

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
October 27, 2015 – 9:00 A.M.

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

ALSO PRESENT:

Bryan E. Thompson, Utah County Clerk/Auditor	Mike Forshee, Utah County Sheriff's Office
Kim Jackson, Utah County Treasurer	Eric Edwards, Utah County Health Dept.
Kris Poulsen, Utah County Assessor	Bryce Armstrong, Community Development
Gary Ratcliffe, Utah County Surveyor	Julie Rollins, Utah County Purchasing Agent
James O. Tracy, Utah County Sheriff	Steve Mickelson, Utah County Health Dept.
Jeff Buhman, Utah County Attorney	RaNae Powell, Utah County Health Dept.
Jeffrey Smith, Utah County Recorder	Carl Hollan, Utah County Deputy Attorney
Dave Shawcroft, Civil Division Chief	Julie Dey, Utah County Health Dept.
Ralph Clegg, Utah County Health Dept.	Doreen L. Radford, WIC
Richard Nielsen, Utah County Public Works Director	Debbie Shoemaker, Utah County Health Dept.
Lana Jenson, Utah County Personnel Director	Don Watkins, Mayor of Alpine City
Lisa K. Nielson, Utah County Commission Office	Paul Jones, Utah County Deputy Attorney
Michelle Araujo, Utah County Commission Office	Richard Nance, Utah County ADAPT
Brian Voeks, Utah County Commission Office	Tricia Zippi – no further information given-
Jim Stevens, Utah County Assessor's Office	Ross Welch, Alpine Resident
Dalene Higgins, Utah County Sheriff's Office	Mike Stansfield, Fairways Media
Andrea Allen, Utah County Recorder's Office	Paul Kroff, land developer
Peggy Kelsey, Community Development	Steve Zolman – no further information given-
Josh Ivie, Community Development	Vicky Westergard, Clerk/Auditor's Office

Commissioner Ellertson called the meeting to order at 9:08 A.M. and welcomed those present.

The Board momentarily recessed to assemble as the Administrative Control Board of the Utah Valley Road Special Service District from 9:08 A.M. to 9:12 A.M., the Board of Directors of the Municipal Building Authority of Utah County, Utah from 9:12 A.M. to 9:15 A.M., the Board of Trustees of Utah County Service Area No. 6 from 9:15 A. M. to 9:17 A. M., the Board of Trustees of Utah County Special Service Area No. 7 from 9:17 A.M. to 9:19 A.M., the Board of Trustees of Utah County Special Service Area No. 8 from 9:19 A.M. to 9:22 A.M., and the Board of Trustees of Utah County Special Service Area No. 9 from 9:22 A.M. to 9:24 A.M. The Utah County Board of Commissioners reconvened at 9:24 A. M., and the commissioners moved forward with the following matters:

PRAYER/READING/THOUGHT: Steve Mickelson
PLEDGE OF ALLEGIANCE: Mayor Don Watkins

Commissioner Ellertson asked if anyone had public comments for an agenda items to please let them know.

CONSENT AGENDA

1. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDED CONTRACT WITH THE AMENDED STATE OF UTAH FOR FY 2015-20 FUNDING FOR THE UTAH COUNTY CHILDREN'S JUSTICE CENTER**
2. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CONTRACT WITH THE STATE OF UTAH FOR FY 2015-16 FORENSIC INTERVIEW POSITION AT THE UTAH COUNTY CHILDREN'S JUSTICE CENTER.**
3. **ACCEPT THE UTAH COUNTY COMMUNITY DEVELOPMENT GRANT IN THE AMOUNT OF \$19,760.00 FOR THE IMPLEMENTATION OF THE ELECTRONIC HEALTH RECORD IN THE DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT**

Commissioner Ellertson asked if there was a form that needs to be signed saying this was accepted. Dave Shawcroft said the record of today's meeting, the minutes, would be record of its acceptance.

4. **DECLARE 4 AUTOMATED EXTERNAL DEFIBRILLATORS AS URPLUS TO BE DISPOSED OF AS JUNK.** Sheriff Tracy explained he did not know if we have replacement for these defibrillators. They have a time out where they have a manufacturer's deletion date. This is when they no longer guarantee the circuitry and the batteries.
5. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER #60331 DATE 10/22/2015**
6. **TO APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER #20345**
7. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY**
8. **RATIFICATION OF WARRANT REGISTER SUMMARY**

Consent Agenda Item Nos. 1 through 8 were approved as written. Commissioner Eilertson recommended the following Regular Agenda items be moved to Consent:

4. **ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH ALPINE CITY REGARDING THE NOVEMBER 3, 2015 GENERAL ELECTION.**

5. **ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH CEDAR HILLS CITY REGARDING THE NOVEMBER 3, 2015 GENERAL ELECTION.**
6. **ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH LEHI CITY REGARDING THE NOVEMBER 3, 2015 GENERAL ELECTION.**
7. **ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH OREM CITY REGARDING THE NOVEMBER 3, 2015 GENERAL ELECTION.**
8. **ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH VINEYARD CITY REGARDING THE NOVEMBER 3, 2015 GENERAL ELECTION.**
11. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE STATE OF UTAH, DIVISION OF CHILD AND FAMILY SERVICES FOR THE CHILD ABUSE PREVENTION PROGRAM.**
12. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO ACCEPT AND AWARD FROM THE STATE OF UTAH FY 2015 VOCA VICTIM ASSISTANCE PROGRAM GRANT TO THE UTAH COUNTY ATTORNEY'S OFFICE IN THE AMOUNT OF \$43,250.24**

David Shawcroft explained this is the same agreement we have had for years.

13. **APPROVE AND CERTIFY THE ENVIRONMENTAL REVIEW RECORD FOR THE FAY JOHNSON HOUSING REHABILITATION COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT.**
14. **APPROVE A MOUNTAINLAND ASSOCIATION OF GOVERNMENTS UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD UP TO \$10,000.00 TO BIG BROTHERS BIG SISTERS OF UTAH FOR THE SCHOOL-BASED MENTORING PROGRAM AT GROVECREST ELEMENTARY SCHOOL.**
15. **APPROVE A MOUNTAINLAND ASSOCIATION OF GOVERNMENTS UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD UP TO \$30,000.00 TO KIDS ON THE MOVE, INC. FOR BUILDING RENOVATION.**
16. **APPROVE A MOUNTAINLAND ASSOCIATION OF GOVERNMENTS UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD UP TO \$23,086.00 TO MOUNTAINLANDS COMMUNITY HEALTH CENTER, INC. FOR THE PAYSON PHARMACY DISTRIBUTION PROJECT.**
17. **APPROVE A MOUNTAINLAND ASSOCIATION OF GOVERNMENTS UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD UP TO \$10,000.00 TO ROCKY MOUNTAIN UNIVERSITY OF HEALTH PROFESSIONS FOUNDATION FOR THE COMMUNITY REHABILITATION CLINIC.**

18. **APPROVE A MOUNTAINLAND ASSOCIATION OF GOVERNMENTS UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD UP TO \$50,000 TO WASATCH MENTAL HEALTH FOR THE ELEVATOR ADDITION TO SOUTH CAMPUS BUILDING.**
19. **APPROVE AND AUTHORIZE THE UTAH COUNTY CLERK/AUDITOR TO SIGN A SPECIAL WARRANTY DEED FOR THE SALE OF PROPERTY LOCATED AT 640 NORTH 1100 EAST, AMERICAN FORK, UTAH WITH TAX PARCEL #14-018-0019, TO JOHN S. MCKINNEY.**

The commissioners requested Regular Agenda Item No. 19 be tabled for discussion later in the agenda. TABLED; *please refer to the final page of these minutes for additional notations.*

ACTIONS TAKEN

Consent Agenda Item Nos. 1 and 2 were authorized; No. 3 was accepted; No. 4 was declared as surplus; Nos. 5 and 6 was approved; No. 7 was adopted; and No. 8 was ratified. Regular Agenda Item No. 4 was approved and adopted; Nos. 5, 6, 7 and 8 were adopted; No. 9 was stricken; Nos. 11 and 12 were approved and authorized; No. 13 was approved and certified; Nos. 14, 15, 16, 17 and 18 were approved; No. 19 was tabled for further discussion.

AGREEMENT NOS.: 2015-708, 2015-709, 2015-711, 2015-712, 2015-713, 2015-714, 2015-715, 2015-716, 2015-717, 2015-718, 2015-719, 2015-720, 2015-721, 2015-722, 2015-723, 2015-724, 2015-725, and 2015-726.

RESOLUTION NOS: 2015-128, 2015-129, 2015-130, 2015-131, 2015-132, 2015-133, 2015-134, 2015-135, AND 2015-136.

REGULAR AGENDA

1. **DENY (OR ADOPT) AN ORDINANCE TO AMEND THE UTAH COUNTY GENERAL PLAN LAND USE MAP FROM AGRICULTURAL/WATERSHED TO RESIDENTIAL, AND TO AMEND THE UTAH COUNTY ZONE MAP FROM THE CRITICAL ENVIRONMENT (CE-1) ZONE TO THE TRANSITIONAL RESIDENTIAL (TR-5) ZONE IN SECTION 13, T4S R1E AND SECTION 18, T4S R2E, ALPINE AREA OF UTAH COUNTY (CONTINUED FROM THE SEPTEMBER 23 AND 29, 2015 COMMISSION MEETINGS)**
2. **DENY (OR ADOPT) AN ORDINANCE TO AMEND THE UTAH COUNTY GENERAL PLAN LAND USE MAP FROM AGRICULTURAL/WATERSHED TO RESIDENTIAL, AND TO AMEND THE UTAH COUNTY ZONE MAP FROM THE CRITICAL ENVIRONMENT (CE-1) ZONE TO THE TRANSITIONAL RESIDENTIAL (TR-5) ZONE IN SECTION 18, T4S R2E, ALPINE AREA OF UTAH COUNTY (CONTINUED FROM THE SEPTEMBER 22 AND 29, 2015 COMMISSION MEETINGS)**

Commissioner Ellertson explained Item Nos. 1 and 2 are requests to amend the County general plan use map on 2 different sections. Bryce Armstrong, Community Development, described how two separate applications were provided on two different areas to change existing zoning from Critical Environment (CE-1) to a Transitional Residential zone (TR-5). There would need to be different actions. The TR-5

involves a general plan land use designation change from agricultural watershed to residential. He continued by explaining how the staff was previously directed to work with the attorney's office to draft a development agreement that contemplated a potential approval. This approval included a portion of the property being designated TR-5 and another portion being designated Critical Environment 2 zone (CE-2). There are different density requirements for the CE-2 than the TR-5 zone. Bryce continued explaining that generally if you are doing a subdivision, it is 1 house per 20 acres. There are provisions to have different types of developments that allow a greater density. The development agreement that was drafted restricted the CE zone portion to one house per 20 acres. He described communication from Mr. Sorenson, Alpine City's engineer, to Glen Tanner that showed the City's perspective as to potential development standards of this area.

Commissioner Ellertson asked Bryce why we would consider this rezoning. Bryce answered saying the easy answer is because they applied for it. The Planning Commission submitted its approval. Bryce added the purpose of the TR-5 designation, created in the 1970's, was to facilitate areas that were anticipated to be annexed into adjacent municipalities. So the function of the TR-5 was to facilitate that incorporation or annexation. He continued describing the planning commission staff's concerns with designating areas TR-5 and then having them remain in the County as TR-5. Bryce added they have had some experience with that happening in this area. He answered Commissioner Ellertson's question by commenting to consider changing the zoning would look at the purpose of the TR-5 zone and to facilitate annexation. Ultimately, the planning commission acknowledges portions of this area may appear to be suitable for development, but at some point, this needs to be dealt with by the city. Commissioner Ellertson asked if part of the reasoning was they preferred that it be developed in the city and that we allow them to work with the city to try to work things out so they can get it annexed into the city rather than develop in the county. Bryce answered in the affirmative. Commissioner Lee commented that their negative vote on that was due to county regulation. He continued by asking if they acknowledge there is a part there that should and could be developed. Bryce remarked that he thought there were portions of the property that appeared suitable for development. He said he understood most of the planning commission went on a site visit. He commented he believed their basis was that most of these properties needed to be developed through the annexation process.

Commissioner Ellertson asked Bryce to explain the purpose of the CE-1 zoning. Bryce complied by explaining how the CE-1 zone is the county's most restrictive zoning designation. It has a minimum lot size of 1 house per 50 acres and has generally been placed over public lands, areas of wildlife habitat, natural hazards, or watersheds. As to how this land was originally designated as CE-1, Bryce said he believed this designation came about in the mid to late 1970's. In that process much of the hillside and mountainside was designated as CE-1. The County went through a process that worked with the cities to designate which areas would be designated as the TR-5 zone. He explained at that time the TR-5 zone was originally designated as an annexation policy declaration. The County worked with each city, including Alpine City, to designate which properties would be annexed in 1976 or in the future. Then, the county applied the TR-5 zoning to those areas. The balance was left in either the mining/grazing zone or the CE-1 zone. Commissioner Ellertson explained he understood that was a "holding zone" until such time something else would occur on the land. Bryce commented he guessed that was one way of looking at it if some of these areas didn't meet all the criteria of the critical habitat and hazards. He added much of these areas did fall under the characteristics of the CE-1. Bryce pointed out that in looking through

some of the minutes that in 1976 Alpine was smaller. Some of these areas were not contemplated for the TR-5 at the time. As a safety net, he added, he thought they were designated CE-1. But, he stated, the CE-1 zone's purpose does not include holding zones. It does function to some degree as that. Commissioner Ellertson stated as he understood it, this property is in an annexation declaration. Bryce answered it does currently lie within Alpine City's annexation policy declaration. This applies to both Item Nos. 1 and 2. Commissioner Lee expressed he had heard the CE-1 was described as a "broad-stroke" above a certain elevation and this is how it was designated in the past. He questioned whether or not this was true that they went off of elevation. Bryce replied he had not found any reference to a standard based on elevation. He said he thinks it was based on topography, natural boundaries, and section lines to delineate between the two zones. Continuing, he stated the county tried to pick naturally recognized features that clearly delineate a boundary.

Commissioner Ellertson then asked Bryce to explain what TR-5 zone allows for and if the proposal is relative to density. Bryce answered that the TR-5 zone allows a subdivision of 1 house per 5 acres with wells as the water source. It also allows subdivisions serviced by a central water system to have lot sizes down to 20,000 sq. feet or less than 1 acre.

Bryce stated they do not have a development plan yet. That would come through the development process that comes with a re-zone. He reiterated that they have not seen an official subdivision plat yet. He said there is not one in companion with this request. Bryce described to the commissioners how he felt there was some fluidity to the process and how that has been occurring. Commissioner Ellertson asked Bryce if he had shared the draft of the agreement with the city. Bryce replied he didn't think the city had seen it. Commissioner Ellertson commented that if they were to get below the 5 acres, a water system would need to be put in and also a recommendation to put in a sewer system. Bryce said they would definitely recommend that the property be provided by a central water system. The TR-5 Zone does allow, he said, septic tanks based on approval by the health departments. He continued saying he thought those should be avoided. Commissioner Ellertson mentioned how the TR-5 zoning would allow for half acre lots which would be in the 80 to 90 range. He remarked that if he read it correctly, the total maximum building lots would be limited to 60 on the Oberre and 10 on the grant piece. The minimum lot size would be .75 acre. Bryce countered that this was what the developer to a degree had represented they wanted. He said they had picked a number to cap it at. Commissioner Lee asked if there would be sidewalks and roads up to Alpine's and Utah County's standards. Bryce answered yes. He said that often can be a challenge to annexation if you have substandard right-a-ways. We want those to be consistent with the city. Commissioner Ellertson read "be a minimum of .75 acres with not being less than 20,000 sq. feet." He continued saying the minimum average would be less than .75 acre with nothing less than ½ an acre. Bryce explained on one side of the subject property is Alpine Cove which the county developed as 1 acre lots. One the other side there are ½ acre lots. They were trying to mesh density for both of those adjacent developments.

Robert (Rob) Moore, Civil Attorney's Office, reminded the commissioners that they were here for a legislative decision. He continued saying a legislative decision means today you have the greatest autonomy to make your decisions as far as approval or non-approval of these rezone requests. Rob defined development agreements as land use controls that are allowed under statute. He said he had been working with Paul Kroff. He commented he felt Mr. Kroff had agreed to most of the sticking issues

that Alpine would like them to do except for the following: 1) Development of Grove Drive. Rob said he thought Alpine City would like Grove Drive developed all the way down to Alpine Blvd from the 90 degree turn. Mr. Kroff has not agreed to that. He continued explaining $\frac{3}{4}$ of Grove Drive, at that portion, is within the city itself and $\frac{1}{4}$ of that is within the county (from the right turn down to Alpine Blvd). Rob described how in their most recent version of the resolution they provided, there is a blank as to how far down they are going to require development. He stated it sounds like there are still some negotiations to be had. 2) Density – Mr. Kroff has requested 60 lots or more but has agreed to 60. The city has come down to between 45 and 50 based on one acre lots. They have requested one acre lots. 3) Discussion of connection to Elk Ridge Lane. The city would like the development to connect with Elk Ridge Lane. Mr. Kroff has not conceded that issue. That street is a grant property and is immediately adjacent to where that street dead ends. Commissioner Graves asked what the city's reason for wanting that road. Rob answered it was because their master plan had that road going through that property. That is why they dead ended it up against the grant property. He continued saying he didn't think Mr. Kroff was totally opposed to it. They haven't conceded on that issue. Commissioner Ellertson asked if the plans show Elk Ridge Lane connecting to road within this area that would allow passage through the area. Bryce said Elk Ridge Lane would connect to Grove Drive at the 90 degree intersection. Commissioner Ellertson asked where Elk Ridge Lane would connect to this property and connect back to Grove Drive. Bryce said it dead ends into the grant existing house. Then, the proposed alignment would veer to the east, through the subject property, and connect to Grove Drive. Rob stated based upon his discussion with Mr. Kroff and correspondence from the city, these are the main outstanding issues. These issues are probably preventing it from being annexed.

Rob remarked that the development agreement has a couple of more issues that need to be added to it. There are legal requirements they want us to include in development agreements if you are inclined to approve it. Also, if you are inclined to approve it or deny it, given that in the past there have been challenges subsequent to your decisions, he requests that it be approved subject to findings that we would present on your agenda next week. Then, he could draft the finding in accordance therewith. If you do approve it, he also requests that a development agreement be on your agenda next week. Any approval would be continued one week and approved at the same time as the development agreement. That would be his preference. Rob said the development agreement is 95% done unless changes are made to it. Commissioner Graves explained his concerns with the word "exceeds" in the legal language of the document. Rob explained the issues he raised are the outstanding issues but that there may be more. Commissioner Graves stated he understood there is a third option, but to him, "we are at an impasse." He continued saying as commissioners, we need to make a decision whether it is an approval or a denial. If it is continued, it will continue to be played back and forth. He said if it is our desire to give to the city and let them move, then let's deny it and wait for a reapplication. Commissioner Lee said he would agree on most parts but disagreed on a couple of areas. He said the city hasn't seen what the development plan that is presented on the county level. Commissioner Lee added he didn't know if they would agree or not with what they would see there. He said his goal is to find a way that this ultimately ends up in the city. His process has been to find a path that will work for everyone involved now and in the future.

Rob addressed the development agreement. This is the skeleton of what the eventual plan will be. They have to comply with it. Whatever number is in it has to be complied with. He commented that they have not provided development agreements to the city and typically do not as they do not require city approval.

He explained he has tried to address the issues that the city has raised. Additional issues the city has is with storm water. County ordinance requires storm water to be maintained on site. They would have to plan to keep storm water on site. The second issues is sewer. He remarked how Mr. Kroff was initially resistant to sewer but recently agreed to it. Commissioner Graves pointed out the biggest issue to him was the third one. The road is on their master plan. Rob reminded the commissioners of how he said at the beginning, this is legislative decision. They could require that to be in a development agreement. If Mr. Kroff didn't want to sign that, then they would be done. All of these things could be required to be in a development agreement. It is a rezone request. You have the greatest ability to do whatever you want to do at this time. If you approve it, you lose almost all of that ability to make changes. If you want to make changes, this is the time. Commissioner Lee commented they have to have two points of access and have that already. He described how he agreed with the Elk Ridge Lane development. Rob clarified that there is two accesses. Elk Ridge Lane is a request of the city because it is on their master plan. There was more discussion on the roads in the area and whether or not they would be considered an access point. Rob addressed the development of Grove Drive. He said the right-hand turn will have to be changed to a "T". There will be some requirements on that intersection to be improved as that will be the main entry. Bryce agreed that would be the main entry. Rob described how the intersection would have to be improved to allow for access. Alpine has also requested they develop down to Alpine Blvd which is 2100 feet to the south. Commissioner Lee asked if the properties along Grove Drive are one acre lots, and will there further development where they split it in half and put more on there. He said typically, development goes in and they put in street, curb, and gutter for their property which adds traffic. He asked if that was a reasonable request to develop that road. Commissioner Lee asked how that will get addressed in the future if that doesn't get addressed in the beginning. Commissioner Graves described how he contacted other city engineers to find out what their practices were. To him, the improvement of the intersection is the only requirement other cities have to maintain a safe standard. He said it would be in Alpine's best interest to continue the improvement of Grove Drive. They would come to MAG for a MAG improved project. Rob said if both parties agree to it, it is reasonable. There is a question as to how much impact this new development will have on that road. It is a sticky situation when you start requiring offsite improvements on an existing road. He remarked the developer might think that too much is being asked of them. He said that is the sticking point. He felt like the city is saying this development will increase the traffic and cause more problems on that road. The developer's response is "not that much" and shouldn't be responsible for all that all the way down. Rob said we wouldn't require that all the way down. Commissioner Ellertson summarized what of the development agreement that had been developed at this time. Rob said the development agreement as contemplated would allow for on the Oberre a change to TR-5 zone on part of the property and to CE-2 zone on the other part of the property. On the part of the property that is TR-5, it would be 60 building lots with no lots less than 20,000 sq. feet. But the overall average would be .75 acres or greater. So, of the 60 lots, there would have to have some larger and some smaller lots to get that. But the smaller ones would not be less than 20,000 square feet. On the CE-2 portion of it, it is one residence per 20 acres. In addition to the improvements that would be required, we would include all roadways within the development be approved to the improvement standards of the city and the county (a central water system, central sewage system, curb, gutter and sidewalks approved to equal to county or city standards, and all other requirements of our county ordinances). In addition, they would be required to have a fire protection assessment if we require that. That way the county would not be on the "hook" for any additional assessment that might be assessed. There are also a couple of legalese languages that needs to be added to this. Rob reiterated the three

outstanding issues explained before on the Oberre property (development of Grove Drive down to Alpine Blvd, density issue of 60 vs 45-50 lots, and connection to Elk Ridge Lane). For the grant property, TR-5 has 10 total lots. It doesn't have the average density the other one has. It allows all of the lots be down to 20,000 sq. feet. This is closer to what the city has for their half acre lots. It would be matching the neighboring lots. All of the conditions would be the same.

Commissioner Lee asked what the thinking was behind changing from CE-1 to CE-2. Bryce said that was the request of the developer. Zoning regulations for CE-2 would allow for 20 acre lots. He said the original concern was that CE-2 does allow for higher densities (rec resorts and mountain home developments). That was addressed by the limitations put in the development agreement. There is the option to have that at 50 if the commissioners so choose.

Paul Kroff, 185 N Pfeifferhorn Dr., Alpine, commented to the commissioners how the county's staff has been responsive and great to work with. He updated the commissioners how they had been working with the city to get an affirmative answer on this. He said he had met with the councilmembers that were accessible. He described how he had sent out to all councilmembers some specific terms in which they would be interested in coming to the city. He continued describing the different meetings he had attended with the city to go over those terms and what he had tried to do with the city. He said after those meetings, they heard the mayor was drafting a resolution which he was sharing with the county and was hoping to get approved at the next city council meeting. Mr. Kroff remarked how it made them nervous as the terms had never been discussed directly with them. As a result, they requested to be off that night's city council agenda as they had not had a chance to review those terms at all. He said they felt uncomfortable that the city would try to pull a "fast one" on them and try to annex them under terms they are uncomfortable with. Paul described how the critical environment zoning is doing for their property. He continued saying how he felt the city was using it as leverage against them. He said he first saw the draft resolution the previous night which told him we are still quite a ways away. Paul stated he thought the county moving forward today would frame a discussion at the city tonight and in the future. It would allow a property owner to move forward pursuing his property rights and the pursuit of happiness and compliance with the constitution. He remarked that he felt the zoning category that is on the property now has been a big hurdle for them to move forward in a productive way either with the county or the city. Paul requested that the commissioners move forward with an approval.

Commissioner Ellertson said he was aware of, but may not be totally accurate on, in the city's proposed resolution they are stating they would like to maintain minimum lots of 40,000 sq. feet which is equivalent to an acre. He continued saying if we do that would get us to the 50 – 54 range in terms of number of lots. He asked Paul to comment on this. Paul said if you didn't do a site plan lay out, theoretically, you might be able to get that many. He said they have done a site plan lay out that accounts for roads and open space where they think they can get 44-45 lots with no additional amenities. He said that is just lot to lot. Commissioner Ellertson commented there was a gap between what it may calculate without looking at the actual lay out. Paul explained this was the same for both properties. Commissioner Ellertson remarked if in the development agreement we are proposing for the county, the total would be closer to 70. Paul replied yes between the two properties. He continued saying the principle they would like to pursue, as we have talked to neighbors and consider the neighboring properties, is that they would have half acre lots on the south end and acre lots on the upper end. They would like to increase the

acreage as we go up. He described how the property spans over a large area (200 acres). He said he feels we have the room to do that as it is a design that would fit the neighborhood. Commissioner Graves asked why CE-2 versus CE-1 on the remaining property. Paul answered they think the CE-2 category accomplishes much the same thing in preserving hillsides and watershed areas as they do have a lot of preserved area. He stated he felt like the current proposal is a good one where we recognize there is hillside property and there is residential property. The hillside area would still be 110 acres. If it is 50 acres per home that would allow us possibly 2 more lots on 110 acres. Paul said they would like to pursue a few more lots at 20 acre minimum lot size. That could allow a possible 5 lots. We would be interested in pursuing 5 if we are able to in the CE-2 area.

Commissioner Lee asked how it works when there is a conservation easement on the majority of the property. Paul responded the conservation easement currently does not allow any structures to be built there. It strips away any development rights to preserve the property for agricultural and farming purposes, and preservation of hillside. None of the structures would be built in the conservation easement area. It would be in the other open space area. Commissioner Ellertson queried whether the 5 lots would not include anything on the conservation easement. Paul returned they would not. Commissioner Ellertson continued querying if they would by using the conservation easement acreage get the 5 lots. Paul explained they would not use the conservation easement area in calculating the additional lots. Commissioner Lee returned to the lot size. He asked how they were getting the 45 lots from the 60. Paul replied if they kept them all to an acre lots size and no greater, they might be able to get to a higher number than 40 – 45. He stated the site plans they would like to pursue would have larger lots up adjacent to Alpine Cove. Commissioner Graves asked if they were seeking approval on 60 acres even though they didn't think they would ever reach that number. Paul said it was hard to say as they were seeking zoning to allow them to pursue development consistent with the zone ordinances in place. On top of that, he added, they have been asked by the city, and now by the county, to put a max density on that which may be lower than the ordinances allow. He said they didn't necessarily have a specific site plan in mind. Everything is subject to change. We may not get to 60 lots when it is fully laid out the way we would like to. Commissioner Lee asked if theoretically if it was continued, would there be hindrances to trying to move forward with the city, county and the developer. Paul repeated Commissioner Lee's question and answered that in his experience that the city has used the CE-1 zoning category as leverage to ask additional items of them as they pursue development of their property. He said they feel, appropriately recognizing the zoning of that property for what it is, a portion Critical Environmental and a portion residential, helps frame the discussion that there will be development on that property. Development that the owner is interested in and the city would accept. He said he felt like they were truly at an impasse with the city. He continued saying what they have on the agenda tonight has not been in negotiation. It is a mandate drafted by the mayor and a mandate that he hopes to have approved by the City Council that fixes the terms. Paul reiterated that those terms have not been discussed with us. We feel that approving this today would frame a discussion tonight in the council and in the future, the property. If it is unsuccessful, we would be able to proceed with development in the county. Commissioner Lee countered that he thought the CE-1 was off the table. He continued saying he didn't think anyone was wanting 1 residence per 50 acres. He said he thought everyone was trying to figure out what was best for the city, the property owners, and for the residents that will be living there. He commented he didn't think that CE-1 was being used as leverage anymore. Commissioner Lee said everyone agrees it will be developed. The question is how it will be developed.

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Paul then addressed the off-site conditions and how they become a tax on a property owner. He first commented on how fully improving Grove Drive from the 90 degree bend down to Alpine Blvd., when their project fronts very little of that, would be a big burden on the property owner. To this Commissioner Graves stated in his opinion that is not a property developer's concern. He continued saying he is more concerned about the other road that ties in to the city's master plan. He asked Paul what his thoughts on that were. Paul explained how Elk Ridge Lane is the south connection they would do. He mentioned how they would like to develop the property in phases. He said they would like to do 30 lots with their primary access being on to Grove Drive at the improved intersection and 30 lots would be out to Elk Ridge Lane. At the time the southern half is developed, Elk Ridge Lane would go through. Paul said they would early on dedicate the necessary right-a-way for that road to eventually go through. If the city wanted that connection to go through, it would be there. He continued saying they would like in the first phase to develop some of the southern lots and would extend Elk Ridge Lane further than it is done now in anticipation that when the full property is developed, it would go through. He said they didn't have an issue with that.

Commissioner Lee posed one last question. He asked if Paul thought approving this today would facilitate somehow into the future this property going into the city and if so, how? Mark responded absolutely, that he did believe it would facilitate it. He said the development agreement worked out by the county's staff will help accomplish that. Paul mentioned the survey the mayor of Alpine City sent out to city residents in which 800 responded. One of the questions on the survey was "Are you interested in annexing county property if there is already a development in place?" 64% of the respondents said yes. He said he does think there is a desire in the City of Alpine to create a sense of community. He continued saying he felt if they develop in the county with standard that is acceptable to the city, it will at some point be annexed.

Don Watkins, Mayor of Alpine City, explained the zone changes the survey asked about what the results were. On the annexation question, he continued, people would love us to annex it, control it, and design it. He said that was not their option. He mentioned how the referendum showed how they felt about rezoning hillsides. He explained this is watershed CE-1 and wildlife area. He said he thought CE-1 should be supported for many critical reasons. The reality he has come to understand is true that in 2009 there was declaration (no agreement) that said we would annex this property. The discussions in those minutes discussed Grove Drive, Elk Ridge, and one acre zoning. The declaration by the city council was that this should be one acre lots. Mayor Watkins addressed density. He said once he realized the commissioners felt this should be developable country, spoke with staff and asked to know the density. The horse shoe, all the way around it, comes out at 1.3 acre lots. The little portion at the bottom of this property has half acre lots but is in 1 acre zoning. He mentioned the different numbers of total lots that had been discussed. He remarked how the email that said when development is put in, Elk Ridge Lane would be developed. He mentioned how he felt Mr. Kroff's strategy was to get the commissioners to rezone it. Then, that would intimidate the city to think they will do more. Mayor Watkins spoke on off-site conditions and how they are standard in cities to do this. He gave an example of an elderly lady that developed some property that had to put in a \$7-800,000 road through his property because he didn't want to develop it. He continued describing how it was standard that the outside cannot be developed unless they want to front the improvement. He said this is how it usually works on infrastructure. Density is there is all one acre

property all around them. Commissioner Graves asked for what reason. Mayor Watkins said he didn't know. He gave an example of Three Falls Subdivision that has 750 acres and only 55 lots were allowed to which the developer agreed. On another property, the developer has to put in a \$2 million road.

Mayor Watkins continued by talking about improvements to Grove Drive, to Heritage Hills. He said he didn't get involved in that part as these were things his staff came up with. He said if this were already in his city, these requirements are ones we would require of anybody. These are things my staff said we would require. He continued saying his city attorney said to tell the commissioners if they want to develop it, please work with them. Mayor Watkins said these are things we came up with for the safety of the citizenry. Mayor Watkins brought up 5 acre lots and septic tanks. He said to him, septic tanks would be great. He described how he had the feeling the county would possibly do 1 acre zoning and that they would not require things they, the city, would require as normal. He said he agrees with the commissioners, and Paul that they all were "there".

Commissioner Ellertson said the question that remained in his mind was about the number of lots. Mayor Watkins said he didn't know what the formulas are but his staff does. He said his staff came back and said they would give him 55 lots of 1 acre each on both properties. This is a minimum of 40,000 sq. feet.

Mayor Watkins said he had taken some heat for delaying the process. He said he thought that was unfair. He said it was only about 2.5 weeks ago that they got the development agreement from the developer. At that time, he said, he asked his staff to create their own agreement. He described the series of meetings he had wherein density was discussed. Commissioner Ellertson explained he was trying to say the developer was attempting to ask how he can get the resources to make some of the improvements that were being requested. Commissioner Ellertson said that was what he would like to see if we can get to yes on or to get some agreement on, rather than going to our corners and saying "That's it". Mayor Watkins asked Commissioner Ellertson if he was saying it ought to be reasonable. Commissioner Graves explained his concern with Grove Drive is due to the conversation he had with Mayor Watkins and his city council. He stated Mayor Watkins told him "This is a disaster, Commissioner. This road has to be fixed." Commissioner Graves challenged that by saying if it is still such a big disaster, then that is a city issue. He said that is not Paul's issue. He continued saying if Paul adds to it, he needs to help fix that problem. He agreed with Mayor Watkins saying if Paul adds to the issue, for the safety of everybody, that becomes an issue. Mayor Watkins agreed that it becomes a "can of worms". He added they usually do not ask developers for their profit and loss, but say what they required. Commissioner Ellertson commented that the one acre lots gets them a lot closer to the 55 lots than to 45. Mayor Watkins agreed. Commissioner Lee asked if this resolution is a "bright line in the sand" or is it still a tool to be worked with. Mayor Watkins described talking to the councilman to see if they could see his logic and their answer. Commissioner Lee asked if the mayor could see continuing conversation for the possibility of this happening. Mayor Watkins answered in the negative. He said he had gone from trying to make a compromise to here.

Commissioner Graves explained he had another question for the Mayor. He said the Mayor had alluded to a previous annexation plan in 2009 built by other people, with other things that weren't necessarily agreed to. But Alpine called for 60. So, why not go back to 60 and go back to your original plan. Mayor Watkins said there was no written agreement. These were discussion points. Commissioner Graves said his question was what was so unreasonable about that annexation discussion. What did he find when he

reviewed those notes that led him to believe they're so wrong that I am going to cut this number in half. He continued asking what led to him to go from 60 to 31 lots. Mayor Watkins said it simply was he had no idea of the declaration ever happening. Commissioner Graves stated that in and of itself does not make it unreasonable. Mayor Watkins said he had thought it was 1 per 50. He said he thought they should be reasonable and find a compromise. He thought 31 was a compromise.

Commissioner Ellertson said, generally speaking, the mayor was looking to have acre lots. But if in the layout of the subdivision it is considerably less than that, is there any movement to tweak it to get what is going to be included in the one acre proposal. Mayor Watkins said he didn't know but that his staff had spent a lot of time on this. He said he was confident in their number of 53 or 54. Commissioner Ellertson said he would like the city council members to be aware of the draft agreement that is being worked on so they will know some of the things the county is talking about and try to agree on.

Commissioner Graves asked the mayor to excuse his extreme bluntness, but then described how it had been reported to him that the mayor had made the statement that if they just got this into the city, it would get easier on our referendum and we wouldn't have to go through the county. So, he said, when he hears that, it tends to make him believe it is a game. He continued saying he had heard that from 7 different people (and had written it down each time from those sources). He said he would like to give the mayor the chance to respond. Mayor Watkins asked Commissioner Graves to clarify what the allegations were. Commissioner Graves said we came so close on beating the referendum, that if we got this into the city, the referendum threshold would be considerably less by 18,000 to be exact. Mayor Watkins asked to go through a scenario. He said he thought it was a false assumption. The rumor that is being heard is that if we an agreement with him, annex him, then there will be a referendum. He stressed he was "transparent". He said he sent an email out that says he knew they voted for no zone change. He continued saying in the email stating that they didn't control the county. He wrote that the county may not require requirements the city normally requires. He said he didn't think there would be a referendum. Commissioner Graves noted that the development agreement was drafted with all of the intentions of meeting the city's requirements. He continued saying it was never an intent to stop this process. Commissioner Ellertson said it has been drafted in the manner that it potentially could be accepted. Mayor Watkins said that would be awesome. He said they have not been playing games. He thanked the commissioners and the planning commission for their efforts. Commissioner Lee concluded the discussion by saying hopefully we can move forward in a way that will be positive for the citizens of Alpine and the county. There was no public comments on these items.

Commissioner Graves made the motion to continue Items No. 1 and 2 for one week to allow the legal department to do its findings and the development agreement (also making that current draft available to Alpine City but working with both sides to reach a conclusion).

Rob asked for some direction on Elk Ridge Lane. Commissioner Graves said since it is on their master plan, he personally would like to see that issue addressed in the development agreement. Commissioner Ellertson said that means we would like to see Elk Ridge Lane continuing down into this development. Mr. Kroff clarified they anticipate they will develop the property in phases. Their request would be if only half were developed, Elk Ridge Lane would be a condition of the second half. Commissioner Graves agreed and said that would be a part of the development agreement that you, the city, community development and our attorneys will work together on. Rob requests it be continued for two weeks.

Commissioner Graves amended his motion to continue Item Nos. 1 and 2 for two weeks. Commissioner Lee seconded the motion and carried with the following vote:

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

CONTINUED TO NOVEMBER 10, 2015.

3. APPROVE AND ADOPT A RESOLUTION TRANSFERRING FUNDS BETWEEN DEPARTMENTS OF UTAH COUNTY.

Don Nay explained the weed program is funded out of several sources ("B" road money and grant monies). He continued describing how the noxious weed funding doesn't fit into the "B" road or the grant money. It has to come out of a general fund account. During the last while, it has come out of our administration budget. Don continued saying, in 2015 with the weather being the way it has been, we have done a lot of noxious weed control throughout the county. So, we are attempting to take some of our general fund money that was allocated to roads and move it into our administration account where the noxious weed program is paid from. Commissioner Lee reiterated that this would not apply to any personnel's pay that is tied to grants. He said there will not be any money taken out that funds a grant position. Don said most of the weed program employees are partially funded by grants. These are those employees. They can only bill to the grant, the portion that is out on the BLM property or the forestry/fire state lands properties. This is for the work that was done on land not associated with the grants such as private property owners or railroads. Commissioner Graves asked Bryan Thompson if he was okay with this transfer. Bryan answered in the affirmative. Commissioner Ellertson said it seems this is going primarily into 1100 and 1300. Don replied that is correct. This will cover wages and benefits.

Commissioner Graves made the motion to approve and adopt the resolution that is stated in Regular Agenda Item No. 3. Commissioner Lee seconded the motion and carried with the following vote:

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

RESOLUTION NO. 2015-134

10. ADOPT A RESOLUTION TO RATIFY THE UTAH COUNTY BOARD OF HEALTH APPOINTMENT OF THE UTAH COUNTY LOCAL HEALTH OFFICER AND TO REATIFY THE SALARY OF THE UTAH COUNTY LOCAL HEALTH OFFICER.

Commissioner Ellertson explained the Board of Health met the previous evening. He said he recused himself from voting at that meeting because he knew this would be coming here for ratification. He stated he concurred with the action taken in terms of the individual specifically. Carl Hollan mentioned how Dr. Miner vacated his position as Local Health Officer. He stated Code requires that the Board of Health fill this position. He said last night, the Board of Health met and appointed as the Local Health Officer over the Utah County Health Dept., Ralph Clegg. They also set his salary. Under 26A-1-110(1a), the Utah County Commission must ratify both the appointment of Mr. Clegg as the Local Health Officer as well as

his determined salary. Commissioner Ellertson explained the \$135,824 is the determined salary which is one step above mid-point in that range. Carl said the mid-point is Step 84 and this is Step 85. Commissioner Graves mentioned how Dr. Miner called him endorsing Ralph and stating what a good job he had done during his years here. Ralph thanked the commissioners for their confidence in him. Commissioner Lee also thanked Ralph for applying. Commissioner Ellertson explained the process that the Board of Health followed to select Ralph Clegg as the Local Health Officer.

Commissioner Graves made the motion to adopt a resolution to ratify the Utah County Board of Health Appointment of Ralph Clegg as the Utah County Local Health Officer and to ratify the salary of the Utah County Local Health Officer. Commissioner Lee seconded the motion and carried with the following vote:

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

RESOLUTION NO. 2015-135

20. REVIEW, CONSIDER, AND TENTATIVELY ADOPT THE 2016 TENTATIVE BUDGET FOR THE GENERAL FUND AND OTHER BUDGETARY FUNDS OF UTAH COUNTY, UTAH

Commissioner Ellertson commented this is the tentative budget that has a lot of work to do before coming to the final budget. He said the discussions being had with the departments are a part of this process. Bryan Thompson stated this item is per statutory requirements. Commissioner Ellertson stated the budget before the commission, for the general fund and other funds, is \$78,168,207. Exhibit A is what we will be adopting.

Commissioner Graves made the motion to tentatively adopt the 2016 Tentative Budget as stated in Exhibit A of our budget. Commissioner Lee seconded the motion and carried with the following vote:

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

RESOLUTION NO. 2016-136

21. SET A DATE, TIME AND LOCATION FOR A PUBLIC HEARING TO DISCUSS THE 2016 BUDGET FOR THE GENERAL FUND AND OTHER BUDGETARY FUNDS OF UTAH COUNTY; SUGGESTED DATE: TUESDAY, DECEMBER 8, 2015 AT 9:00 A.M. IN ROOM # 1400 OF THE COUNTY ADMINISTRATION BUILDING AT 100 EAST CENTER STREET IN PROVO, UTAH

Commissioner Graves made the motion to set a date, time and location for a public hearing to discuss the 2016 Budget for the general fund and other budgetary funds of Utah County for Tuesday, December 8, 2015 at 9:00 A.M. in Room # 1400 of the County Administration Building at 100 East Center Street in Provo, Utah. Commissioner Lee seconded the motion and carried with the following vote:

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

NAY: None

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

- 22. 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)**

Commissioner Lee made the motion to set a date, time and location for a closed meeting to discuss the character, professional competence, or physical, or mental health of an individual or individuals to follow the Regular Agenda items 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

- 23. 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)**

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 follow the Regular Agenda items 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

- 24. 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, 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 Lee 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, and water shares to follow the Regular Agenda items 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. **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, 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)**

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, water rights, water shares previously publicly noticed for sale to follow the Regular Agenda items 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**

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

NO PUBLIC COMMENTS

This concluded discussion of most scheduled agenda items, and the meeting recessed at 11:38 A.M. to go into closed sessions. The public meeting reconvened at 1:16 P. M., and the commissioners returned to the previously tabled Regular Agenda Item No. 19 for discussion.

REGULAR AGENDA

19. **APPROVE AND AUTHORIZED THE UTAH COUNTY CLERK/AUDITOR TO SIGN A SPECIAL WARRANTY DEED FOR THE SALE OF PROPERTY LOCATED AT 640 NORTH 1100 EAST, AMERICAN FORK, UTAH, WITH TAX PARCEL #14-018-0019, TO JOHN S. MCKINNEY. Commissioner Graves made the motion to remove from the table Regular Agenda item No. 19. Commissioner Lee seconded the motion and carried with the following vote:**

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

Commissioner Graves made the motion to strike Regular Agenda item No. 19. The motion was seconded by Commissioner Lee and carried with the following vote:

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

Commissioner Graves made the motion to adjourn. 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 or public comment, the meeting adjourned at 1:17 P.M. The minutes of the October 27, 2015 Commission Meeting were approved as transcribed on December 1, 2015.

LARRY A. ELLERTSON, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor

***Regular Agenda Item No. 19:**

The commissioners removed Regular Agenda item No. 19 from the table following its discussion in a closed session.

Copies available on the Utah County website at www.utahcounty.gov.
Recorded by Vicky Westergard, Tax Administration Clerk