

**BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH**  
**MINUTES OF PUBLIC MEETING**  
**COMMISSION CHAMBERS, ROOM 1400**  
**OF THE UTAH COUNTY ADMINISTRATION BUILDING**  
**February 17, 2015 - 9:00 A.M.**

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

**ALSO PRESENT:**

David Shawcroft, Utah County Deputy Attorney  
Robert J. Moore, Utah County Deputy Attorney  
Cort Griffin, Utah County Deputy Attorney  
Paul Jones, Utah County Deputy Attorney  
Bryan E. Thompson, Utah County Clerk/Auditor  
Brian Voeks, Utah County Commission Office  
Kris Poulson, Utah County Assessor  
Bryce Armstrong, Community Development  
Dr. Joseph K. Miner, Health Department Exec. Director  
Steve Mickelson, Utah County Health Department  
Andrea Jensen, Utah County Health Department  
Pat Bird, Drug & Alcohol Prevention & Treatment  
Kelly Hayes, Drug & Alcohol Prevention & Treatment  
Mark Brady, Assistant Personnel Director

Richard Nielson, Utah County Public Works Director  
Don Nay, Utah County Public Works Assoc. Director  
Jeff Smith, Utah County Recorder  
Andrea Allen, Utah County Recorder's Office  
Darin Durfey, Utah County Sheriff's Office  
Matt Higley, Utah County Sheriff's Office  
Jerry Monson, Utah County Sheriff's Office  
Kim T. Jackson, Utah County Treasurer  
Cary McConnell, Utah County Treasurer's Office  
Grey Turner, Utah Transit Authority  
Julie Blaney, Utah County Resident  
Chris Garris, Utah County Resident  
Mike Stansfield, Fairways Media  
Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Ellertson called the meeting to order at 9:04 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** David Shawcroft, Utah County Deputy Attorney  
**PLEDGE OF ALLEGIANCE:** Robert J. Moore, Utah County Deputy Attorney

**PUBLIC COMMENTS**

There were no public comments, and the Board proceeded with business as usual.

**CONSENT AGENDA**

**1. RATIFY THE SIGNATURE OF THE PERSONNEL DIRECTOR ON A SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF ALL CLAIMS**

Commissioner Ellertson noted for the record the funding source would need to be identified.

**2. DECLARE A CELL PHONE AS SURPLUS TO BE PRESENTED TO GARY NELSON, FLEET SERVICES SHOP SUPERVISOR, UPON RETIREMENT**

**3. DECLARE A JACKRABBIT PRO HERBICIDE SPRAYER AS SURPLUS TO BE GIVEN TO LEHI CITY AS PART OF THE PHRAGMITES ERADICATION EFFORT IN THE COUNTY**

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4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A LICENSE AGREEMENT WITH UTAH VALLEY CONVENTION CENTER FOR THE LEPC WORKSHOP TO BE HELD ON MARCH 11, 2015
5. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 280, DATED FEBRUARY 10, 2015
6. APPROVE RELEASE OF LIEN RECORDED AGAINST PARCEL SERIAL NO. 49:123:0001 (AGREEMENT NO. 2014-317)
7. ADOPT A RESOLUTION APPROVING A VOLUNTEER WHO WISHES TO DONATE THEIR SERVICES TO THE UTAH COUNTY HEALTH DEPARTMENT

8. APPROVE THE MINUTES OF THE JANUARY 13, 2015 COMMISSION MEETING

The commissioners requested Consent Agenda Item No. 8 be continued to the next meeting of the Board, in two weeks. CONTINUED TO MARCH 3, 2015

9. RATIFICATION OF WARRANT REGISTER SUMMARY

Register No. 151	February 09, 2015	Direct Deposit:21364-21364	Total: \$ 100.00
Register No. 152	February 09, 2015	Check Nos. 204155-204163	Total: \$ 160,395.82
Register No. 153	February 09, 2015	Check Nos. 204164-204213	Total: \$ 118,544.22
Register No. 154	February 09, 2015	Direct Deposit:21365-21367	Total: \$ 42,687.49
Register No. 155	February 09, 2015	Check Nos. 204214-204219	Total: \$ 5,476.06
Register No. 156	February 09, 2015	Direct Deposit:21368-21379	Total: \$ 4,892.88
Register No. 157	February 09, 2015	Check Nos. 204220-204253	Total: \$ 35,852.67
Register No. 158	February 10, 2015	Direct Deposit:21380-21381	Total: \$ 64,120.87
Register No. 159	February 10, 2015	Check Nos. 204254-204256	Total: \$ 10,595.13
Register No. 160	February 10, 2015	Check Nos. 204257-204287	Total: \$ 29,590.75
Register No. 161	February 10, 2015	Purchasing Cards 3879-3879	Total: \$ 144.40
Register No. 162	February 10, 2015	Check Nos. 204288-204294	Total: \$ 1,123.37
Register No. 163	February 11, 2015	Direct Deposit:21382-21409	Total: \$ 6,329.95
Register No. 164	February 11, 2015	Check Nos. 204295-204322	Total: \$ 6,139.76
Register No. 165	February 11, 2015	Check Nos. 204323-204323	Total: \$ 52.74
Register No. 166	February 11, 2015	Check Nos. 204324-204350	Total: \$ 34,179.15
Register No. 167	February 11, 2015	Direct Deposit:21410-21426	Total: \$ 5,342.99
Register No. 168	February 11, 2015	Check Nos. 204351-204368	Total: \$ 4,994.36
Register No. 169	February 12, 2015	Check Nos. 204369-204374	Total: \$ 7,146.91
Register No. 170	February 13, 2015	Direct Deposit:21427-21437	Total: \$ 8,129.20
Register No. 171	February 13, 2015	Check Nos. 204375-204435	Total: \$ 351,894.74
Register No. 172	February 13, 2015	Check Nos. 204436-204440	Total: \$ 11,613.91
Register No. 173	February 13, 2015	Purchasing Cards 3880-3880	Total: \$ 1,273.87
Register No. 174	February 13, 2015	Direct Deposit:21438-21442	Total: \$ 2,119.55
Register No. 175	February 13, 2015	Check Nos. 204441-204469	Total: \$ 26,183.57
Register No. 176	February 13, 2015	Direct Deposit:21443-21444	Total: \$ 54,270.54
			<u>Total: \$ 993,194.90</u>

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

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1. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455N COPIER, SERIAL NO. 65035504, LOCATED IN THE ASSESSOR'S OFFICE - EXPIRES 1/1/2016**
2. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH CANON SOLUTIONS AMERICA FOR AN IRADV6075 COPIER, SERIAL NO. HTK10686, LOCATED IN THE RECORDER'S OFFICE - EXPIRES 2/28/2016**
3. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH VALCOM FOR AN IR4245 COPIER, SERIAL NO. RJK47994, LOCATED IN THE JUSTICE COURT - EXPIRES 1/29/2020**
5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2014-382 WITH BRIGHAM YOUNG UNIVERSITY FOR RADON TESTING**
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR THE MENINGOCOCCAL H FLU ENHANCED SURVEILLANCE, REPLACING AGREEMENT NO. 2014-757 WHICH WAS APPROVED ON NOVEMBER 18, 2014**
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR FUNDING TO PROVIDE COMPREHENSIVE ASTHMA CONTROL SERVICES**
10. **ACCEPT AMENDMENT NO. 7 TO AGREEMENT NO. 2012-441 (STATE CONTRACT 122419) WITH THE UTAH DEPARTMENT OF HUMAN SERVICES FOR FUNDING ALLOCATIONS OF \$4,287,228.00 FOR SFY 2015; COUNTY MATCH \$280,544.00**
12. **APPROVE AND AUTHORIZE THE UTAH COUNTY CLERK/AUDITOR TO SIGN A QUIT CLAIM DEED TRANSFERRING OWNERSHIP OF PROPERTY TAX SERIAL PARCEL 42:025:0043 TO BLACKHAWK PROPERTIES, LLC IN EXCHANGE FOR THE SATISFACTION OF OWED TAXES**
13. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH JONES PAINT & GLASS TO PROVIDE MATERIALS AND SERVICES FOR CONSTRUCTION OF A GLASS SECURITY WALL IN THE 3RD FLOOR LOBBY OF THE UTAH COUNTY HEALTH AND JUSTICE BUILDING**
17. **ADOPT A RESOLUTION CONSENTING TO THE APPOINTMENT OF ROXILYN ABBOTT AS A DEPUTY CLERK/AUDITOR**
18. **ADOPT A RESOLUTION CONSENTING TO THE APPOINTMENT OF CHRISTA COLBY AS A DEPUTY CLERK/AUDITOR**
19. **ADOPT A RESOLUTION APPOINTING GREG GRAVES AS A MEMBER AND WILLIAM C. LEE AS AN ALTERNATE MEMBER TO THE UTAH VALLEY DISPATCH SPECIAL SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD**

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20. **ADOPT A RESOLUTION OF REAPPOINTMENT OF COMMISSIONER LARRY A. ELLERTSON, CARL CLARK, O. HUNT WILLOUGHBY, SID SMART, DON WADLEY, AND JERRY LYNN WALKER TO THE BOARD OF TRUSTEES OF THE NORTH UTAH COUNTY WATER CONSERVANCY DISTRICT**
21. **ADOPT A RESOLUTION OF REAPPOINTMENT OF DAN SNYDER, GARY ROGERS, JIM O'BRIEN, KIM WATSON, AND PAUL ASHTON TO THE UTAH COUNTY INSPECTION AND MAINTENANCE APPEAL BOARD**

**ACTIONS TAKEN**

**Consent Agenda Item Nos. 1 and 9 were ratified; Nos. 2 and 3 were declared as surplus; No. 4 was approved and authorized; Nos. 5 and 6 were approved; No. 7 was adopted; and No. 8 was continued to the March 3, 2015 meeting of the Board. Regular Agenda Item Nos. 1, 2, 3, 5, 6, 7, 12 and 13 were approved and authorized; No. 10 was accepted; Nos. 17, 18, 20 and 21 were adopted; and No. 19 was continued to the March 3, 2015 meeting of the Board.**

**AGREEMENT NOS.:** 2015-91, 2015-92, 2015-93, 2015-94, 2015-95, 2015-96, 2015-97, 2015-98, 2015-99, 2015-100, 2015-101, 2015-102, 2015-103, 2015-104 and 2015-105  
**RESOLUTION NOS.:** 2015-30, 2015-31, 2015-32, 2015-33 and 2015-34

**REGULAR AGENDA**

4. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN UPDATED ACCOUNT APPLICATION WITH WILBUR-ELLIS COMPANY**

Utah County Deputy Attorney Paul Jones clarified for Commissioner Lee the need to update the credit application with a current vendor. They discussed a pending check for fifteen or eighteen dollars, and Mr. Jones noted he would follow-up on the matter with the Utah County Purchasing Agent.

**Commissioner Lee made the motion to approve and authorize an updated account application with Wilbur-Ellis Company as detailed in Regular Agenda Item No. 4. 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. 2015-106

The commissioners chose to address Regular Agenda Item Nos. 8 and 9 simultaneously as they are directly related.

8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH LINDON CITY TO CHECK COMPLIANCE WITH STATE AND LOCAL LAWS GOVERNING TOBACCO SALES**

AGREEMENT NO. 2015-107

9. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH LONE PEAK PUBLIC SAFETY DISTRICT TO CHECK COMPLIANCE WITH STATE AND LOCAL LAWS GOVERNING TOBACCO SALES**

AGREEMENT NO. 2015-108

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Utah County Health Department Executive Director Dr. Joseph K. Miner addressed county responsibility in enforcing laws against the sale of tobacco products to under-aged buyers. The agreements outlined in Regular Agenda Item Nos. 8 and 9 will collaborate efforts with local police agencies for compliance. Dr. Miner explained how multiple offenses can lead to consequences for both the retail seller and the customer, and mentioned collected fees shared between the cities and the county.

**Commissioner Lee made the motion to approve and authorize the agreements with Lindon City and Lone Peak Public Safety District to check compliance with state and local laws governing tobacco sales as specified in Regular Agenda Item Nos. 8 and 9, 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**

**11. ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH PAYSON CITY FOR THE IMPLEMENTATION OF THE STRENGTHENING FAMILIES PROGRAM**

Pat Bird of the Utah County Department of Drug and Alcohol Prevention and Treatment spoke of the “Communities That Care” model which provides a parenting program for higher-risk families. Mr. Bird mentioned the program would soon begin in Provo as well. Commissioner Lee asked about management problems in the last year, and Mr. Bird clarified the were concerns regarding the Springville contract which has now been terminated. Commissioner Lee suggested continuing discussion to a later meeting of the Board before making a decision, and Mr. Bird noted the payment process would be slowed; staff training has been completed.

**Commissioner Graves made the motion to adopt a resolution approving and authorizing an agreement with Payson City for the implementation of the Strengthening Families Program as detailed in Regular Agenda Item No. 11, contingent upon further discussion between the Department of Drug and Alcohol Prevention and Treatment and the 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**

RESOLUTION NO. 2015-35  
AGREEMENT NO. 2015-109

Utah County Clerk/Auditor Bryan E. Thompson commented on the need to transfer funds within the budget, and Pat Bird clarified ‘Communities That Care’ compared to prevention grants.

**14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A RENEWAL AGREEMENT WITH INTELLIVEX FOR MAINTENANCE OF THE UNINTERRUPTIBLE POWER SUPPLY SYSTEMS IN VARIOUS COUNTY FACILITIES**

Utah County Public Works Director Richard Nielson confirmed a budget transfer would be needed. He clarified Intellivex already serves the county in this capacity; this agreement is to add the Administration Building to their duties.

**Commissioner Lee made the motion to approve and authorize a renewal agreement with Intellivex for maintenance of the uninterruptible power supply systems in various county facilities as identified in Regular Agenda Item No. 14. 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. 2015-110

**15. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH COUNTY DEPUTIES ASSOCIATION FOR THE 2015 BASIC SWAT SCHOOL, K9 SCHOOL AND SNIPER SCHOOL (Continued from the February 10, 2015 Commission meeting)**

Commissioner Ellertson reminded the audience this item had been continued from the previous Board meeting to address liability questions, which have been answered by the Utah County Attorney's Office and recommended for approval.

**Commissioner Graves made the motion to approve and authorize an agreement with the Utah County Deputies Association for the 2015 Basic SWAT School, K9 School and Sniper School as defined in Regular Agenda Item No. 15. 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. 2015-111

**16. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2012-89 WITH WASATCH MENTAL HEALTH FOR JAIL PSYCHIATRIC SERVICES**

Utah County Clerk/Auditor Bryan E. Thompson mentioned there is a shortage of \$75,000 to pay for this amendment to an agreement with Wasatch Mental Health, and Commissioner Ellertson noted the budget would be worked out.

**Commissioner Graves made the motion to approve and authorize an amendment to Agreement No. 2012-89 with Wasatch Mental Health for jail psychiatric services as outlined in Regular Agenda Item No. 16. 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. 2015-112

Utah County Clerk/Auditor Bryan E. Thompson clarified that the Board of Commissioners will need to approve additional funds that were not initially included in the budget.

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

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

STRICKEN

24. 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

26. 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. 23, 24, and 26 to set dates, times, and locations for a closed meeting for a strategy session to discuss pending or reasonably imminent litigation; for a strategy session to discuss the purchase, exchange, or lease 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

22. 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 Work Session 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 THE SALE OF REAL PROPERTY

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

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

NAY: None

SET

**WORK SESSION**

NO WORK SESSION ITEMS WERE SUBMITTED

This concluded discussion of all scheduled agenda items, and the meeting recessed at 9:26 A.M. to go into closed sessions. The public meeting reconvened at 10:32 A.M.

**Commissioner Graves made the motion to adjourn the February 17, 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 10:32 A.M. The minutes of the February 17, 2015 Commission meeting were approved as transcribed on March 17, 2015.

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LARRY A. ELLERTSON, Commission Chair

ATTEST:

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BRYAN E. THOMPSON  
Utah County Clerk/Auditor