

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
April 28, 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	Lana Jensen, Utah County Personnel Director
Robert J. Moore, Utah County Deputy Attorney	Jane Ivie, Personnel Office
Paul Jones, Utah County Deputy Attorney	Richard Nielson, Utah County Public Works Director
Carl Hollan, Utah County Deputy Attorney	Jeff Smith, Utah County Recorder
Bryan E. Thompson, Utah County Clerk/Auditor	Andrea Allen, Utah County Recorder's Office
Julie Rollins, Utah County Purchasing Agent	Gary Ratcliffe, Utah County Surveyor
Brian Voeks, Utah County Commission Office	James O. Tracy, Utah County Sheriff
Merlin Ethington, Utah County Assessor's Office	Dalene Higgins, Utah County Sheriff's Office
Jim Stevens, Utah County Assessor's Office	Tom Hodgson, Utah County Sheriff's Office
Bryce Armstrong, Community Development	Mike Forshee, Utah County Sheriff's Office
Peggy Kelsey, Community Development	Kim T. Jackson, Utah County Treasurer
Brandon Larsen, Community Development	Larry Ballard, Utah County Resident
Dr. Joseph K. Miner, Health Department Exec. Director	Janet Wells Woodward, Salem Resident
Richard Nance, Drug & Alcohol Prevention & Treatment	Mike Stansfield, Fairways Media
	Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Ellertson called the meeting to order at 9:10 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Greg Graves, Utah County Commissioner

PLEDGE OF ALLEGIANCE: Richard Nance, Utah County Dept. of Drug and Alcohol Prevention and Treatment

PUBLIC COMMENTS

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

CONSENT AGENDA

- 1. DECLARE SPECIFIED ITEMS AS SURPLUS TO BE DISPOSED OF VIA PUBLIC AUCTION OR AS JUNK**
- 2. DECLARE THE EQUIPMENT AND VEHICLES LISTED IN THE ATTACHED DOCUMENTS AS SURPLUS TO BE DISPOSED OF VIA TRADE-IN, BUY-BACK AGREEMENT, SALVAGE OR PUBLIC AUCTION**
- 3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2013-801 WITH RBM SERVICES** *(Continued from the April 21, 2015 Commission meeting)*

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - April 28, 2015

Page 2

4. TAKE ACTION TO REFER THE CHERRY SPRING PROPERTIES, LLC AGRICULTURAL PROTECTION AREA APPLICATION TO THE UTAH COUNTY PLANNING COMMISSION AND THE UTAH COUNTY AGRICULTURAL ADVISORY BOARD; LOCATED IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 1 EAST, SLB&M, LOCATED ON THE WEST SIDE OF SANTAQUIN CITY IN UTAH COUNTY

5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A NOTICE TERMINATING UTAH COUNTY AGREEMENT NO. 2014-240 WITH TELMATE, LLC.

6. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UNIFIED FIRE AUTHORITY FOR EXPLOSIVE ORDINANCE DISPOSAL (EOD) ROBOT REPAIRS

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

7. ABATE PERSONAL PROPERTY ACCOUNTS ATTACHED FOR THE YEARS INDICATED, HAVING BEEN IDENTIFIED AS UNCOLLECTIBLE; THERE ARE NO ASSETS AVAILABLE

8. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2015-7
(Continued from the April 21, 2015 Commission meeting)

The Board requested Consent Agenda Item No. 8 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

9. APPROVE THE MINUTES OF THE MARCH 31, 2015 COMMISSION MEETING

10. RATIFICATION OF WARRANT REGISTER SUMMARY

Register No. 435	April 17, 2015	Check Nos. 206715-206716	Total: \$	2,000.34
Register No. 436	April 20, 2015	Purchasing Cards 4711-4711	Total: \$	50.00
Register No. 437	April 20, 2015	Purchasing Cards 4712-4715	Total: \$	997.53
Register No. 438	April 20, 2015	Direct Deposit:21922-21926	Total: \$	8,990.54
Register No. 439	April 20, 2015	Check Nos. 206717-206762	Total: \$	178,614.32
Register No. 440	April 20, 2015	Check Nos. 206763-206763	Total: \$	1,474.00
Register No. 441	April 21, 2015	Direct Deposit:21927-21928	Total: \$	166.62
Register No. 442	April 21, 2015	Check Nos. 206764-206764	Total: \$	1,210.00
Register No. 443	April 21, 2015	Direct Deposit:21929-21930	Total: \$	2,665.87
Register No. 444	April 21, 2015	Wires: 409-411	Total: \$	137.86
Register No. 445	April 21, 2015	Check Nos. 206765-206765	Total: \$	65.83
Register No. 446	April 21, 2015	Check Nos. 206766-206783	Total: \$	15,830.02
Register No. 447	April 21, 2015	Direct Deposit:21931-21931	Total: \$	12,648.45
Register No. 448	April 22, 2015	Direct Deposit:21932-21935	Total: \$	8,704.57
Register No. 449	April 22, 2015	Purchasing Cards 4716-4716	Total: \$	291.63
Register No. 450	April 22, 2015	Purchasing Cards 4717-4749	Total: \$	5,941.16
Register No. 451	April 22, 2015	Check Nos. 206784-206795	Total: \$	28,537.03
Register No. 452	April 22, 2015	Check Nos. 206796-206813	Total: \$	81,696.82
Register No. 453	April 23, 2015	Check Nos. 206814-206814	Total: \$	195.00
Register No. 454	April 23, 2015	Check Nos. 206815-206836	Total: \$	9,967.95
Register No. 455	April 23, 2015	Check Nos. 206837-206843	Total: \$	3,882.00
Register No. 456	April 23, 2015	Purchasing Cards 4750-4750	Total: \$	50.15
Register No. 457	April 23, 2015	Purchasing Cards 4751-4754	Total: \$	684.94
Register No. 458	April 23, 2015	Direct Deposit:21936-21937	Total: \$	814,096.85
Register No. 459	April 23, 2015	Check Nos. 206844-206844	Total: \$	2,708.71

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - April 28, 2015

Page 3

Register No. 460	April 23, 2015	Check Nos. 206845-206880	Total: \$ 204,182.68
Register No. 461	April 24, 2015	Purchasing Cards 4755-4769	Total: \$ 36,083.06
Register No. 462	April 24, 2015	Direct Deposit:21938-21994	Total: \$ 22,582.11
Register No. 463	April 24, 2015	Check Nos. 206881-206897	Total: \$ 6,686.14
Register No. 464	April 24, 2015	Check Nos. 206898-206902	Total: \$ 1,970.00
			<u>Total: \$1,453,112.18</u>

Consent Agenda Item Nos. 1, 3 through 5, 7, 9 and 10 were approved as written. Commissioner Ellertson recommended the following Regular Agenda items be moved to Consent:

1. **AUTHORIZE THE FOLLOWING CHANGES TO THE PUBLIC WORKS-PROPERTY MANAGEMENT STAFFING PLAN: DELETE ONE FULL-TIME CAREER SERVICE SECURITY ELECTRONICS SPECIALIST I POSITION, AND ADD ONE FULL-TIME CAREER SERVICE SECURITY ELECTRONICS SPECIALIST II POSITION (DELETING POSITION 3100-2-1 AND ADDING CLASS CODE 3803 TO ACCOUNT NO. 630-44630)**

3. **APPROVE (OR DENY) THE REQUEST OF RAY LYNN HURST AND DALENE SMITH HURST (AKA DALENE S. HURST) FOR A DELAY IN THE RELOCATION OF THE EXISTING UTILITY POLES IMMEDIATELY EAST OF LOTS 1 AND 2, HURST FAMILY FARM SUBDIVISION, PLAT "A"**

The commissioners requested Regular Agenda Item No. 3 be continued to the next meeting of the Board.
CONTINUED TO MAY 5, 2015

5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A SOFTWARE MAINTENANCE AND SUPPORT AGREEMENT WITH THE SIDWELL COMPANY FOR PROGRAMS USED IN THE RECORDER'S OFFICE**

6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH CLAIMREMEDI FOR ELECTRONIC MEDICAL CLAIM TRANSMISSION**

The commissioners requested Regular Agenda Item No. 6 be continued to the next meeting of the Board.
CONTINUED TO MAY 5, 2015

7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE 2016 LOCAL SUBSTANCE ABUSE AREA PLAN TO BE SUBMITTED TO THE STATE OF UTAH DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH FOR SFY 2016 ALLOCATION PER AGREEMENT NO. 2012-309 (STATE CONTRACT NO. 122419)**

9. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2007-225 WITH CKR ENGINEERS, INC. FOR STRUCTURAL ENGINEERING SERVICES**

The commissioners requested Regular Agenda Item No. 9 be continued to the next meeting of the Board.
CONTINUED TO MAY 5, 2015

10. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MULTIPLE-AWARD AGREEMENT WITH GENEVA ROCK PRODUCTS TO PROVIDE HOT PLANT MIX ASPHALT**

11. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MULTIPLE-AWARD AGREEMENT WITH GRANITE CONSTRUCTION COMPANY TO PROVIDE HOT PLANT MIX ASPHALT**

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - April 28, 2015

Page 4

12. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MULTIPLE-AWARD AGREEMENT WITH STAKER & PARSON COMPANIES TO PROVIDE HOT PLANT MIX ASPHALT**
13. **ADOPT A RESOLUTION APPROVING THE AMENDED INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND EAGLE MOUNTAIN CITY CONCERNING THE UTAH COUNTY COMMUNICATIONS TOWER AT CEDAR PASS**
15. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE 2014 WILDLAND FIRE EXPENDITURES & COST SUMMARY**
16. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO ENTER INTO AN AGREEMENT OF AFFILIATION WITH UTAH VALLEY UNIVERSITY**
18. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE COACH KARL TUCKER FOUNDATION FOR SPONSORSHIP OF THE 2015 PROVO OPEN TOURNAMENT**

The commissioners requested Regular Agenda Item No. 18 be continued to the next meeting of the Board.
CONTINUED TO MAY 5, 2015

ACTIONS TAKEN

Consent Agenda Item No. 1 was **declared** as surplus; No. **2** was **continued** to the May 5, 2015 meeting of the Board; Nos. **3 and 5** were **approved and authorized**; No. **4** was **referred** to the Utah County Planning Commission and the Utah County Agricultural Advisory Board; No. **7** was **abated**; Nos. **6 and 8** were **tabled** for further discussion; No. **9** was **approved**; and No. **10** was **ratified**. **Regular Agenda Item No. 1** was **authorized**; Nos. **3, 6, 9 and 18** were **continued** to the May 5, 2015 meeting of the Board; Nos. **5, 7, 10, 11, 12, 15 and 16** were **approved and authorized**; and No. **13** was **adopted**.

AGREEMENT NOS.: 2015-223, 2015-224, 2015-225, 2015-226, 2015-227, 2015-228, 2015-229, 2015-230, 2015-231, 2015-232, 2015-233, 2015-234 and 2015-235
RESOLUTION NO.: 2015-58

REGULAR AGENDA

(PULLED FROM CONSENT)

6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UNIFIED FIRE AUTHORITY FOR EXPLOSIVE ORDINANCE DISPOSAL (EOD) ROBOT REPAIRS**

Utah County Sheriff James O. Tracy explained a state grant awarded \$90,000 for the replacement of robots, and the Unified Fire Authority has decided to upgrade a larger unit for that full amount. The county is serving as the pass-through funding source.

Commissioner Graves made the motion to approve and authorize an agreement with Unified Fire Authority for Explosive Ordinance Disposal (EOD) robot repairs as outlined in Consent Agenda Item No. 6. 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. 2015-236

(PULLED FROM CONSENT)

**8. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2015-7
(Continued from the April 21, 2015 Commission meeting)**

Commissioner Ellertson commented on Parcel Serial No. 66:283:0081, registered to Sherwood and Ann Marie Bridges, suggesting that the Board deny the application for settlement or deferral of delinquent property tax.

Commissioner Graves made the motion to approve the Property Tax actions contained in Recommendation Letter No. 2015-7, with the changes as discussed in Consent Agenda Item No. 8. 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 NOS. 2015-237, 2015-238, 2015-238(A), 2015-239 and 2015-239(A)
APPROVED WITH CHANGES

REGULAR AGENDA

2. ADD ONE FULL-TIME CAREER SERVICE DEPUTY - ENFORCEMENT POSITION (CLASS CODE 4016) TO THE SHERIFF'S OFFICE-ENFORCEMENT BUREAU IN ORDER TO PROVIDE SERVICES TO VINEYARD TOWN PURSUANT TO AGREEMENT NO. 2015-159

Commissioner Ellertson stated the cost covers the entirety of the deputy contract, but he does have questions about the deputy vehicle which can be answered outside of this meeting. Mike Forshee of the Utah County Sheriff's Office noted there is a difference of opinion on the matter.

Commissioner Graves made the motion to add one full-time Career Service Deputy - Enforcement position to the Sheriff's Office - Enforcement Bureau as detailed in Regular Agenda Item No. 8. 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

4. ADOPT AN ORDINANCE AMENDING THE UTAH COUNTY GOVERNMENT FEE SCHEDULE ADOPTED IN BOOK FORM BY SECTION 2-1-6 OF THE UTAH COUNTY CODE

Bryce Armstrong of the Utah County Community Development Office explained the need for some minimal updated to costs associated with the Utah County Planning Commission, including mileage reimbursement for Board members and use of county vehicles. He and Commissioner Lee discussed how payment becomes the responsibility of the requesting applicant for specific site visits.

UTAH COUNTY BOARD OF COMMISSIONERS
MINUTES - April 28, 2015
Page 6

Commissioner Lee made the motion to adopt an ordinance amending the Utah County Government Fee Schedule adopted in book form by Section 2-1-6 of the Utah County Code as identified 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**

ORDINANCE NO. 2015-12

8. APPROVE OR DENY A REQUEST FROM SPANISH FORK CITY TO WAIVE THE \$300 EVENT PERMIT FEE FOR USE OF VARIOUS COUNTY ROADS FOR THE FIESTA DAYS 10K TO BE HELD ON JULY 24, 2015

Utah County Public Works Director Richard Nielson noted this is an annual event conducted by Spanish Fork City which the county has accommodated in the past.

Commissioner Graves made the motion to waive the \$300 event permit fee for use of various county roads for the Fiesta Days 10K to be held on July 24, 2015 as described in Regular Agenda Item No. 8, with the finding that the benefit to the community exceeds the monetary fees in fair and adequate consideration to the county. 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. 2015-240

14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH SURVEY SAMPLING INTERNATIONAL, LLC TO PERFORM A TELEPHONE SURVEY RELATED TO STORM WATER AWARENESS

Commissioner Lee asked whether a telephone survey is mandated by the Environmental Protection Agency, and Utah County Public Works Director Richard Nielson explained that public education and outreach is required and this is the format the Utah County Stormwater Coalition has chosen in order to comply. A contractor also teaches fourth-grade classes annually as part of the education process. The amount for Survey Sampling International is approximately ten percent of the total budget; the county portion will be \$250.

Commissioner Lee made the motion to approve and authorize an agreement with Survey Sampling International, LLC to perform a telephone survey related to storm water awareness as discussed 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. 2015-241

17. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO ENTER INTO A PAID INTERNSHIP AGREEMENT OF AFFILIATION WITH UTAH VALLEY UNIVERSITY

Utah County Fire Warden Kevin Cortez explained how this agreement of affiliation will allow Utah Valley University students to receive school credit for a county program which already actively hires for the Summer season.

UTAH COUNTY BOARD OF COMMISSIONERS
MINUTES - April 28, 2015
Page 7

There was some discussion with Utah County Personnel Director Lana Jensen regarding paid and unpaid internships.

Commissioner Lee made the motion to approve and authorize the paid internship agreement of affiliation with Utah Valley University as identified in Regular Agenda Item No. 17. 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. 2015-242

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

- 19. APPROVE AND 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 (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

STRICKEN

- 20. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

STRICKEN

- 22. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES, PREVIOUSLY PUBLICLY NOTICED FOR SALE (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

STRICKEN

Commissioner Graves made the motion to strike Regular Agenda Item Nos. 19, 20 and 22 to set dates, times, and locations for closed meetings to discuss the character, professional competence, or physical or mental health of an individual or individuals; for a strategy session to discuss pending or reasonably imminent litigation; and for a strategy session to discuss the sale of real property, water rights, or water shares, previously publicly noticed for sale. The motion was seconded by Commissioner Lee and carried with the following vote:

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

21. **APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

Commissioner Graves 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, water rights, or water shares to follow the Regular Agenda and Work Session Agenda items today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Lee 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 9:38 A.M. to go into closed sessions. The public meeting reconvened at 9:56 A.M.

Commissioner Graves made the motion to adjourn the April 28, 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 9:56 A.M. The minutes of the April 28, 2015 Commission meeting were approved as transcribed on June 2, 2015.

LARRY A. ELLERTSON, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor