to order at 9:02 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Larry A. Ellertson, Utah County Commissioner

PLEDGE OF ALLEGIANCE: Bryan E. Thompson, Utah County Clerk/Auditor

CONSENT AGENDA

1. **RATIFY THE SIGNATURE OF THE VICE-CHAIR ON A LETTER TO BEAUTIFUL CASCADES, LLC, DATED JANUARY 14, 2015 REGARDING COMMITMENT FOR TITLE INSURANCE**

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2. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE “COMPLIANCE AGREEMENT AND BOND FOR OPEN PIT MINING OPERATIONS” AGREEMENT FOR AN EXISTING MINING OPERATION WITH KILGORE CONTRACTING, LLC WITH A SITE LOCATION OF APPROXIMATELY 1395 N 9435 W (LONG RIDGE RD), WEST OF THE PELICAN POINT AREA OF LAKE MOUNTAIN OF UNINCORPORATED UTAH COUNTY; SURETY BOND NO. 327016240 IN AMOUNT OF \$45,033.82 WITH LIBERTY MUTUAL INSURANCE COMPANY, 175 BERKELEY ST., BOSTON, MA 02116**

The Board requested Consent Agenda Item No. 2 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

3. **APPROVE THE RELEASE OF THE COMPLIANCE AGREEMENT AND BOND FOR OPEN PIT MINING OPERATIONS, AGREEMENT NO. 2008-3, BOND IN THE AMOUNT OF \$19,686, AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE RELEASE LETTER FOR ALTAVIEW CONCRETE MINING OPERATION WITH A SITE LOCATION OF APPROXIMATELY 1395 N 9435 W (LONG RIDGE RD), WEST OF THE PELICAN POINT AREA OF LAKE MOUNTAIN OF UNINCORPORATED UTAH COUNTY; A NEW AGREEMENT AND BOND ARE IN PLACE**

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

4. **DECLARE A SET OF SMALL WOOD LEDGE SHELVES AS SURPLUS TO BE PRESENTED AS A RETIREMENT GIFT TO FORMER COMMISSIONER GARY ANDERSON**

5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ACCENAGROUP TO PROVIDE TRAINING FOR THE UTAH COUNTY STORM WATER COALITION**

6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH COPPER GRILL CATERING TO PROVIDE BREAKFAST FOR A TRAINING MEETING OF THE UTAH COUNTY STORM WATER COALITION**

The Board requested Consent Agenda Item No. 6 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

7. **APPROVE AND AUTHORIZE THE UTAH COUNTY CLERK/AUDITOR TO SIGN A QUIT CLAIM DEED FOR PROPERTY TAX SERIAL NO. 38:008:0003, A TAX SALE PARCEL IN THE ALPINE AREA**

The Board requested Consent Agenda Item No. 7 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN WRITTEN PERMISSION FOR THE UTAH STATE UNIVERSITY COOPERATIVE EXTENSION SERVICE TO USE ARCHERY EQUIPMENT AT EQUESTRIAN PARK FOR THE “4-H ARCHERY SHOOT” TO BE HELD FEBRUARY 5, 2015**

9. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND NEBO SCHOOL DISTRICT FOR PREVENTION SERVICES AND ACTIVITIES**

The Board requested Consent Agenda Item No. 9 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

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10. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60318, DATED JANUARY 15, 2015**
11. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2015-1 (ABATEMENTS)**
12. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY HEALTH DEPARTMENT**
13. **APPROVE THE MINUTES OF THE DECEMBER 16, 2014 COMMISSION MEETING**

The commissioners requested Consent Agenda Item No. 13 be continued to the January 27, 2015 meeting of the Board.
CONTINUED TO JANUARY 27, 2015

14. RATIFICATION OF WARRANT REGISTER SUMMARY

Register No. 33	January 12, 2015	Wires: 363-363	Total: \$	196.38
Register No. 34	January 12, 2015	Direct Deposit:21178-21178	Total: \$	350.00
Register No. 35	January 12, 2015	Check Nos. 203368-203376	Total: \$	7,879.63
Register No. 36	January 12, 2015	Check Nos. 203377-203393	Total: \$	43,929.47
Register No. 37	January 12, 2015	Purchasing Cards 3831-3831	Total: \$	1,745.16
Register No. 38	January 12, 2015	Direct Deposit:21179-21186	Total: \$	38,630.62
Register No. 39	January 12, 2015	Check Nos. 203394-203414	Total: \$	148,012.52
Register No. 40	January 12, 2015	Direct Deposit:21187-21187	Total: \$	5.43
Register No. 41	January 12, 2015	Direct Deposit:21188-21216	Total: \$	6,846.10
Register No. 42	January 12, 2015	Check Nos. 203415-203442	Total: \$	6,254.61
Register No. 43	January 13, 2015	Direct Deposit:21217-21234	Total: \$	6,576.81
Register No. 44	January 13, 2015	Check Nos. 203443-203459	Total: \$	5,667.71
Register No. 45	January 13, 2015	Direct Deposit:21235-21235	Total: \$	59,185.94
Register No. 46	January 13, 2015	Direct Deposit:21236-21236	Total: \$	181.49
Register No. 47	January 13, 2015	Wires: 364-364	Total: \$	15.00
Register No. 48	January 13, 2015	Check Nos. 203460-203471	Total: \$	7,798.00
Register No. 49	January 13, 2015	Check Nos. 203472-203501	Total: \$	52,342.34
Register No. 50	January 14, 2015	Check Nos. 203502-203503	Total: \$	820.00
Register No. 51	January 14, 2015	Check Nos. 203504-203509	Total: \$	8,669.00
Register No. 52	January 14, 2015	Check Nos. 203510-203526	Total: \$	121,435.44
Register No. 53	January 14, 2015	Check Nos. 203527-203532	Total: \$	448.01
Register No. 54	January 15, 2015	Wires: 365-365	Total: \$	610.62
Register No. 55	January 15, 2015	Check Nos. 203533-203548	Total: \$	116,355.79
Register No. 56	January 15, 2015	Check Nos. 203549-203572	Total: \$	39,980.47
Register No. 57	January 15, 2015	Direct Deposit:21237-21240	Total: \$	952,978.73
Register No. 58	January 16, 2015	Direct Deposit:21241-21241	Total: \$	43.50
Register No. 59	January 16, 2015	Direct Deposit:21242-21244	Total: \$	255.54
Register No. 60	January 16, 2015	Check Nos. 203573-203588	Total: \$	49,964.83
Register No. 61	January 16, 2015	Check Nos. 203589-203607	Total: \$	108,640.64
Register No. 62	January 16, 2015	Direct Deposit:21245-21257	Total: \$	3,001.28
Register No. 63	January 16, 2015	Check Nos. 203608-203620	Total: \$	176,204.69

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Register No. 64	January 16, 2015	Check Nos. 203621-203625	Total: \$ 5,426.93
Register No. 65	January 16, 2015	Check Nos. 203626-203631	Total: \$ 24,106.01
Register No. 66	January 16, 2015	Check Nos. 203632-203634	Total: \$ 25,312.40
Register No. 67	January 16, 2015	Direct Deposit:21258-21258	Total: \$ 417.74
Register No. 68	January 16, 2015	Check Nos. 203635-203636	Total: \$ 10,474.71
			<u>Total: \$2,030,763.54</u>

Consent Agenda Item Nos. 1, 4, 5, 8, 10, 11, 12, and 14 were approved as written. Commissioner Ellertson recommended the following Regular Agenda items be moved to Consent:

2. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ERGOMETRICS FOR RECRUITMENT TESTING SERVICES**
4. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455 COPIER, SERIAL NO. 55045129, LOCATED IN THE ASSESSORS OFFICE - EXPIRES 01/03/2016**
5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M355 COPIER, SERIAL NO. 4502029X, LOCATED IN THE COMMUNITY DEVELOPMENT OFFICE - EXPIRES 01/11/2016**
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455 COPIER, SERIAL NO. 65033027, LOCATED IN THE DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT - EXPIRES 01/17/2016**
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455 COPIER, SERIAL NO. 65033727, LOCATED IN JUDICIAL SERVICES - EXPIRES 12/31/2015**
8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455 COPIER, SERIAL NO. 55044499, LOCATED IN THE SHERIFF'S OFFICE: ADMINISTRATION - EXPIRES 01/03/2016**
9. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M450 COPIER, SERIAL NO. 35031495, LOCATED IN THE SHERIFF'S OFFICE: CORRECTIONS - EXPIRES 01/03/2016**
10. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455 COPIER, SERIAL NO. 55051499, LOCATED IN THE SHERIFF'S OFFICE: INVESTIGATIONS - EXPIRES 01/03/2016**
11. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A FAIRGROUND FACILITIES USE AGREEMENT WITH SPANISH FORK CITY FOR THE 4-H LEADERS BANQUET TO BE HELD ON MARCH 2, 2015 IN THE PONDEROSA ROOM**
12. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR THE STEPPING ON PROGRAM, REPLACING AGREEMENT NO. 2014-840 WHICH WAS APPROVED ON DECEMBER 16, 2014**

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13. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH TO FUND STD INVESTIGATION SERVICES, REPLACING AGREEMENT NO. 2015-19 WHICH WAS APPROVED ON JANUARY 6, 2015**
14. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR TUBERCULOSIS PREVENTION AND CONTROL**
15. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A RESERVATION AGREEMENT WITH PEAKS ICE ARENA FOR A YOUTH TOBACCO CESSATION ACTIVITY TO BE HELD ON MARCH 20, 2015**
16. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) TO PROVIDE SUPPORT FOR THE MEDICAL RESERVE CORPS**
17. **ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE COMMISSION CHAIR TO SIGN AN INTERLOCAL COOPERATION AGREEMENT WITH MOUNTAINLAND ASSOCIATION OF GOVERNMENTS FOR STEPPING ON, DIABETES SELF MANAGEMENT AND SUICIDE PREVENTION CLASSES**
20. **ADOPT AN ORDINANCE TO AMEND UTAH COUNTY CODE 21-14-6 REGARDING THE USE OF THE AIRPORT, HIGHWAY, AND PUBLIC TRANSIT SALES AND USE TAX REVENUES**
21. **ADOPT A RESOLUTION OF APPOINTMENT OF GLEN ROBERTS TO THE UTAH COUNTY BOARD OF ADJUSTMENT**
22. **ADOPT A RESOLUTION APPOINTING KIM T. JACKSON AS A MEMBER OF THE UTAH COUNTY INVESTMENTS COMMITTEE**
23. **ADOPT A RESOLUTION OF APPOINTMENT OF COMMISSIONER GREG GRAVES TO THE BOARD OF DIRECTORS OF THE PROVO CITY/UTAH COUNTY ICE SHEET AUTHORITY**

ACTIONS TAKEN

Consent Agenda Item Nos. 1 and 14 were **ratified**; Nos. **2, 3, 6, 7 and 9** were **tabled** for further discussion; No. **4** was **declared** as surplus; Nos. **5 and 8** were **approved and authorized**; Nos. **10 and 11** were **approved**; No. **12** was **adopted**; and No. **13** was **continued** to the January 27, 2015 meeting of the Board. **Regular Agenda Item Nos. 2 and 4 through 16** were **approved and authorized**; and Nos. **17 and 20 through 23** were **adopted**.

AGREEMENT NOS.: 2015-34, 2015-35, 2015-36, 2015-37, 2015-38, 2015-39, 2015-40, 2015-41, 2015-42, 2015-43, 2015-44, 2015-45, 2015-46, 2015-47, 2015-48, 2015-49, 2015-50, 2015-51, 2015-52, 2015-53 and 2015-54

RESOLUTION NOS.: 2015-5, 2015-6, 2015-7, 2015-8 and 2015-9

ORDINANCE NO.: 2015-1

REGULAR AGENDA

The commissioners chose to address Consent Agenda Item Nos. 2 and 3 simultaneously as they are directly related.

(PULLED FROM CONSENT)

2. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE “COMPLIANCE AGREEMENT AND BOND FOR OPEN PIT MINING OPERATIONS” AGREEMENT FOR AN EXISTING MINING OPERATION WITH KILGORE CONTRACTING, LLC WITH A SITE LOCATION OF APPROXIMATELY 1395 N 9435 W (LONG RIDGE RD), WEST OF THE PELICAN POINT AREA OF LAKE MOUNTAIN OF UNINCORPORATED UTAH COUNTY; SURETY BOND NO. 327016240 IN AMOUNT OF \$45,033.82 WITH LIBERTY MUTUAL INSURANCE COMPANY, 175 BERKELEY ST., BOSTON, MA 02116**
AGREEMENT NO. 2015-55

(PULLED FROM CONSENT)

3. **APPROVE THE RELEASE OF THE COMPLIANCE AGREEMENT AND BOND FOR OPEN PIT MINING OPERATIONS, AGREEMENT NO. 2008-3, BOND IN THE AMOUNT OF \$19,686, AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE RELEASE LETTER FOR ALTAVIEW CONCRETE MINING OPERATION WITH A SITE LOCATION OF APPROXIMATELY 1395 N 9435 W (LONG RIDGE RD), WEST OF THE PELICAN POINT AREA OF LAKE MOUNTAIN OF UNINCORPORATED UTAH COUNTY; A NEW AGREEMENT AND BOND ARE IN PLACE**
AGREEMENT NO. 2015-56

Peggy Kelsey of the Utah County Community Development Office confirmed for Commissioner Ellertson that both Consent Agenda Item Nos. 2 and 3 are for the same pit that has been in operation for approximately seven years; the outgoing owner is being replaced.

Commissioner Lee made the motion to approve the Compliance Agreement and Bond for Open Pit Mining Operations for an existing mining operation with Kilgore Contracting, LLC, and to approve the release of the Compliance Agreement and Bond for Open Pit Mining Operations (Agreement No. 2008-3) Bond in the amount of \$19,686 for Altaview Concrete Mining Operation as detailed in Consent Agenda Item Nos. 2 and 3, respectively. The motion was seconded by Commissioner Graves and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None**

(PULLED FROM CONSENT)

6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH COPPER GRILL CATERING TO PROVIDE BREAKFAST FOR A TRAINING MEETING OF THE UTAH COUNTY STORM WATER COALITION**

Commissioner Ellertson noted for the record that Utah County serves as the administration for specified funds to the Storm Water Coalition. Utah County Public Works Director Richard Nielson confirmed the county contributes approximately \$500 annually. When Commissioner Ellertson questioned whether it is truly necessary for the training meeting to be catered, Mr. Nielson noted the group made that decision.

Commissioner Graves made the motion to approve the agreement with Copper Grill Catering to provide breakfast for a training meeting of the Utah County Storm Water Coalition as defined in Consent Agenda Item No. 6.

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The motion was seconded by Commissioner Lee and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None

AGREEMENT NO. 2015-57

(PULLED FROM CONSENT)

7. **APPROVE AND AUTHORIZE THE UTAH COUNTY CLERK/AUDITOR TO SIGN A QUIT CLAIM DEED FOR PROPERTY TAX SERIAL NO. 38:008:0003, A TAX SALE PARCEL IN THE ALPINE AREA**

Utah County Public Works Director Richard Nielson reminded the Board this issue to resolve a land gap between owners was discussed during closed session meetings last week.

Commissioner Graves made the motion to approve and authorize the Utah County Clerk/Auditor to sign a Quit Claim Deed for Property Tax Serial No. 38:008:0003 as specified in Consent Agenda Item No. 7. The motion was seconded by Commissioner Lee and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None

AGREEMENT NO. 2015-58

(PULLED FROM CONSENT)

9. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND NEBO SCHOOL DISTRICT FOR PREVENTION SERVICES AND ACTIVITIES**

Commissioner Ellertson asked how performance is quantified for these activities, and Pat Bird of the Utah County Department of Drug and Alcohol Prevention and Treatment explained how service fees, logic models, and attendance at events determine the dollar amounts.

Commissioner Lee made the motion to approve an agreement with Nebo School District for Prevention Services and Activities as outlined in Consent Agenda Item No. 9. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None

AGREEMENT NO. 2015-59

REGULAR AGENDA

1. **AUTHORIZE STAFFING PLAN CHANGES FOR THE CRIMINAL AND INVESTIGATION DIVISIONS OF THE ATTORNEY'S OFFICE AS OUTLINED ON ATTACHED LISTING**

Utah County Attorney Jeffrey R. Buhman explained the merit increases for prosecutors and legal assistants which were approved for funding during the 2015 budget process. The employees have met the time and performance requirements for the pay increases, except for the last 'Paralegal I' position on the list - that employee was erroneously included and the Personnel Office will correct the list.

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Commissioner Graves made the motion to authorize the Staffing Plan changes for the Criminal and Investigation Divisions of the Attorney's Office as outlined, with the changes as discussed in Regular Agenda Item No. 1. The motion was seconded by Commissioner Lee and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None**

APPROVED WITH CHANGES

3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN ADDENDUM TO PICTOMETRY LICENSE AGREEMENT NO. 2006-101

Commissioner Lee mentioned his initial alarm at the high cost for this program, but now understands the necessity and convenience of having it after meeting with the Utah County Assessor. He noted for the record that money would overall be saved over time.

Commissioner Lee made the motion to approve an addendum to Pictometry License Agreement No. 2006-101 as identified in Regular Agenda Item No. 3. The motion was seconded by Commissioner Graves and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None**

AGREEMENT NO. 2015-60

18. ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE COMMISSION CHAIR TO SIGN AN INTERLOCAL AGREEMENT WITH PAYSON CITY FOR THE 600 EAST HIGHWAY PROJECT

When Commissioner Ellertson mentioned that the cost line item was not specified for this agenda item, Utah County Public Works Director Richard Nielson clarified that it was included in the budget. Mr. Nielson offered to meet with Utah County Clerk/Auditor Bryan E. Thompson to identify the funds.

Commissioner Graves made the motion to adopt a resolution approving and authorizing an interlocal agreement with Payson City for the 600 East Highway Project as defined in Regular Agenda Item No. 18. The motion was seconded by Commissioner Lee and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None**

RESOLUTION NO. 2015-10
AGREEMENT NO. 2015-61

19. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A BID AGREEMENT WITH LAWMEN & SHOOTERS' FOR THE PURCHASE OF 42 MAX PRO ARMOR GUNFIGHTER HELMETS WITH MCIP 7 PAD SYSTEM

Lieutenant Mike Brower of the Utah County Sheriff's Office approached the bench. These helmets are for 'go' bags for deputy vehicles, which are being implemented in response to a fatal officer tragedy in January 2014. The new lightweight helmets will help protect the deputies when responding to active shooter calls with better communication capabilities, and can eventually be mounted with lights and cameras. Lieutenant Brower clarified for Commissioner Lee that costs over a certain dollar amount through the sealed bid process must be brought before the Board for approval.

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Commissioner Lee made the motion to approve the bid agreement with Lawmen & Shooters' for the purchase of 42 Max Pro Armor Gunfighter Helmets as specified in Regular Agenda Item No. 19. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves

NAY: None

AGREEMENT NO. 2015-62

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

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

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

28. 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 Graves made the motion to strike Regular Agenda Item Nos. 26, 27 and 28 to set dates, times, and locations for a closed meeting for a strategy session to discuss the purchase, exchange, or lease of real property; 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 Lee and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves

NAY: None

24. 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 Lee made the motion to set a date, time and location for a closed meeting for a strategy session 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 Graves and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves

NAY: None

SET

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

Commissioner Lee 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 Graves and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None**

SET

WORK SESSION

1. UPDATE ON THE 2015-2016 VOCA GRANT PROGRESS AND PRESENTATION ABOUT THE UTAH VALLEY SPECIAL VICTIM'S TASK FORCE *(Continued from the January 13, 2015 Commission meeting)*

Sergeant Jason Randall of the Utah County Sheriff's Office provided details on the operation of the Utah Valley Special Victim's Task Force, which consists of investigators from every law enforcement agency in the county and is funded through the federal government and fees paid by offenders. He introduced BreAnn Wilkes, who in turn explained the responsibilities of a Victim Advocate. Ms. Wilkes noted that Santaquin City has recently contracted with the Task Force for services; this adds approximately 9,000 citizens to their roster. She spoke of the importance in educating law enforcement officers and working with victims who otherwise would not have a voice in the system. Ms. Wilkes provided statistics on residents served in the community *(a copy of which can be found attached to these minutes)*.

Commissioner Ellertson asked about crime trends over the last few years, and Commissioner Lee asked for real-life examples of the Task Force. BreAnn Wilkes and Jason Randall addressed increased number of crimes and clients, goals of the program, daily operations, and the link between Internet and pornography crimes.

2. DISCUSSION REGARDING THE BUS RAPID TRANSIT SYSTEM, ONLINE STREAMING OF OPEN PUBLIC COMMISSION MEETINGS, AND THE PROPOSED REVERSE 9-1-1 SYSTEM FOR THE COUNTY

Commissioner Lee placed this item on the agenda in an effort to have open communication with the general public. The Board received a presentation recently regarding a reverse 9-1-1 system, and Commissioner Lee finds it to be a worthy project. Commissioner Ellertson noted that Sergeant Peter Quittner of the Utah County Sheriff's Office is currently the county's emergency manager, and has been researching efficient notification systems. A previous program was not the best it could be and the Board is considering a new county-wide solution for this public safety concern.

Commissioner Lee has also been speaking with the county Information Systems department to determine the feasibility of live-streaming Commission meetings. Commissioner Ellertson stated they are keeping no secrets, and pointed out costs would need to be determined for such a task.

Commissioner Lee addressed the Provo/Orem Bus Rapid Transit (BRT) project. He invited Utah County Clerk/Auditor Bryan E. Thompson to clarify comments made during the last meeting of the Board; Mr. Thompson had not been present to confirm financial statements. Mr. Thompson explained there are many different sources which fund county operations. During the 2015 budget process, he had brought it to the attention of the commissioners that the county is tapping in to the fund balance. The Board decided to put 28% of the undesignated general fund balance into the 2015 general budget. Commissioner Ellertson clarified much of that amount was for public safety, and Mr. Thompson confirmed.

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Bryan E. Thompson spoke about TRT and TRCC revenue sources combined with the ability to bond helping to fund projects. He emphasized that Utah County has no General Obligation Bond (GO) debt and has a bonding capacity for \$200,000,000 or more due to wise management. There have been many transportation projects adding to the infrastructure of the county, but there is a limit based on revenue streams, interest rates, and inflation pressures; Mr. Thompson stated the county is close to that limit within the funding source designated for the Provo/Orem Bus Rapid Transit (BRT) project. Commissioner Ellertson talked about planned bonding and revenue stream for transit, noting it has primarily been used for roads.

Commissioners Ellertson and Lee discussed the appropriate use of funds with Mr. Thompson, and Commissioner Lee asked whether 'rainy day' monies have gone towards road maintenance. Commissioner Ellertson explained one million dollars was re-allocated, and Mr. Thompson confirmed. Commissioner Ellertson referred to an old television commercial with a mechanic who states "You can pay me now or pay me later" to demonstrate the need for transit planning. Commissioner Lee warned against following negative trends and Mr. Thompson mentioned upcoming legislative discussions to identify needs. Commissioner Graves commented on the positive management of county funds, and Mr. Thompson expressed pride in having a conservative budget.

Commissioner Lee paraphrased a letter directed to U.S. Representative Bill Shuster, Chairman of the House Committee on Transportation (*a copy of which can be found attached to these minutes*). The letter requested policy changes to turn discretionary funds for federal surface transportation programs into formula funds, and compared successful and wasteful public works programs. Commissioner Lee noted New Starts projects being chosen over projects that could achieve the same goals for less money, and asked for America's transportation system to be restored by the conversion of discretionary grants to formula funds. Lastly, he advised the commissioners be careful in accepting federal funds without considering county needs and possible future complications.

PUBLIC COMMENTS

Peter Anderson is an 'Association of Mature Americans' representative against the Orem/Provo Bus Rapid Transit project. He is concerned about spending Utah County funds to benefit only two cities instead of all residents. Mr. Anderson stated busses are currently running empty, and it does not make sense to spend tax dollars on a limited area.

Orem resident Sharon Anderson called into question last month's Commission approval of Bridal Veil Falls property acquisition in Provo Canyon. She is mystified why the county would approve a \$2,400,000 purchase of four parcels with a market value less than \$370,000. Ms. Anderson commented on the estimated 2015 General Fund Revenues of \$75,500,000 compared to the \$75,000,000 expense of the Bus Rapid Transit project. She noted that agreeing to BRT would only add to the \$226,700,000 of outstanding debt for Utah County. Ms. Anderson pointed out that if BRT is being built at extravagant expense in order to qualify for federal monies, the Board should recall that taxpayers provide those funds as well.

Lake Shore resident Karen Zea has asked riders of Trax in Salt Lake County about their experiences, and many of them have complained of the cost compared to value. She questions whether Bus Rapid Transit would be the best use of funds for Utah County residents, and suggests the money instead be used for road maintenance.

Bliss Tew is an Orem resident who is also concerned about the \$75,000,000 grant to be issued by the federal government. With the United States being trillions of dollars in debt, how can they hand out this money? Mr. Tew suggested the counties may be guilty of driving this unsustainable debt structure, and commented on the dangers of being so close to our limits. He encouraged the Board to be fiscally conservative.

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Raymond Pestano has twenty-five years of mortgage banking experience, and has noticed a serious financial issue occurs every seven years. Mr. Pestano warned that 2015 is the year for the next big event, and Utah County's reserve funds will be needed for a great recession or depression. He asked the commissioners not to follow the example of the federal government by going into debt, but instead lead them back onto track with financial wisdom.

Orem resident Bob Womack spoke to eighteen people in his office regarding Bus Rapid Transit, and the initial reaction from 17 of those people was "What is BRT?" He conducted the same experiment with twenty-two people in the Food Court of University Mall in Orem, and nineteen of them responded the same way. Mr. Womack expressed this is an indication that the majority of the public would not be in favor of this project.

Bonnie Pence, Orem resident, lives very near to a bus route; she rarely sees anyone riding them and wonders why the county needs more. Ms. Pence does not want to take money from a federal government that is already in debt. She pointed out while Provo and Orem are in the center of Utah County, there are thirteen additional cities to consider. After bonding for \$65,000,000 in one area, will there be enough funds to satisfy the needs of those other cities?

Provo resident Lisa Clark passionately disagrees that the Bus Rapid Transit process has been transparent. She is concerned about bus stops and increased traffic near the schools, and reiterated earlier comments that the current empty busses indicate BRT is not a necessity for Utah County. Ms. Clark compared the discussion of road maintenance versus BRT to a conversation about the necessity of shoes versus a fancy car that will only sit in the garage.

Orem resident Merlin Weekes advised caution in moving too quickly and changing dynamics for Bus Rapid Transit. He mentioned the unprecedented number of major stores closing because they are not successful because citizens are changing their buying habits and purchasing items online. The economy is being driven by the federal government's artificially low interest rates. A major economic depression may be forthcoming and consumers will do whatever is least expensive - they will not pay to ride busses when clothing can be delivered to their homes. Mr. Weekes does not want to supplement the underutilized Utah Transit Authority system with BRT.

Orem resident Dora Shoenfeld noted there have yet to be any public comments during today's session in favor of Bus Rapid Transit. She urged the commissioners to remember the constituents that put them into office. Ms. Shoenfeld asked the Board to weigh the costs of cancelling the contract with Utah Transit Authority against the debt to the county. She shared experiences as a loan officer and realtor in which people maximized the amount of their debt. Ms. Shoenfeld does not want the same thing to happen to the county, and repeated her plea for the Board to listen to the will of the public.

Gene Shumway declared that busses are a wonderful convenience for the county, but it would be very poor judgement to spend millions of dollars simply to purchase prettier ones. The current services and routes can be maintained until expansion becomes necessary in a few years.

Highland resident Ed Barfuss explained his city requires \$1,000,000 annually to maintain their roads, which is important to prevent spending even more in rebuilding. The city has also been paying down debt for several years, and Mr. Barfuss would like the county to follow that same plan. He asked the commissioners to keep up the good work.

Julie Reneer, Provo resident, came forward to echo the previous comments opposed to Bus Rapid Transit. Ms. Reneer teaches her children that "just because you can doesn't mean you should;" that motto is applicable to this situation. A new winter coat is unnecessary if the previous one still fits and is in good repair. Ms. Reneer suggested increasing the frequency of current busses to raise ridership rather than accept BRT. She pointed out that many changes have happened since BRT was originally proposed, including routes and the percentage of the project the federal government was supposed to pay. Ms. Reneer sees no financial benefit in this project to the cities other than Provo and Orem, and the public was not given a choice in the matter. Ms. Reneer encourages private transportation options over this government-funded solution.

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Orem resident Jim Faucet understands the need for public transportation. He shared stories of riding mass transit in the late twentieth century, and noted the current 15-minute wait for a bus ride as positive compared to other larger cities. Mr. Faucet does not find Bus Rapid Transit necessary; the proposed \$65,000,000 could be used for better transportation options.

Linda Roper, Provo resident, referred to the payment plan chart needed for the Bus Rapid Transit project over the next twenty or thirty years. She reminded the Board that the economy is fickle and income cannot be depended on. Ms. Roper commented on the fluctuating world economy and warned the county against binding ourselves to such a long-term plan.

Commissioner Ellertson thanked everyone for their comments. He reminded the audience of the many people who participated in bringing Bus Rapid Transit to Utah County, and the fact that the Board did not make this decision lightly. Commissioner Ellertson pointed out that much of where the county is today is a result of future planning that took place in the past.

This concluded the public comment portion of the open meeting, and the meeting recessed at 10:35 A.M. to go into closed sessions. The public meeting reconvened at 11:32 A.M.

Commissioner Graves made the motion to adjourn the January 20, 2015 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Lee and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None**

There being no further business nor public comment, the meeting adjourned at 12:23 P.M. The minutes of the January 20, 2015 Commission meeting were approved as transcribed on March 3, 2015.

LARRY A. ELLERTSON, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor

Copies available on the Utah County website at www.utahcounty.gov
Recorded by Renée Huggins-Caron, Clerk/Auditor Administrative Assistant