

**BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH**  
**MINUTES OF PUBLIC MEETING**  
**COMMISSION CHAMBERS, ROOM 1400**  
**OF THE UTAH COUNTY ADMINISTRATION BUILDING**  
**June 14, 2016 - 9:00 A.M.**

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

**ALSO PRESENT:**

David Shawcroft, Chief Deputy Attorney  
Robert J. Moore, Utah County Deputy Attorney  
Dianne Orcutt, Utah County Deputy Attorney  
Paul Jones, Utah County Deputy Attorney  
Chris Buckley, Utah County Attorney's Office  
Michelle Araujo, Commission Office  
Lisa K. Nielson, Commission Office  
Brian Voeks, Commission Office  
Bryan E. Thompson, County Clerk/Auditor  
Scott C. Hogensen, Chief Deputy Clerk/Auditor  
Robert Baxter, Utah County Purchasing Manager  
Bryce Armstrong, Community Development  
Peggy Kelsey, Community Development  
Steve Alder, Utah County Health Department  
Carrie Bennett, Utah County Health Department  
Patty Cross, Utah County Health Department  
Sonia Dale, Utah County Health Department

Abbey Dighans, Utah County Health Department  
Jason Garret, Utah County Health Department  
Andrea Jensen, Utah County Health Department  
Steve Mickelson, Utah County Health Department  
Tyler Plewe, Utah County Health Department  
Kari Schmidt, Utah County Health Department  
Richard Nance, Drug & Alcohol Prevention & Treatment  
Lana Jensen, Utah County Personnel Director  
Richard Nielson, Utah County Public Works Director  
Jeff Smith, Utah County Recorder  
Andrea Allen, Utah County Recorder's Office  
James O. Tracy, Utah County Sheriff  
Mike Forshee, Utah County Sheriff's Office  
Dalene Higgins, Utah County Sheriff's Office  
Dana Barney, Utah County Treasurer's Office  
Paula Axelrod, American Heart Association  
Renée Caron, Clerk/Auditor Administrative Assistant

Commissioner Ellertson called the meeting to order at 9:03 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** Steve Mickelson, Utah County Health Department  
**PLEDGE OF ALLEGIANCE:** Larry A. Ellertson, Utah County Commissioner

*(Track A, 01:55)*

Commissioner Ellertson took a moment of personal privilege to thank county staff and all involved for participation in the Commissioners' Golf Cup which took place Monday, June 13, 2016.

**CONSENT AGENDA**

*(Track A, 02:33)*

1. **RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON THE DISCLOSURE LETTERS RELATING TO THE INTERMOUNTAIN HEALTHCARE SERIES 2016 BONDS**
2. **RATIFY AN AGREEMENT WITH WORLD CLASS CANINE FOR PATROL TRAINING WITH THE UTAH COUNTY SHERIFF'S OFFICE**

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3. **AUTHORIZE THE COMMISSION CHAIR TO SIGN EIGHT (8) DEPARTMENT OF ALCOHOL BEVERAGE CONTROL SINGLE EVENT PERMITS FOR VARYING DATES BEGINNING ON JULY 8, 2016 THROUGH AUGUST 13, 2016 FOR THE SALE OF WINE FOR SUNDANCE PARTNERS, LTD., FOR EVENTS TO BE HELD AT THE SUNDANCE RESORT OUTDOOR THEATER**
4. **APPROVE EQUESTRIAN VIEW SUBDIVISION, PLAT “A” AMENDED, SUBJECT TO THE CONDITIONS IN THE STAFF REPORT**
5. **APPROVE AND AUTHORIZE THE CLERK/AUDITOR TO SIGN A QUIT CLAIM DEED FOR PARCEL SERIAL NO. 06:022:0023 TO MARIA MARTINEZ**
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE CLIENT AUTHORIZATION TO BIND COVERAGE FOR AIRCRAFT HULL AND LIABILITY INSURANCE**
7. **ABATE PERSONAL PROPERTY ACCOUNTS ATTACHED FOR THE YEARS INDICATED, HAVING BEEN IDENTIFIED AS UNCOLLECTIBLE; THERE ARE NO ASSETS AVAILABLE**
8. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20362, DATED JUNE 8, 2016**
9. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2016-13** *(Continued from the June 7, 2016 Commission meeting)*  
The Board requested Consent Agenda Item No. 9 be moved to the Regular Agenda for discussion.  
PULLED TO REGULAR
10. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE CHILDREN'S JUSTICE CENTER AND THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT (ADDAPT)**
11. **RATIFICATION OF PAYROLL FOR PAY PERIOD 12**
12. **RATIFICATION OF WARRANT REGISTER SUMMARY**

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

6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE RESIDENCY TRAINING PROGRAM LETTER OF AGREEMENT WITH IHC HEALTH SERVICES, INC. DBA UTAH VALLEY REGIONAL MEDICAL CENTER (REFERENCE AGREEMENT NOS. 2004-603, 2006-493, 2010-252 AND 2013-121)**
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 1 TO AGREEMENT NO. 2015-49 WITH THE UTAH DEPARTMENT OF HEALTH FOR OLDER ADULT FALLS PREVENTION FOR ‘STEPPING ON’ WORKSHOPS**
8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE UTAH DEPARTMENT OF HEALTH SUMMER FOOD SERVICE PROGRAM AMENDMENT NO. 1 TO AGREEMENT NO. 2015-471 - FUNDING FOR INSPECTIONS OF PARTICIPATING SUMMER FOOD SERVICE PROGRAM SITES**

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9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE UTAH DEPARTMENT OF HEALTH AMENDMENT NO. 1 TO AGREEMENT NO. 2015-473 FOR LHD ENVIRONMENTAL SERVICES - FUNDING FOR PROVIDING ENVIRONMENTAL SANITATION SERVICES
10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE UTAH DEPARTMENT OF HEALTH UTAH INDOOR CLEAN AIR ACT AMENDMENT NO. 1 TO AGREEMENT NO. 2015-474 - FUNDING FOR COSTS DIRECTLY RELATED TO THE INVESTIGATION AND ENFORCEMENT OF THE UICAA
11. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A RENEWAL AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR ADDITIONAL FUNDING TO MAINTAIN THE INJURY AND VIOLENCE PREVENTION PROGRAM IN UTAH COUNTY (*Reference Agreement No. 2015-613*)
12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR THE WISEWOMAN FISCAL YEAR 2017
13. APPROVE THE SAFE KIDS UTAH MINI GRANT AGREEMENT AND AUTHORIZE MARLA BRANNUM TO SIGN AS GRANT COORDINATOR AND RALPH CLEGG TO SIGN AS HEALTH OFFICER
14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT, AND THE STATE OF UTAH DEPARTMENT OF HUMAN SERVICES/DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH, TO PROVIDE SERVICES TO THE HOMELESS POPULATION IN UTAH COUNTY
16. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A SUBDIVISION IMPROVEMENT AND WARRANTY AGREEMENT WITH KENT AND TAMARA VOORHEES FOR THE VOORHEES PLAT 'A' SUBDIVISION IN THE AMOUNT OF \$6,250
17. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO ACCEPT THE 2016 UTAH STATE FIRE GRANT AWARD

**ACTIONS TAKEN**

Consent Agenda Item Nos. 1, 2, 11 and 12 were ratified; No. 3 was authorized; Nos. 4 and 8 were approved; Nos. 5 and 6 were approved and authorized; No. 7 was abated; No. 9 was tabled for further discussion; and No. 10 was adopted. Regular Agenda Item Nos. 6 through 14, 16, and 17 were approved and authorized.

AGREEMENT NOS.: 2016-405, 2016-406, 2016-407, 2016-408, 2016-409, 2016-410, 2016-411, 2016-412, 2016-413, 2016-414, 2016-415, 2016-416, 2016-417, 2016-418, 2016-419, 2016-420, 2016-421, 2016-422 and 2016-423

RESOLUTION NO.: 2016-48

**REGULAR AGENDA**

(PULLED FROM CONSENT)

9. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2016-13 (*Continued from the June 7, 2016 Commission meeting*)

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*(Track A, 07:50)*

Utah County Deputy Attorney Dianne Orcutt came forward to provide an overview of the status for Calvary Holdings, LLC at Commissioner Ellertson's request. Ms. Orcutt explained the church filed for tax exemption in 2015 and would like the Board to retro-date the tax exempt status to the time the property was purchased in 2013. Since a portion of the building is rented out, their current tax exemption was granted at eighty-three percent. Ms. Orcutt and the commissioners discussed how the use of the property has not changed, but Calvary Holdings did not file for tax exempt status during that first operational year. Commissioner Ellertson noted the church has proposed a settlement of \$10,000 as part of their application, and Commissioner Graves indicated that is acceptable.

**Commissioner Graves made the motion to approve the settlement with Calvary Holdings LLC, and to continue a decision on the Carter Construction Company account, as discussed in Consent Agenda Item No. 9. 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. 2016-424

## **REGULAR AGENDA**

The commissioners chose to address Regular Agenda Item Nos. 1 and 2 in tandem, as they are directly related

- 1. APPROVE THE MINUTES OF THE MAY 17, 2016 COMMISSION MEETING** *(Continued from the May 31 and June 7, 2016 Commission meetings)*

CONTINUED TO JUNE 28, 2016

- 2. APPROVE THE MINUTES OF THE MAY 24, 2016 COMMISSION MEETING** *(Continued from the May 31 and June 7, 2016 Commission meetings)*

CONTINUED TO JUNE 28, 2016

*(Track A, 11:32)*

Commissioner Lee commented on the minutes being written as a summary but not always fully reflecting what occurs during meetings, expressing his preference for greater detail in the minutes. Commissioner Ellertson stated he is more concerned with the results of the Board's actions being included in the minutes than he is with every phrase being included in the minutes. Commissioner Lee replied that statistics and statements are sometimes made during the meeting but omitted from the summary. Commissioner Ellertson suggested a discussion between the board members regarding what is needed as part of the official record, and Utah County Clerk/Auditor Bryan E. Thompson agreed it is important to meet the expectations of the commissioners while also understanding the limitations. Commissioner Graves added that legal counsel should be given during such a discussion to ensure statutory obligations are met.

**Commissioner Lee made the motion to continue Regular Agenda Item Nos. 1 and 2 regarding the minutes of the May 17, 2016 and May 24, 2016 Commission meetings, respectively, for two weeks to the June 28, 2016 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Graves and carried with the following vote:**

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

CONTINUED TO JUNE 28, 2016

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## **3. ADOPT THE AMENDMENTS FOR THE UTAH COUNTY TRAVEL POLICY (Track A, 16:31)**

Commissioner Ellertson noted Utah County Clerk/Auditor Bryan E. Thompson had suggested clarifying the ‘per diem’ within the travel policy, regarding choosing to drive versus airfare. Commissioner Graves stated he thinks that is a good addition. Mr. Thompson also suggested defining ‘any other reasonably anticipated costs,’ and discussed the options with Commissioners Ellertson and Graves; they agreed ultimately the decision should be left to the Department Head on a case-by-case basis, as that individual would know best what is needed. Commissioner Graves stated a phrase similar to this should be added to the policy immediately preceding the ‘reasonable luggage fees’: *‘per diem shall be paid for anticipated travel using method of airfare or best method approved by Department Head.’* Commissioner Ellertson expounded that it should also include something along the lines of *‘per diem will not be paid for extra days taken for auto travel at the discretion of the traveler.’* Utah County Sheriff James O. Tracy mentioned an upcoming national convention which would require members of his staff to travel. Commissioners Graves and Lee discussed the benefits and downfalls of driving versus air travel. Commissioner Graves phrased the sentence as *‘County employees should select the most reasonable that both allows them to attend to any other necessary business obligations prior to travel and allows them to arrive at their travel destination on time for their business at the destination. Per diem will be paid based on reasonable travel time and allocation as approved by Department Head. Reasonable luggage fees and charges should be included in the cost of travel and will be reimbursed.’*

**Commissioner Graves made the motion to adopt the amendments for the Utah County Travel Policy as detailed in Regular Agenda Item No. 3. The motion was seconded by Commissioner Lee and carried with the following vote:**

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

POLICY NO. 2016-1

Utah County Clerk/Auditor Bryan E. Thompson mentioned that an amendment had also been made to include Clark County, Nevada, as an exception to the out-of-state risk management portion of the policy. Utah County Civil Division Chief Deputy Attorney David Shawcroft clarified that it would be included as part of the existing policy.

The commissioners requested Regular Agenda Item Nos. 4 and 20 be tabled for discussion later in the agenda.

*\*Please refer to the final page of these minutes for additional notations.*

**(Track A, 24:13)**

## **4. ADD ONE (1) FULL-TIME APPOINTED CHIEF DEPUTY - ENFORCEMENT POSITION, JOB CODE TBD, TO THE SHERIFF ENFORCEMENT - PATROL - CONTRACT CITIES DEPARTMENT STAFFING PLAN [ADDING JOB CODE TBD TO SH - ENF - PATROL CC]**

TABLED

## **20. ADOPT A RESOLUTION CONSENTING TO THE APPOINTMENT OF MORE THAN ONE CHIEF DEPUTY OR UNDERSHERIFF**

TABLED

**Commissioner Graves made the motion to table Regular Agenda Item Nos. 4 and 20 for discussion later in the agenda. The motion was seconded by Commissioner Lee and carried with the following vote:**

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

*\*Please refer to the final page of these minutes for additional notations.*

**5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH K&H INTEGRATED PRINT SOLUTIONS FOR PRINTING SERVICES RELATED TO THE 2016 PRIMARY AND GENERAL ELECTION**

*(Track A, 24:55)*

Utah County Clerk/Auditor Bryan E. Thompson summarized how K&H Integrated Print Solutions handles all of the county's 'by mail' ballots and other Elections-related mailings such as informational cards; this contract is needed to identify the pricing for each item. Commissioner Ellertson noted Mr. Thompson is referring to absentee ballots when he states 'by mail,' and Mr. Thompson concurred. He explained that mail ballots are used for those on the 'permanent absentee' list. Mr. Thompson mentioned an incorrect recording from the Utah Lieutenant Governor's Office which caused some temporary confusion by stating Utah County is changing to a strict 'by mail' voting system, but the message has since been retracted at Mr. Thompson's request since Utah County uses traditional polling. He added that early voting begins today and will continue through 5:00 P.M. on Friday, June 24, 2016.

**Commissioner Lee made the motion to approve the agreement with K&H Integrated Print Solutions as outlined in Regular Agenda Item No. 5. 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. 2016-425

*(Track A, 27:00)*

Commissioner Ellertson noted that regarding Commission meeting minutes, the discussion for Regular Agenda Item No. 5 is an example of when it is important to include details – such as mail-in ballots versus absentee ballots – for the sake of clarification, without necessarily quoting direct speech. Commissioner Lee added a discussion is needed to determine who makes the final decision on what is and is not included in the minutes.

**15. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN CHANGE ORDER NO. 3 TO AGREEMENT NO. 2014-452 WITH RAASS BROTHERS INC. FOR THE PARAPET AND ROOF REPLACEMENT PROJECT PHASE 2 IN THE AMOUNT OF \$61,137.35**

*(Track A, 28:31)*

Utah County Public Works Director Richard Nielson explained this change order is needed for the ongoing Historic Courthouse project, as the elevator enclosures are going to be reconstructed. The enclosures were originally set to be completed with cinder blocks, but progression of the project has made it clear that will not work. This change order includes costs for the contractor to re-design that portion, as well as time lost for the equipment that was already on site. When Commissioner Graves asked when the scaffolding will come down, Mr. Nielson joked it would take three more years before stating the work should be completed by the end of this year. Commissioner Lee confirmed that the contract lists December 6, 2016 as the end date.

**Commissioner Graves made the motion to approve Change Order No. 3 to Agreement No. 2014-452 with Raass Brothers Inc. as detailed in Regular Agenda Item No. 15. The motion was seconded by Commissioner Lee and carried with the following vote:**

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

AGREEMENT NO. 2016-426

**18. ADOPT A RESOLUTION AUTHORIZING UTAH COUNTY TO APPEAL AND/OR CROSS APPEAL CERTAIN CENTRALLY ASSESSED PROPERTIES**  
*(Track A, 30:58)*

Commissioner Ellertson explained this resolution is for Utah County to choose later on whether or not it will be participating with other counties in appeals. Utah County Deputy Attorney Dianne Orcutt explained there is a list of business taxpayers who have appealed to the Utah State Tax Commission, and some of the centrally-assessed properties include Utah County. She confirmed this resolution would authorize the county to become involved in a cross-appeal. Ms. Orcutt talked about the timeline to make that decision, mentioning that the county anticipates being involved. Commissioner Ellertson added this is the result of a Centrally Assessed Committee meeting, and the other counties will be taking similar action.

Utah County Clerk/Auditor Bryan E. Thompson confirmed his office receives notification of anything that is under appeal, and asked whether the Board and Attorney's Office would like copies as that information comes in. Commissioner Ellertson said yes, noting additional details will give the commissioners direction on whether or not they want to participate. They discussed methods for the timeliest notification with Dianne Orcutt, and Mr. Thompson suggested a shared document between the departments to be updated daily, similar to the current 'process service log' stored on a common county computer drive. Commissioner Lee mentioned this will be an ongoing legislative issue for quite some time.

**Commissioner Lee made the motion to adopt the resolution authorizing Utah County to appeal certain centrally assessed properties as specified in Regular Agenda Item No. 18. The motion was seconded by Commissioner Graves and carried with the following vote:**

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

RESOLUTION NO. 2016-49

**19. ADOPT A RESOLUTION EXECUTING THE FIFTH AMENDED INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND PROVO CITY RELATING TO THE FUNDING, CONSTRUCTION, JOINT USE, CONTROL, AND OPERATION OF AN ICE SHEET AREA FACILITY IN PROVO CITY**  
*(Track A, 36:35)*

Utah County Deputy Attorney Robert J. Moore came forward to talk about this process that began in 2011. Around that time, the former manager of the Ice Sheet was displaced and Provo City began management under direction of the Ice Sheet Authority. Provo City and Utah County has also paid off the outstanding bonds for the property since that time, so the most recent interlocal cooperation agreement which addressed bonds and the former management needs to be updated.

*(Track A, 38:00)*

Robert Moore mentioned the main point of contention for Provo City being the termination of the contract should one of the governmental entities decided to remove itself from the Ice Sheet. Fortunately, the Interlocal Cooperation Act was amended by the state legislature a couple of years ago to require interlocal cooperation agreements to

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include specific termination provisions. Mr. Moore also pointed out the contract has been changed to only allow sales to other public agencies. He confirmed for Commissioner Ellertson that Provo City seems agreeable to the proposed verbiage of the agreement.

*(Track A, 40:35)*

When Commissioner Lee asked whether the county would be able to sell their portion of the Ice Sheet to Brigham Young University, Mr. Moore noted there is a provision for non-governmental entities and read from the contract about mutually agreed-upon termination. He commented on the current uses of the Ice Sheet. Commissioner Ellertson added his perspective that the Ice Sheet is operating as well as it ever has, and Mr. Moore agreed. Commissioner Graves noted the Ice Sheet Authority includes members of the Utah County Board of Commissioners and the Provo City Council.

**Commissioner Graves made the motion to adopt the resolution executing the fifth amended interlocal cooperation agreement with Provo City relating to and Ice Sheet Area Facility as identified in 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**

RESOLUTION NO. 2016-50

AGREEMENT NO. 2016-427

## **21. ADOPT A RESOLUTION SELECTING A PERSON TO SERVE AS DIRECTOR OF THE UTAH COUNTY PERSONNEL DEPARTMENT FROM THE NAMES SUBMITTED BY THE CAREER SERVICE COUNCIL**

*(Track A, 43:35)*

**Commissioner Graves made the motion to table Regular Agenda Item No. 21 for discussion later in the agenda. The motion was seconded by Commissioner Lee and carried with the following vote:**

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

**NAY: None**

TABLED

*\*Please refer to the final page of these minutes for additional notations.*

## **22. UPDATE ON VOCA GRANT FUNDING BY VICTIM WITNESS COORDINATOR CHRIS BUCKLEY AS PER THE GRANT REGULATIONS**

*(Track A, 44:05)*

Victim Witness Coordinator Chris Buckley of the Utah County Attorney's Office noted an update to the commissioners is required twice a year in order to receive a grant from the state. The 2016-2017 grant application was submitted in March 2016 with a request for \$61,298, a significant increase from the 2015-2016 amount of \$41,990 because the VOCA (Victims of Crime Acts) office has offered the county additional funds due to an influx of federal monies for the programs. The goal is to stabilize, strengthen, and enhance victim services programs, perhaps through increased wages and hiring full-time staff with benefits rather than part-time staff. This in turn will hopefully lead to hiring people that are more knowledgeable, skilled, and qualified, and limit staff turnover from the high-stress positions.



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Chris Buckley reviewed the changes requested in the grant application, including a 2% to 4% increase in salaries and the continuation of a temporary grant for Katie Fox, a part-time Victim Witness Coordinator in the office. Ms. Buckley and Commissioner Ellertson discussed the dollar amounts, and Commissioner Lee asked what would happen if the VOCA grant is not approved. Ms. Buckley expressed confidence in the grant being approved. Commissioner Ellertson voiced his appreciation for Ms. Buckley's office and staff and the work they do to better our community.

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

*(Track A, 50:08)*

- 23. 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 strike Regular Agenda Item No. 23 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. The motion was seconded by Commissioner Lee and carried with the following vote:

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

STRICKEN

- 24. 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)*

Commissioner Graves 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, or water shares previously publicly noticed for sale 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

- 25. 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)*

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Commissioner Graves 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 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

26. **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 Graves 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 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**

1. **PRESENTATION OF AWARD TO KARI SCHMIDT AND THE WELLNESS PROGRAM FROM THE AMERICAN HEART ASSOCIATION FOR BEING A "PLATINUM FIT-FRIENDLY WORKSITE"**

*(Track A, 51:55)*

Paula Axelrod of the American Heart Association Utah Chapter came forward to award Utah County Government as a 'Fit-Friendly Company.' This is a proud recognition of the initiatives taking place in county offices for a healthier workplace, led by Kari Schmidt of the Utah County Health Promotion office. She presented the award to Ms. Schmidt and the audience applauded. Ms. Axelrod invited everyone to attend a Heart Walk on September 17, 2016 in Sugarhouse Park in Salt Lake City, and Ms. Schmidt reminded the audience of the upcoming National Olympic Day on June 23, 2016 for employees and their families at the Peaks Arena in Provo. Commissioner Graves announced that the Board will grant compensation payout time to employees that choose to attend the event, and skate rental will be provided.

2. **DISCUSS THE PROPOSED ORDINANCE TO AMEND SECTION 2-8-2 AND ARTICLE 2-9 OF THE UTAH COUNTY CODE RELATING TO COUNTY COMMISSION MEETINGS AND THEIR AGENDAS**

*(Track A, 56:41)*

Utah County Deputy Attorney Robert J. Moore summarized how the commissioners would like to make backup documents from the weekly meeting agendas more available to the public prior to the sessions. He noted documents should be submitted to the Commission Clerk by two and a half business days prior to the meeting, or approximately noon on Thursdays. Mr. Moore acknowledged there are occasions when exceptions can be made, but generally the

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policy will be that all documents are submitted and therefore available to the public. This does not include conflicts with GRAMA [*Governmental Records Access Management Act*] laws, or personal and privacy interests and other considerations for the best interest of the county. For example, if the county is seeking to purchase property and the contract must be approved by the Board, the documents may be protected so as not to reveal the purchase price and provide opportunity for an outside party to outbid the county. Any information released to the public should also clearly be identified as draft documents.

**(Track A, 1:00:14)**

Commissioner Graves asked about accordance with Utah Code, and Robert Moore confirmed the appropriate sections are cited within the proposed ordinance for compliance. Commissioner Ellertson and Mr. Moore also discussed optimal scheduling for meetings and public hearings, and omitting the sentence portion which reads *‘regular meetings on the last Wednesday of each month, from 5:30 P.M. until finished,’* as the Board generally has not held those sessions.

Commissioner Ellertson commented on the proposed sentence which currently reads *‘The agenda and backup materials shall, as a general policy only, be made available to the public, but only to the extent practicable...’*, questioning if the first “only” is necessary. Utah County Civil Division Chief Deputy Attorney David Shawcroft volunteered to make that change in a corrected draft. Commissioner Graves and Robert Moore talked about the word “all” being deleted from *‘all available backup materials’* because there are rare instances when documents are not available until the morning of the meeting.

**(Track A, 1:06:08)**

Utah County Clerk/Auditor Bryan E. Thompson pointed out that Section 2-8-2 states the Commission Clerk and the Commission Chair will provide the agenda and documents for meetings. That may be the case statutorily in other counties, but in Utah County the Clerk/Auditor’s Office is responsible for keeping the minutes but not necessarily the agenda. Robert Moore stated he would correct the language so it appropriately reflects the difference, and submit the updated ordinance for approval during the next Commission meeting.

## **PUBLIC COMMENTS**

There were no public comments and this concluded discussion of most scheduled agenda items. The meeting recessed at 10:10 A.M. to go into closed sessions. The public meeting reconvened at 12:13 P.M., and the commissioners returned to previously tabled Regular Agenda Item Nos. 4, 20, and 21 (though not in that order) for discussion.

**(Track B, 00:01)**

### **20. ADOPT A RESOLUTION CONSENTING TO THE APPOINTMENT OF MORE THAN ONE CHIEF DEPUTY OR UNDERSHERIFF**

**(Track B, 00:56)**

**Commissioner Graves made the motion to adopt the resolution consenting to the appointment of more than one Chief Deputy or Undersheriff as outlined in Regular Agenda Item No. 20. The motion was seconded by Commissioner Lee and carried with the following vote:**

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

RESOLUTION NO. 2016-51

*\*Please refer to the final page of these minutes for additional notations.*

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**4. ADD ONE (1) FULL-TIME APPOINTED CHIEF DEPUTY - ENFORCEMENT POSITION, JOB CODE TBD, TO THE SHERIFF ENFORCEMENT - PATROL - CONTRACT CITIES DEPARTMENT STAFFING PLAN [ADDING JOB CODE TBD TO SH - ENF - PATROL CC]**

*(Track B, 01:19)*

Commissioner Graves pointed out that the Chief Deputy position was approved by the Career Service Council for the contract city of Eagle Mountain, and a Lieutenant position from Eagle Mountain will be deleted as part of this action. Commissioner Ellertson added the position will be treated as a grant-funded contract appointment.

**Commissioner Graves made the motion to add one (1) full-time appointed Chief Deputy – Enforcement position to the Sheriff's Office Staffing Plan 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**

APPROVED

*\*Please refer to the final page of these minutes for additional notations.*

**21. ADOPT A RESOLUTION SELECTING A PERSON TO SERVE AS DIRECTOR OF THE UTAH COUNTY PERSONNEL DEPARTMENT FROM THE NAMES SUBMITTED BY THE CAREER SERVICE COUNCIL**

*(Track B, 01:50)*

**Commissioner Graves made the motion to strike Regular Agenda Item No. 21 from the calendar. The motion was seconded by Commissioner Lee and carried with the following vote:**

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

STRICKEN

*\*Please refer to the final page of these minutes for additional notations.*

This concluded the open meeting.

**Commissioner Graves made the motion to adjourn the June 14, 2016 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 12:15 P.M. The minutes of the June 14, 2016 Commission meeting were approved as transcribed on August 2, 2016.

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LARRY A. ELLERTSON, Commission Chair

ATTEST:

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BRYAN E. THOMPSON  
Utah County Clerk/Auditor

**\*Regular Agenda Item No. 4:**

The Board addressed this item following the closed sessions; it was approved by unanimous vote.

**\*Regular Agenda Item No. 20:**

The Board addressed this item following the closed sessions; it was adopted by unanimous vote.

**\*Regular Agenda Item No. 21:**

The Board addressed this item following the closed sessions; it was stricken from the agenda by unanimous vote.