

**BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH**  
**MINUTES OF PUBLIC MEETING**  
**COMMISSION CHAMBERS, ROOM 1400**  
**OF THE UTAH COUNTY ADMINISTRATION BUILDING**  
**March 31, 2015 - 9:00 A.M.**

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

**ALSO PRESENT:**

David Shawcroft, Civil Division Chief Deputy Attorney	Mike Brower, Utah County Sheriff's Office
Robert J. Moore, Utah County Deputy Attorney	Erik Knutzen, Utah County Sheriff's Office
Paul Jones, Utah County Deputy Attorney	Jerry Monson, Utah County Sheriff's Office
Bryan E. Thompson, Utah County Clerk/Auditor	Peter Quittner, Utah County Sheriff's Office
Julie Rollins, Utah County Purchasing Agent	Gary Ratcliffe, Utah County Surveyor
Brian Voeks, Utah County Commission Office	Kim T. Jackson, Utah County Treasurer
Kris Poulson, Utah County Assessor	Jeanne Gomm, Utah County Arts Board
Bryce Armstrong, Community Development	Garrick Hall, Utah Farm Bureau Federation
Peggy Kelsey, Community Development	Haley Hurst, Lake Shore Resident
Brandon Larsen, Community Development	Mark Sorenson, Payson City
Joshua K. Ivie, Community Development	Helina Carter-Thomas, -No further information given-
Dr. Joseph K. Miner, Health Department Exec. Director	Carla Jensen, -No further information given-
Steve Mickelson, Utah County Health Department	Jan West, -No further information given-
Richard Nance, Drug & Alcohol Prevention & Treatment	Richard S. West, -No further information given-
Rebecca Martell, Children's Justice Center	Trieste Wilde, -No further information given-
Don Nay, Utah County Public Works Assoc. Director	Mike Stansfield, Fairways Media
Jeff Smith, Utah County Recorder	Danielle Downs, <i>The Daily Herald</i>
Andrea Allen, Utah County Recorder's Office	Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Ellertson called the meeting to order at 9:15 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** Wally Perschon, Utah County Sheriff's Office

**PLEDGE OF ALLEGIANCE:** Greg Graves, Utah County Commissioner

**PUBLIC COMMENTS**

There were no public comments, and the commissioners moved forward with the agenda as scheduled.

**CONSENT AGENDA**

- 1. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON THE MEMORANDUM OF UNDERSTANDING BETWEEN THE UTAH COUNTY CHILDREN'S JUSTICE CENTER AND THE CENTER FOR WOMEN AND CHILDREN IN CRISIS**
- 2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE NATIONAL CHILDREN'S ALLIANCE GRANT APPLICATION FOR THE UTAH COUNTY CHILDREN'S JUSTICE CENTER**

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3. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20328, DATED MARCH 25, 2015

4. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2015-5  
The Board requested Consent Agenda Item No. 4 be moved to the Regular Agenda for discussion.  
PULLED TO REGULAR

5. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY HEALTH DEPARTMENT

6. APPROVE THE MINUTES OF THE MARCH 17, 2015 COMMISSION MEETING *(Continued from the March 24, 2015 Commission meeting)*

7. RATIFICATION OF WARRANT REGISTER SUMMARY

Register No. 328	March 23, 2015	Check Nos. 205720-205723	Total: \$ 43,593.64
Register No. 329	March 23, 2015	Check Nos. 205724-205817	Total: \$ 273,424.14
Register No. 330	March 23, 2015	Check Nos. 205818-205824	Total: \$ 4,310.64
Register No. 331	March 24, 2015	Check Nos. 205825-205827	Total: \$ 1,251.52
Register No. 332	March 24, 2015	Check Nos. 205828-205843	Total: \$ 43,422.74
Register No. 333	March 24, 2015	Check Nos. 205844-205847	Total: \$ 72.00
Register No. 334	March 24, 2015	Direct Deposit:21721-21734	Total: \$ 42,499.51
Register No. 335	March 24, 2015	Purchasing Cards 4533-4549	Total: \$ 98,664.96
Register No. 336	March 24, 2015	Purchasing Cards 4550-4550	Total: \$ 1,048.31
Register No. 337	March 24, 2015	Purchasing Cards 4551-4556	Total: \$ 1,622.50
Register No. 338	March 24, 2015	Purchasing Cards 4557-4584	Total: \$ 8,803.74
Register No. 339	March 24, 2015	Direct Deposit:21735-21735	Total: \$ 429.75
Register No. 340	March 24, 2015	Direct Deposit:21736-21739	Total: \$ 3,577.54
Register No. 341	March 24, 2015	Wires: 394-396	Total: \$ 663.90
Register No. 342	March 24, 2015	Check Nos. 205848-205848	Total: \$ 624.00
Register No. 343	March 24, 2015	Check Nos. 205849-205857	Total: \$ 9,303.16
Register No. 344	March 25, 2015	Wires: 397-397	Total: \$ 51.08
Register No. 345	March 25, 2015	Purchasing Cards 4585-4597	Total: \$ 10,618.38
Register No. 346	March 25, 2015	Purchasing Cards 4598-4616	Total: \$ 10,650.41
Register No. 347	March 25, 2015	Check Nos. 205858-205870	Total: \$ 75,536.99
Register No. 348	March 25, 2015	Purchasing Cards 4617-4624	Total: \$ 4,012.22
Register No. 349	March 25, 2015	Purchasing Cards 4625-4630	Total: \$ 785.16
Register No. 350	March 25, 2015	Check Nos. 205871-205871	Total: \$ 246.40
Register No. 351	March 25, 2015	Direct Deposit:21740-21745	Total: \$ 10,894.00
Register No. 352	March 25, 2015	Check Nos. 205872-205895	Total: \$ 194,757.06
Register No. 353	March 25, 2015	Direct Deposit:21746-21746	Total: \$ 820,785.30
Register No. 354	March 26, 2015	Direct Deposit:21747-21749	Total: \$ 123.00
Register No. 355	March 26, 2015	Check Nos. 205896-205899	Total: \$ 21,959.97
Register No. 356	March 26, 2015	Purchasing Cards 4631-4632	Total: \$ 1,403.99
Register No. 357	March 26, 2015	Direct Deposit:21750-21753	Total: \$ 3,611.63
Register No. 358	March 26, 2015	Check Nos. 205900-205928	Total: \$ 105,572.56
Register No. 359	March 27, 2015	Check Nos. 205929-205944	Total: \$ 56,592.82
			<u>Total: \$1,849,913.02</u>

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Consent Agenda Item Nos. 1, 2, 3, 5, 6 and 7 were approved as written. Commissioner Ellertson recommended the following Regular Agenda items be moved to Consent:

3. **ADOPT (OR DENY) AN ORDINANCE TO AMEND THE UTAH COUNTY LAND USE ORDINANCE, SUBSECTION 6-1-E-20-B, RELATED TO THE RELOCATION OF EXISTING UTILITY POLES**
5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH TOP FOOD SAFETY FOR FOOD HANDLER PERMIT TRAINING**
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR HIV PREVENTION COUNSELING, TESTING, AND PARTNER SERVICES**
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR THE NURSE FAMILY PARTNERSHIP (NFP) PROGRAM**
8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2014-764 WITH CREDIBLE WIRELESS, LLC**

The commissioners requested Regular Agenda Item No. 8 be continued to the next meeting of the Board.  
CONTINUED TO APRIL 7, 2015

9. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE STATE OF UTAH DEPARTMENT OF HUMAN SERVICES - DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH TO PROVIDE FUNDING FOR THE ACCESS TO RECOVERY (ATR) PROGRAM AND CARE COORDINATION**
10. **APPROVE AND AUTHORIZE THE UTAH COUNTY CLERK/AUDITOR TO SIGN A QUIT CLAIM DEED TO THE RIDGEVIEW CONDOMINIUM HOMEOWNERS ASSOCIATION FOR PROPERTY TAX SERIAL PARCEL 18:014:0109 IN EXCHANGE FOR \$200.00, THE MONETARY VALUE OF SAID PARCEL AS DETERMINED BY THE UTAH COUNTY ASSESSOR**
15. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE A NOTICE OF VACANCIES ON THE NORTH UTAH COUNTY WATER CONSERVANCY DISTRICT BOARD OF TRUSTEES**

**ACTIONS TAKEN**

**Consent Agenda Item Nos. 1 and 7 were ratified; No. 2 was approved and authorized; Nos. 3 and 6 were approved; No. 4 was tabled for further discussion; and No. 5 was adopted. Regular Agenda Item No. 3 was adopted; Nos. 5, 6, 7, 9, 10, and 15 were approved and authorized; and No. 8 was continued to the April 7, 2015 meeting of the Board.**

**AGREEMENT NOS.:** 2015-168, 2015-169, 2015-170, 2015-171, 2015-172, 2015-173, 2015-175 and 2015-175  
**RESOLUTION NO.:** 2015-52  
**ORDINANCE NO.:** 2015-8  
**VACANCY NO.:** 2015-3

### **REGULAR AGENDA**

**(PULLED FROM CONSENT)**

**4. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2015-5**

Of the four action items contained within Recommendation Letter No. 2015-5, two parcels were registered to a couple present in the audience. Richard and Jan West approached the bench to address those items. Mr. West explained he and his wife are the trust managers; the executor has requested settlement or deferral of the delinquent property taxes due to the death of the owner in November 2014. The executor was not aware of the delinquent taxes until February 2015, and has been trying to handle the estate since that time. The property is currently slated for auction during the annual May Tax Sale.

Commissioner Ellertson noted the county does not auction property unless taxes have remained unpaid for five years. Richard West explained the property taxes were paid, but for some reason the personal property taxes were neglected. Commissioner Lee pointed out that county staff sent multiple letters notifying management of the situation, and Jan West repeated the owner passed away - the son is attempting to reconcile affairs. Mr. West stated it is unknown why previous notices went unanswered, and Ms. West mentioned it has not been an operating business since 2010. Utah County Civil Division Chief Deputy Attorney David H. Shawcroft confirmed that any action taken by the Board today would not be subject to appeal. Mr. Shawcroft also mentioned the notices would have been sent to an Arizona address per property records, and there was some discussion regarding the registered names on the trusts.

Richard West requested a settlement to pay the balance due in installments, or perhaps for the auction to be delayed. Commissioner Ellertson clarified the total due would include taxes, penalty and interest. When David Shawcroft noted payment could be accepted right until the day of the May Tax Sale, Utah County Clerk/Auditor Bryan E. Thompson invited Richard and Jan West to meet with his office to discuss their options. Mr. Shawcroft explained that avenue is still available to Mr. and Ms. West if the Board approves the recommendation letter.

**Commissioner Graves made the motion to approve the Property Tax actions contained in Recommendation Letter No. 2015-5 as identified in Consent Agenda Item No. 4. 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. 2015-176

### **REGULAR AGENDA**

**1. APPROVE, MODIFY AND APPROVE, OR REJECT THE KENYON FARLEY AGRICULTURE PROTECTION AREA 1 APPLICATION WITH THE PROPOSED MODIFICATIONS LOCATED IN SECTION 30, T9S, R2E, SLB&M, IN THE SPRING LAKE AREA (Continued from the March 24, 2015 Commission meeting)**

Peggy Kelsey of the Utah County Community Development Office summarized the application submitted by Kenyon Farley and discussed at the previous meeting of the Board for an Agriculture Protection Area which may or may not include exemptions requested by Payson City and the Utah County Public Works Department. Mr. Farley was not present in the audience, and Commissioner Ellertson mentioned visiting the property since the last discussion. Ms. Kelsey reminded the Board that the Utah County Agriculture Protection Advisory Board had suggested approving the application as submitted, without the requested government exclusions. The Utah County Planning Commission recommended approval with the exclusion of the requested right-of-ways.

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When Commissioner Ellertson noted he may have a solution for all parties involved and asked about the timeline of events, Commissioner Graves reminded him that a decision must be made today in order to allow county staff adequate time to file paperwork by an April 17, 2015 deadline. Ms. Kelsey and Utah County Civil Division Chief Deputy Attorney David H. Shawcroft confirmed the deadline, noting that approval could default to that of the original application with no modifications if action is not taken by the Board.

Commissioner Graves asked about the necessity of a 96-foot road and also an additional 40-foot easement for a potential power line, and Mark Sorenson responded on behalf of Payson City. Mr. Sorenson explained the city could work with the existing right-of-way if approved, and Commissioner Graves asked what the motivation would be to overlap or minimize area if both the road and easement are approved. Mr. Sorenson responded it would take further planning and discussion, but it would be to everyone's benefit for the power line to be as close to the road as possible. David Shawcroft commented on financial incentive, and Commissioner Ellertson noted the road and easement could be shared between Payson and Utah County. Mr. Sorenson confirmed consultants have been hired to determine property ownership along the path of the power line in order to acquire land as soon as possible and begin construction.

Commissioner Lee asked whether Payson City would still be willing to negotiate with the Farley property owners if the Board were to approve the agriculture protection area without excluding the requested exemptions. Mark Sorenson stated it would not halt plans but the city would have to reconsider costs; each property needing to be removed from agricultural protection would need to cycle through the Boards and Commissions again individually. Peggy Kelsey clarified that it would not return to the Utah County Board of Commissioners if the property owners agreed to the offers from Payson City.

Commissioner Graves commented on restrictions of protected land, and David Shawcroft clarified that the requested exemptions would not be defined as protected if excluded from the agriculture protection area by action of the Board. Mark Sorenson indicated a preference for negotiating with the property owners rather than resorting to eminent domain claims, and Commissioner Lee expressed a desire to err on the side of the property owner. Mr. Sorenson spoke of existing right-of-ways and Commissioner Ellertson acknowledged the property owners' concerns about nuisance complaints; it is difficult to determine if noise is originating from within or outside of an agriculture protection area when sections are carved from it. Commissioner Ellertson stated he is in favor of agriculture protection unless it is treated as a means to forego any compromise between private and public interests. Commissioner Lee countered that the property owners should be allowed an advantage for beginning negotiations, and Commissioner Ellertson repeated that both sides of the argument must be considered.

Mark Sorenson addressed long-term Utah County plans, mentioning combined efforts between the Strawberry Electric Service District and Payson City. He and Commissioner Ellertson reviewed geography and individual services, with Mr. Sorenson mentioning the City's intent to combine services wherever possible. There was some discussion regarding the current crops, and the Board discussed the height of fruit trees compared to electric poles for successful farming. When Peggy Kelsey confirmed Kenyon Farley acquired the land in 2013, Commissioner Graves pointed out the master plan was already in place at that time - this plan includes the road which would need to be excluded from the proposed agriculture protection area.

Commissioner Lee summarized both sides, stating the property owner is seeking the best protection available while the government entity is indicating there are no other readily available options. He questioned again why there is an assumption that negotiations cannot be made, and Mark Sorenson clarified that Payson City chose this route because it is part of the Master Plan. Negotiations can still take place but there are many example of agriculture protection zones costing millions of dollars because property has to be circumvented. Commissioner Lee argued there are also examples of compromise. Commissioner Ellertson reiterated his concern that the agriculture protection area could be considered a mechanism to block the road and power line, stating elected officials are accused of wrongdoing when planning for the future yet are also blamed if they fail to do so.

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When Mark Sorenson expressed skepticism for good faith negotiations, Commissioner Lee noted both sides are likely wary. They discussed timelines and Commissioner Graves mentioned the struggle of balance in protecting the public while also holding property owners responsible for their own actions. Commissioner Ellertson commented on needing more time, and discussed deadlines with Peggy Kelsey and Utah County Recorder Jeff Smith. Commissioner Graves expressed reluctance in any further delay while Commissioner Ellertson continued to discuss legal process with David Shawcroft.

Commissioner Graves stated he is ready to move forward, noting Kenyon Farley acquired the land in 2013 and should have been aware of the Master Plan already in place at that time. Mark Sorenson explained letters were sent to the public in October 2014 and Peggy Kelsey confirmed the agriculture protection area application was filed in December 2014. Commissioner Graves suggested taking measures to protect all sides, and David Shawcroft explained that excluded areas could be added back into agriculture protection at a later date. When Commissioner Lee asked whether the process could work in reverse: grant agriculture protection for the entire area and remove the road and easement later, Mr. Shawcroft responded it would be much more difficult to remove property from agriculture protection rather than add to it.

**Commissioner Lee made the motion to continue discussion of Regular Agenda Item No. 1 for one week to the April 7, 2015 meeting of the Utah County Board of Commissioners. The motion died for lack of a second.**

Discussion continued between the commissioners, Utah County Surveyor Gary Ratcliffe, Utah County Recorder Jeff Smith, Mark Sorenson of Payson City, and Peggy Kelsey of the Utah County Community Development Office regarding process and time required to finalize legal descriptions. Brian Voeks of the Utah County Commission Office noted for the record that Kenyon Farley is out of town this week, and Bryce Armstrong of the Utah County Community Development Office mentioned Mr. Farley has indicated at previous meetings that he would not support overlapping easements between Payson and Utah County since he prefers the application be approved as submitted.

**Commissioner Lee made the motion to continue Regular Agenda Item No. 1 regarding the Kenyon Farley Agriculture Protection Area 1 Application for one week to the April 7, 2015 meeting of the Utah County Board of Commissioners.**

Because there was lack of a second, Commissioner Ellertson briefly suspended Robert's Rules of Order for the purpose of seconding this motion.

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

**AYE: Larry A. Ellertson  
William C. Lee**

**NAY: Greg Graves**

CONTINUED TO APRIL 7, 2015

- 2. APPROVE, MODIFY AND APPROVE, OR REJECT THE KENYON FARLEY AGRICULTURE PROTECTION AREA 2 APPLICATION WITH THE PROPOSED MODIFICATIONS LOCATED IN SECTION 30, T9S, R2E, SLB&M, IN THE SPRING LAKE AREA (Continued from the March 24, 2015 Commission meeting)**

**Commissioner Lee made the motion to continue Regular Agenda Item No. 2 regarding the Kenyon Farley Agriculture Protection Area 2 Application for one week to the April 7, 2015 meeting of the Utah County Board of Commissioners.**

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Because there was lack of a second, Commissioner Ellertson briefly suspended Robert's Rules of Order for the purpose of seconding this motion. There was some discussion between the commissioners, and Peggy Kelsey and Bryce Armstrong of the Utah County Community Development Office summarizing the differences in applications for Areas 1 and 2.

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

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

CONTINUED TO APRIL 7, 2015

**4. ADOPT (OR DENY) AN ORDINANCE TO AMEND THE UTAH COUNTY LAND USE ORDINANCE, SUBSECTION 6-1-E-26-C, RELATED TO THE REQUIREMENTS FOR AMENDING RECORDED NONCONFORMING PLATS**

Brandon Larsen of the Utah County Community Development Office explained the current ordinance language makes it difficult to adjust the outside boundary of non-conforming plats. The applicant, Trieste Wilde, has been involved in discussions with the Community Development Office and the Utah County Attorney's Office to remedy the situation; the word "land" has been added for the sake of consistency.

**Commissioner Graves made the motion to adopt an ordinance to amend the Utah County Land Use Ordinance, Subsection 6-1-E-26-C related to the Requirements for Amending Recorded Nonconforming Plats as detailed in Regular Agenda Item No. 4. The motion was seconded by Commissioner Lee and carried with the following vote:**

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

ORDINANCE NO. 2015-9

**11. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUPPLEMENTAL LAW ENFORCEMENT CONTRACT WITH KRISHNA TEMPLE ON BEHALF OF THE "FESTIVAL OF COLORS" TO HAVE DEPUTIES SECURE THE KRISHNA TEMPLE LOCATED AT 8628 SOUTH STATE ROAD ON MARCH 28 AND 29, 2015**

Commissioner Lee noted the event for which this contract was needed had already occurred, and Lieutenant Mike Brower of the Utah County Sheriff's Office came forward to respond. Mr. Brower explained the agreement was for \$10,000 with flexibility for more or less based on attendance at the "Festival of Colors." The final bill will likely be between \$12,000 and \$13,000 because additional resources were needed due to more people than initially anticipated. The contractor has previously worked well with the Sheriff's Office; he had questions regarding the flexible price, leading to the late submission of the application to the Board.

**Commissioner Lee made the motion to approve and authorize the Supplemental Law Enforcement Contract with Krishna Temple on behalf of the "Festival of Colors" on March 28 and 29, 2015 as specified in Regular Agenda Item No. 11. 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. 2015-177

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### **12. APPROVE AND AUTHORIZE UTAH COUNTY TO ENTER INTO THE CORE PLATFORM SERVICE AGREEMENT AND THE WEA/IPAWS ADDENDUM TO EVERBRIDGE, INC. SERVICE AGREEMENT, WITH EVERBRIDGE, INC. FOR COUNTY WIDE MASS NOTIFICATION SERVICES**

Peter Quittner of the Utah County Sheriff's Office has been actively working on the process to create a county-wide emergency notification system for approximately two years. Mr. Quittner explained that Everbridge, Inc. has been selected as the best option for the cities in Utah County, as well as the county overall. There is an advantage for cities currently serviced by Everbridge: they will receive additional discounts by contracting through the county. There will, however, be extra cost to cities that have no noticing system in place or are currently working with a different company. The system is needed to warn residents of terrorist attacks, natural disasters, and other traumatic events. The annual price of \$115,000 will serve 255,000 households and there is no use limit. It can also be used internally between county and city employees and departments as well as the citizens.

Peter Quittner confirmed for Utah County Clerk/Auditor Bryan E. Thompson that \$115,000 is the total cost - the cities will be reimbursing the county for their shares. Commissioner Graves noted not all cities have an agreement in place with the county, but those entities will not be able to use the system until the contracts are signed. Mr. Thompson questioned why the funds were not included in the budget if this contract has been anticipated for two years, and Commissioner Ellertson mentioned the amount should be included in a restricted fund. Commissioner Lee declared his appreciation for the work that has been put into bringing this project forward, but also his nervousness to move forward without memorandums of understanding already in place. He warned against pushing approval of items to a deadline which causes a rushed decision in faith that the money will be "found;" funds do not magically appear, and the county is left to rely on luck that the city councils will approve agreements for payment.

Commissioner Lee asked whether there is a free trial period to entice cities to participate, and Peter Quittner stated that decision would be left to the Board. Some cities do have specific questions and issues to address, but the overall discussion has been "how can Utah County familiarize the cities with the system so that they want to use it?" Commissioner Ellertson commented on system use and Commissioner Lee reiterated his concerns regarding payment once the expense has been approved. Peter Quittner stated he would continue working diligently as this has been a group effort; there are meetings with county emergency managers, police chiefs, fire chiefs, and other such personnel. Commissioner Ellertson stated they each carry responsibility in the success of this venture.

Wally Perschon of the Utah County Sheriff's Office commented on the system of support from the commissioners, and Commissioner Graves volunteered to take the lead in follow-up discussions with the cities. The system will maximize efficiency and there is too much liability in not moving forward. Mr. Perschon indicated the cities would follow the example set by Utah County, and Commissioner Ellertson stated there are more entities prepared to commit than the Board may think. Mr. Perschon mentioned the group discount again, and Peter Quittner added that some cities would not be able to participate in such a system without the county contract. Commissioner Ellertson noted today's deadline.

**Commissioner Graves made the motion to approve and authorize the Core Platform Service Agreement and the WEA/IPAWS Addendum to Everbridge, Inc. Service Agreement with Everbridge, Inc. for county-wide mass notification services as outlined in Regular Agenda Item No. 12. The motion was seconded by Commissioner Lee, and discussion continued.**

Commissioner Lee suggested monthly coordinating meetings be included as part of the approval for this contract. Commissioner Ellertson mentioned an additional \$4,000 needed for training. The Board discussed options for maintaining open dialogue of progress, perhaps through city council meetings and reaching out to personal contacts.



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**The motion carried with the following vote:**

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

AGREEMENT NOS. 2015-178, 2015-179, and 2015-180

**13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE THE CO-SPONSORSHIP OF THE UTAH COUNTY ARTS BOARD FOR 2015** *(Continued from the March 24, 2015 Commission meeting)*

Utah County Deputy Attorney Paul Jones introduced Utah County Arts Board President Jeanne Gomm. Commissioner Ellertson summarized the discussion which took place at the last Commission meeting regarding changes to the co-sponsorship agreement. He mentioned that an updated budget had not been provided as requested, and Ms. Gomm approached the bench to provide each commissioner with the document.

Jeanne Gomm thanked the commissioners for funding and supporting the Utah County Arts Board. She explained they have been operating since 1956 to promote and generate excitement for art in the community. Ms. Gomm spoke of the art displays in the Utah County Health and Justice Building, and participation in the Downtown Provo gallery stroll every first Friday of the month. The Arts Board hopes to eventually have an Arts Festival in Utah County. Ms. Gomm displayed a copy of the Utah County Artists Sourcebook, a resource in which artists can list their contact information for fifteen dollars per entry. She spoke of the volunteers and a desire for a secured gallery where three-dimensional art would be safe and welcome. Ms. Gomm explained that funds provide balloon animals, food, puppetry and other items for events. She reviewed the monthly budget of composed amounts since 2007, asking the commissioners to help maintain their standard. They discussed revenue, entry fees, and awards for shows held in May and October each year.

Commissioner Graves commented on tourism promotion through the Utah County Arts Board. He expressed appreciation for their work, but also noted that a nearby museum attracts 47,000 visitors annually without any financial support from the county. Jeanne Gomm countered that the same museum had provided an estimated cost of \$24,000 to provide the same services for the county which the Arts Board currently performs for free. She reminded the commissioners that the museum has paid staff; the Arts Board is volunteer-based. Commissioner Lee reviewed the figures of the proposed budget, and Ms. Gomm explained why internet and publicity fees are needed. Ms. Gomm pointed out that not everyone has a computer, and people still rely on printed material.

Commissioner Lee expressed hopes for the Utah County Arts Board to have less financial dependence on the county and encouraged Jeanne Gomm and her volunteers to seek contributions from the community. Utah County Clerk/Auditor Bryan E. Thompson also commented on the budget, mentioning that revenue was not included and reviewing more numbers with Ms. Gomm. Commissioners Lee and Graves explained that they were seeking more detail to help them understand the Arts Board budget needs, but the information provided does not seem complete.

Joseph Stanton is the Utah County Arts Board Treasurer. Mr. Stanton has been ill and unable to gather the detail sought by the commissioners, but acknowledged that "artists and accountants see things differently;" he is hoping to resolve the gap in communication between the two extremes. Jeanne Gomm and Mr. Stanton continued to reconcile the figures and attempt to quantify provided services with the commissioners, asking them to be generous in helping make and keep Utah County beautiful.

**Commissioner Graves made the motion to approve and authorize the co-sponsorship of the Utah County Arts Board for 2015 as defined in Regular Agenda Item No. 13, with these dollar amounts: \$2,400 service fees, and \$2,600 as a one-time donation for a total of \$5,000. 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. 2015-181

**14. ADOPT AN ORDINANCE AMENDING SUBSECTION 7-1-5(A) OF THE UTAH COUNTY CODE RELATING TO BUILDING AND SAFETY CODES**

Utah County Civil Division Chief Deputy Attorney David H. Shawcroft confirmed for Commissioner Ellertson the only change taking place is to update the number of members on the Building Board of Appeals from three members to five.

**Commissioner Graves made the motion to adopt an ordinance amending Subsection 7-1-5(A) of the Utah County Code relating to Building and Safety Codes as described in Regular Agenda Item No. 14. The motion was seconded by Commissioner Lee and carried with the following vote:**

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

ORDINANCE NO. 2015-10

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

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

**18. 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

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

**20. 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 Lee made the motion to strike Regular Agenda Item Nos. 17, 18, 19 and 20 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; 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 Graves and carried with the following vote:**

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

**16. 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

**WORK SESSION**

NO WORK SESSION ITEMS WERE SUBMITTED

This concluded discussion of all scheduled agenda items, and the meeting recessed at 11:52 A.M. to go into closed sessions. The public meeting reconvened at 12:23 P.M.

**Commissioner Graves made the motion to adjourn the March 31, 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 March 31, 2015 Commission meeting were approved as transcribed on April 28, 2015.

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LARRY A. ELLERTSON, Commission Chair

ATTEST:

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BRYAN E. THOMPSON  
Utah County Clerk/Auditor

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