

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH  
**MINUTES OF PUBLIC MEETING**  
COMMISSION CHAMBERS, ROOM 1400  
OF THE UTAH COUNTY ADMINISTRATION BUILDING  
**August 30, 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  
Dianne Orcutt, Utah County Deputy Attorney  
Terri Eisel, Utah County Attorney's Office  
Michelle Araujo, Commission Office  
Lisa K. Nielson, Commission Office  
Brian Voeks, Commission Office  
Robert Baxter, Utah County Purchasing Manager  
Vicky Westergard, Clerk/Auditor's Office  
Emily Gillingwater, Clerk/Auditor's Office  
Jim Stevens, Utah County Assessor's Office  
Brandon Larsen, Community Development  
Joshua Ivie, Community Development  
Ralph Clegg, Health Department Exec. Director  
Bryce C. Larsen, Utah County Health Department  
Marianne Christensen, County Health Department  
Patty Cross, Utah County Health Department  
Eric Edwards, Utah County Health Department  
Steve Mickelson, Utah County Health Department  
Cheri Tuckett, Utah County Health Department

Richard Nance, Drug & Alcohol Prevention & Treatment  
Pat Bird, Drug & Alcohol Prevention & Treatment  
Robert Johnson, Drug & Alcohol Prevention & Treatment  
Cammie Taylor, Utah County Personnel Director  
Richard Nielson, Utah County Public Works Director  
Andrea Allen, Utah County Recorder's Office  
James O. Tracy, Utah County Sheriff  
Dalene Higgins, Utah County Sheriff's Office  
Lt. Mike Brower, Utah County Sheriff's Office  
Gary Ratcliffe, Utah County Surveyor  
Kim T. Jackson, Utah County Treasurer  
Cathy Davies, Utah County Justice Court  
Inez Harwood, Utah County Art Board  
Leslie Flores, Utah County Art Board  
Connie Jo Garcia, Utah Oil, Gas and Mining  
Tom Nicolaysen, Utah Oil, Gas and Mining  
Bob Allen, -No further information given-  
Katie England, The Daily Herald  
Renée Caron, Clerk/Auditor Administrative Assistant

Commissioner Ellertson called the meeting to order at 9:12 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** William C. Lee, Utah County Commissioner  
**PLEDGE OF ALLEGIANCE:** Inez Harwood, Utah County Arts Board

**CONSENT AGENDA**

*(Track A, 02:48)*

1. **RATIFY THE SIGNATURE OF JUDGE SCOTT J. CULLIMORE ON A GRANT APPLICATION TO THE ADMINISTRATIVE OFFICE OF THE COURTS FOR THE PURCHASE OF A PORTABLE BACKUP RECORDING SYSTEM FOR COURTROOM PROCEEDINGS, AND ACCEPT THE AWARD OF \$400.00** *(Continued from the August 9, 2016 Commission meeting)*

The Board requested Consent Agenda Item No. 1 be moved to the Regular Agenda for discussion.  
PULLED TO REGULAR

2. **DECLARE A SHARP AR-M455N COPY MACHINE LOCATED IN THE ASSESSOR'S DEPARTMENT SURPLUS AND AUTHORIZE THE DISPOSITION THEREOF AS A TRADE-IN OF \$1,075 TOWARDS A NEW COPY MACHINE FROM LES OLSON**

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3. **DECLARE UNIT 701746 AS SURPLUS AND AUTHORIZE DISPOSAL OF THE UNIT TO COPART AUTO SALVAGE AS ARRANGED BY THE INSURANCE COMPANY, LOCAL GOVERNMENT TRUST**
4. **RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON THE ROAD PROJECT AGREEMENT WITH THE UINTA-WASATCH-CACHE NATIONAL FOREST FOR THE NEBO LOOP ROAD IN THE AMOUNT OF \$690,000**
5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH CROP PRODUCTION SERVICES, INC FOR THE PURCHASE OF \$13,500 WORTH OF HERBICIDE**
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH M&M ASPHALT SERVICES INC TO FURNISH AND INSTALL ASPHALT CRACK SEALANT AND ASPHALT SEAL COAT ON VARIOUS PARKING LOTS, PARKWAYS, AND ROADS**
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH MORGAN PAVEMENT MAINTENANCE TO FURNISH AND INSTALL FRICTIONAL MASTIC SURFACE TREATMENT ON VARIOUS ROADWAYS, PARKING LOTS, PARKWAYS, AND TRAILS**
8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH NOORDA BEC, INC. TO FURNISH AND INSTALL A NEW ROOF ON THE UTAH COUNTY ADMINISTRATION BUILDING**
9. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH RB&G ENGINEERING, INC. TO PROVIDE GEOTECHNICAL ENGINEERING AND RELATED SERVICES TO UTAH COUNTY ON AN AS-NEEDED BASIS**
10. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND PETER DEBENEDITTIS TO PARTICIPATION IN THE LEGISLATIVE ALCOHOL POLICY SUMMIT – OCTOBER 20, 2016**

The Board requested Consent Agenda Item No. 10 be moved to the Regular Agenda for discussion.  
PULLED TO REGULAR

11. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUPPLEMENTAL LAW ENFORCEMENT CONTRACT WITH CREATIVE CHAOS, INC. TO HAVE ONE DEPUTY HELP WITH SECURITY AND TRAFFIC CONTROL ON RIVER BOTTOM ROAD ON TUESDAY, AUGUST 30, 2016 FROM 09:00 AM TO 07:00 PM**
12. **APPROVE REQUESTED EXEMPTIONS ON LIST DATED AUGUST 22, 2016, APPLIED FOR BY TAXPAYERS, FOR PAYMENT OF TAXES WHERE THE MARKET VALUE OF EQUIPMENT WAS LESS THAN \$10,300 AS PROVIDED BY THE UTAH STATE LEGISLATURE FOR 2016**
13. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN PERSONAL PROPERTY CANCELLATION AND CORRECTION LETTER NO. 290, DATED AUGUST 22, 2016**
14. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60344, DATED AUGUST 23, 2016**

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15. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20365, DATED AUGUST 24, 2016**
16. **ABATE PERSONAL PROPERTY ACCOUNTS ATTACHED FOR THE YEARS INDICATED, HAVING BEEN IDENTIFIED AS UNCOLLECTIBLE; THERE ARE NO ASSETS AVAILABLE**
17. **DECLARE AS SURPLUS A GLOCK MODEL 19, SERIAL NUMBER WCN921, WITH AN ESTIMATED VALUE OF \$330.00 TO BE PRESENTED TO INVESTIGATIONS SUPERVISOR MARK DELL'ERGO FOR SERVING THE UTAH COUNTY ATTORNEY'S OFFICE INVESTIGATIONS DIVISION AND THE CITIZENS OF UTAH COUNTY**
18. **ADOPT A RESOLUTION AWARDDING COUNTY PERSONAL PROPERTY AS A GIFT TO INVESTIGATIONS SUPERVISOR MARK DELL'ERGO IN RECOGNITION OF HIS MERITORIOUS SERVICE TO UTAH COUNTY**
19. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2016-17**
20. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY**
21. **RATIFICATION OF PAYROLL FOR PAY PERIOD 17**
22. **RATIFICATION OF WARRANT REGISTER SUMMARY FOR AUGUST 16, 2016**
23. **RATIFICATION OF WARRANT REGISTER SUMMARY FOR AUGUST 23, 2016**  
The Board requested Consent Agenda Item No. 23 be moved to the Regular Agenda for discussion.  
PULLED TO REGULAR
24. **RATIFICATION OF WARRANT REGISTER SUMMARY FOR AUGUST 30, 2016**  
The commissioners requested Consent Agenda Item No. 24 be continued to the next meeting of the Board.  
CONTINUED TO SEPTEMBER 6, 2016

Consent Agenda Item Nos. 2 through 9, and 11 through 22, were approved as written. Commissioner Ellertson recommended the following Regular Agenda items be moved to Consent:

2. **APPROVE THE MINUTES OF THE JULY 5, 2016 COMMISSION MEETING**
3. **ADD ONE (1) FULL-TIME CAREER ATTORNEY I POSITION TO THE ATTORNEY - CRIMINAL DIVISION [CLASS CODE 2000, ATTY - CRIMINAL]**
4. **ADD TWO (2) FULL-TIME CAREER SERVICE DEPUTY SHERIFF II POSITIONS TO THE SHERIFF - JUDICIAL DEPARTMENT STAFFING PLAN [JOB CODE 4024, SH-ENF - JUDICIAL]**
11. **RATIFY THE SIGNATURE OF THE COMMISSION VICE CHAIR ON AN ADDENDUM TO AGREEMENT NO. 2015-576 FOR SOFTWARE LICENSING AND SUPPORT FOR ELECTRONIC MEDICAL RECORDS AND MEDICAL CLAIMS BILLING WITH ECLINICALWORKS**
12. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2015-762 TO INCREASE FUNDING WITH THE UTAH DEPARTMENT OF HEALTH FOR THE ARTHRITIS PROGRAM**

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13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH FESTIVAL LATINO AMERICANO FOR A BOOTH PROMOTING CAR SEAT SAFETY
15. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR SURVEILLANCE ON ALL SUSPECTED PRION DISEASE CASES
16. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 4 TO AGREEMENT NO. 2012-423 (STATE CONTRACT 130195) WITH THE UTAH DEPARTMENT OF HEALTH, AMENDING THE MEDICAID CONTRACTED AMOUNT, PAYMENT METHODOLOGY, AND EXTENDING THE CONTRACT TO OCTOBER 31, 2017 - REPLACING AGREEMENT NO. 2016-497 WHICH WAS APPROVED ON JULY 12, 2016
22. APPROVE AGREEMENT BETWEEN UTAH COUNTY AND CARL C. SHOFF, DDS, PC TO PROVIDE DENTAL SERVICES FOR THE INMATES AT THE UTAH COUNTY JAIL *(Continued from the August 9, 2016 Commission meeting)*
23. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE JOINT LAW ENFORCEMENT OPERATIONS TASK FORCE FY16 OBLIGATING DOCUMENT
24. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN MEMORANDUM OF UNDERSTANDING WITH UTAH INTERNET CRIMES AGAINST CHILDREN TASK FORCE
25. APPROVE AN AGREEMENT BETWEEN UTAH COUNTY AND BINTZ RESTAURANT SUPPLY TO PROVIDE EQUIPMENT FOR THE UTAH COUNTY JAIL
26. APPROVE AN AGREEMENT BETWEEN UTAH COUNTY AND DOUGLAS FOOD STORES, INC., DBA DOUGLAS EQUIPMENT FOR THE PURCHASE OF A COMBINATION OVEN
27. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A LICENSE AGREEMENT WITH THE UTAH COUNTY SHERIFF AND THE UTAH VALLEY CONVENTION CENTER FOR THE LEPC WORKSHOP TO BE HELD ON SEPTEMBER 1, 2016
28. ADOPT RESOLUTION OF THE LEGISLATIVE BODY OF UTAH COUNTY APPROVING AND AUTHORIZING EXECUTION OF THE MAJOR CRIMES TASK FORCE INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY, PROVO CITY, THE CITY OF OREM, LINDON CITY, PLEASANT GROVE CITY, SPANISH FORK CITY, SANTAQUIN CITY, SPRINGVILLE CITY, PAYSON CITY, MAPLETON CITY, SALEM CITY, SARATOGA SPRINGS CITY, LONE PEAK PUBLIC SAFETY DISTRICT, CITY OF CEDAR HILLS, AMERICAN FORK CITY, HIGHLAND CITY, LEHI CITY AND ALPINE CITY RELATING TO THE OPERATION OF THE UTAH COUNTY MAJOR CRIMES TASK FORCE
33. RATIFY THE MOUNTAINLAND ASSOCIATION OF GOVERNMENTS UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD UP TO \$140,000.00 TO AMERICAN FORK CITY FOR CULINARY WATER REPLACEMENT PHASE 5
34. RATIFY THE MOUNTAINLAND ASSOCIATION OF GOVERNMENTS UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD UP TO \$220,000.00 TO THE FOUNDATION FOR FAMILY LIFE FOR THE SOBER-LIVING HOME PROJECT
35. APPROVE A MOUNTAINLAND ASSOCIATION OF GOVERNMENTS UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD UP TO \$26,260.00 TO THE TOWN OF GENOLA FOR THE CULINARY WATER MASTER PLAN

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36. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND AMERICAN FORK CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
37. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND THE TOWN OF CEDAR FORT RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
38. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND THE CITY OF CEDAR HILLS RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
39. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND EAGLE MOUNTAIN CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
40. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND ELK RIDGE CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
41. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND THE TOWN OF GENOLA RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
42. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND THE TOWN OF GOSHEN RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
43. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND HIGHLAND CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
44. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND LINDON CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
45. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND MAPLETON CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
46. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND PAYSON CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**

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47. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND PLEASANT GROVE CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
48. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND SALEM CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
49. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND SANTAQUIN CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
50. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND SARATOGA SPRINGS CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
51. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND SPANISH FORK CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
52. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND SPRINGVILLE CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
53. **ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND VINEYARD CITY RELATING TO THE CONDUCT OF THE CDBG PROGRAM FOR THE FEDERAL FISCAL YEAR 2017-2019 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**
54. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH VALLEY CONVENTION CENTER FOR THE 2016 UTAH COUNTY EMPLOYEE APPRECIATION HOLIDAY PARTY TO BE HELD ON DECEMBER 6, 2016**

**ACTIONS TAKEN**

**Consent Agenda Item Nos. 1, 10, and 23 were tabled for further discussion; Nos. 2 through 9, and 11 through 22, were declared, ratified, approved and authorized, abated, and adopted; and No. 24 was continued to the September 6, 2016 meeting of the Board. Regular Agenda Item Nos. 2, 3, 4, 11, 12, 13, 15, 16, 22 through 28, and 33 through 54 were approved, ratified, authorized, and adopted.**

**AGREEMENT NOS.:** 2016-585 through 2016-634

**RESOLUTION NOS.:** 2016-78 through 2016-98

**REGULAR AGENDA**

**(PULLED FROM CONSENT)**

- 1. RATIFY THE SIGNATURE OF JUDGE SCOTT J. CULLIMORE ON A GRANT APPLICATION TO THE ADMINISTRATIVE OFFICE OF THE COURTS FOR THE PURCHASE OF A PORTABLE BACKUP RECORDING SYSTEM FOR COURTROOM PROCEEDINGS, AND ACCEPT THE AWARD OF \$400.00 (Continued from the August 9, 2016 Commission meeting)**

*(Track A, 12:50)*

Commissioners Ellertson and Graves summarized how the Administrative Office of the Courts would not be granting the full request from the Utah County Justice Court of \$1,930 for a complete recording system. Cathy Davies of the Utah County Justice Court confirmed, explaining the Provo Fourth District Court received the same \$400 award the Justice Court will be receiving; the District Court was able to find a system suitable for their needs with that amount, and the Justice Court will mimic their solution. Ms. Davies mentioned the backup recording system will likely be used infrequently.

**Commissioner Lee made the motion to ratify the signature of Judge Scott J. Cullimore on a grant application to the Administrative Office of the Courts for the purchase of a portable backup recording system as detailed in Consent Agenda Item No. 1. 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. 2016-635

**(PULLED FROM CONSENT)**

- 10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND PETER DEBENEDITTIS TO PARTICIPATION IN THE LEGISLATIVE ALCOHOL POLICY SUMMIT – OCTOBER 20, 2016**

*(Track A, 14:45)*

Commissioner Lee asked Pat Bird of the Utah County Department of Drug and Alcohol Prevention and Treatment if it would be possible to continue this discussion for one week, as he needs answers to some questions, and Mr. Bird indicated that would be fine.

**Commissioner Graves made the motion to continue Consent Agenda Item No. 10 regarding an agreement with Peter Debenedittis to participate in the Legislative Alcohol Policy Summit for one week to the September 6, 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**

CONTINUED TO SEPTEMBER 6, 2016

**(PULLED FROM CONSENT)**

- 23. RATIFICATION OF WARRANT REGISTER SUMMARY FOR AUGUST 23, 2016**

*(Track A, 15:56)*

Commissioner Lee questioned how payment of No. 9411 on the register was able to go through when only one of the three Board members had approved it within the system, and Utah County Clerk/Auditor Bryan E. Thompson suggested approval with the exclusion of that payment while his office looks further into the payment process.

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**Commissioner Graves made the motion to ratify the Warrant Register Summary, with the exception of payment no. 9411, as identified in Consent Agenda Item No. 23. 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 WITH EXCEPTION

**REGULAR AGENDA**

**1. APPROVE THE MINUTES OF THE JUNE 28, 2016 COMMISSION MEETING**

*(Track A, 19:05)*

Commissioner Ellertson pointed out that the motion for Regular Agenda Item No. 16 on Page 10 of the June 28, 2016 does not match the description, and suggested approval of the minutes with the appropriate correction.

**Commissioner Lee made the motion to approve the June 28, 2016 Commission meeting minutes, with corrections, as discussed in Regular Agenda Item No. 1. The motion was seconded by Commissioner Graves and carried with the following vote:**

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

APPROVED WITH CORRECTION

**5. ADOPT (OR DENY) AN ORDINANCE TO AMEND THE UTAH COUNTY LAND USE ORDINANCE, SECTION 6-1 RELATED TO REQUIREMENTS FOR PLAT AMENDMENTS AND LOT LINE ADJUSTMENTS**

*(Track A, 20:28)*

Brandon Larsen of the Utah County Community Development Office explained his office currently processes lot line adjustments through standards set by State code; this new ordinance will provide a county-specific code to follow, and allow administrative adjustments. The Utah County Planning Commission has recommended approval of the proposed amendments but failed to specify the staff findings during their meeting, which Mr. Larsen has included as part of the ordinance today. When Commissioner Lee expressed concern that the Planning Commission did not have a chance to review Mr. Larsen's recommendations, Utah County Deputy Attorney Robert J. Moore noted the Planning Commission does not necessarily address each finding at every meeting – they are only brought to attention if there is an issue. Mr. Larsen clarified the Planning Commission members did review the staff findings and recommendations.

**Commissioner Lee made the motion to adopt the ordinance amending Section 6-1 of the Utah County Land Use Ordinance, including staff findings and recommendations, 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**

ORDINANCE NO. 2016-22



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6. **APPROVE OR DENY A LATE VETERAN ABATEMENT APPLICATION FOR KAREN COLLINS, SERIAL NO. 37:097:0001, WITH A FINDING THAT THE FAILURE OF THE CLAIMANT TO TIMELY FILE THE APPLICATION WAS BEYOND THE CLAIMANT'S REASONABLE CONTROL AND TO NOT EXTEND THE DEADLINE WOULD BE AGAINST EQUITY OR GOOD CONSCIENCE**

*(Track A, 27:38)*

Commissioner Graves made the motion to approve the late veteran abatement application for Karen Collins on Property Serial No. 37:097:0001 as specified in Regular Agenda Item No. 6, with the finding that the failure of the claimant to timely file the application was beyond the claimant's reasonable control and to not extend the deadline would be against equity or good conscience. 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

7. **APPROVE OR DENY A LATE VETERAN ABATEMENT APPLICATION FOR JASON WOODWARD, SERIAL NO. 49:737:0318, WITH A FINDING THAT THE FAILURE OF THE CLAIMANT TO TIMELY FILE THE APPLICATION WAS BEYOND THE CLAIMANT'S REASONABLE CONTROL AND TO NOT EXTEND THE DEADLINE WOULD BE AGAINST EQUITY OR GOOD CONSCIENCE**

*(Track A, 28:00)*

Commissioner Graves made the motion to approve the late veteran abatement application for Jason Woodward on Property Serial No. 49:737:0318 as specified in Regular Agenda Item No. 7, with the finding that the failure of the claimant to timely file the application was beyond the claimant's reasonable control and to not extend the deadline would be against equity or good conscience. 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

8. **REQUEST THE COUNTY CLERK EXECUTE A QUIT-CLAIM DEED TO THE MCKELL FAMILY (SECTIONS 19,30 T8S R3E) AND RECEIVE A QUIT-CLAIM DEED FROM THAT ENTITY TO RESOLVE A BOUNDARY CONFLICT BETWEEN UTAH COUNTY AND THE MCKELL FAMILY**

*(Track A, 28:27)*

Utah County Surveyor Gary Ratcliffe confirmed for Commissioner Ellertson that this exchange of quit-claim deeds is to straighten out gaps between the properties located near the fairgrounds. Commissioner Lee mentioned the fence line, and Mr. Ratcliffe approached the bench to review a map with the commissioners.

Commissioner Lee made the motion to approve the Quit-Claim Deed exchange between Utah County and the McKell Family as outlined in Regular Agenda Item No. 8. The motion was seconded by Commissioner Graves and carried with the following vote:

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

AGREEMENT NO. 2016-636

**9. REQUEST THE COUNTY CLERK EXECUTE QUIT-CLAIM DEED TO PROPERTY LYING BETWEEN 1200 WEST STREET AND 1400 WEST STREET (PARCEL SERIAL NOS. 25:029:0007, 25:029:0003, AND 25:029:0004) REFERRED TO AS THE THOMAS PARCELS, AND TO RECEIVE QUIT-CLAIM DEED FOR A PORTION OF BOTH ROADS**

*(Track A, 31:43)*

Utah County Surveyor Gary Ratcliffe commented on this exchange being a ‘win-win’ situation, wherein the county is obtaining a needed road by trading land which is already being occupied. He reviewed a map at the bench with the commissioners, and Utah County Civil Division Chief Deputy Attorney David Shawcroft noted a correction to be made to the grantee listed on the deed.

**Commissioner Graves made the motion to approve the Quit-Claim Deed exchange between Utah County and the Keturah F. Thomas Revocable Family Trust as outlined in Regular 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. 2016-637

**10. APPROVE AND AUTHORIZE A MEMBERSHIP FEE TO UTAH FOUNDATION FOR \$5,000**  
*(Continued from the August 9, 2016 Commission meeting)*

*(Track A, 36:05)*

Commissioner Lee summarized he has not seen any receipt of goods or services which would justify the Utah Foundation membership fee – if Utah County residents are paying for this, there needs to be a benefit to the county. Commissioner Lee mentioned a meeting scheduled for later in the week, and Commissioner Graves noted he had requested a continuance from the last meeting in order to do some research. Commissioner Lee reiterated the need for the Board to discuss this administratively, pointing out he thinks it is inappropriate that a seat as a Utah Foundation Board Member is offered in exchange for the membership fee. Commissioner Graves talked about utilizing the foundation’s services, stating he is comfortable with moving forward on this because he has learned a lot about the studies performed since the last Commission meeting on August 9, 2016. When Commissioner Lee questioned what studies have been done, Commissioner Graves countered the information is available – the commissioners simply need ask for it.

Commissioner Ellertson added the studies performed by Utah Foundation are broader than Utah County but do impact the county. Commissioner Lee repeated it is important to weigh the benefits of the different associations; it would be irresponsible to continue paying money for multiple groups doing the same work. Commissioner Ellertson countered the information gathered by Utah Foundation is often utilized by the other organizations. Commissioners Ellertson and Lee debated this point, as well as the value of the board seat and the availability of the information online. Commissioner Graves suggested looking at these issues on a case-by-case basis, and Commissioner Lee requested this discussion continue after the meeting scheduled for later in the week.

**Commissioner Graves made the motion to continue Regular Agenda Item No. 10 regarding the membership fee to Utah Foundation for one week to the September 6, 2016 meeting of the Utah County Board of Commissioners. 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**

CONTINUED TO SEPTEMBER 6, 2016

**14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UTAH LOCAL GOVERNMENTS TRUST FOR CONFERENCE ROOM USAGE**

*(Track A, 44:15)*

Utah County Health Department Executive Director Ralph Clegg confirmed the county is renting space from the Utah Local Governments Trust.

**Commissioner Graves made the motion to approve the agreement with Utah Local Governments Trust for conference room use as identified in Regular Agenda Item No. 14. The motion was seconded by Commissioner Lee and carried with the following vote:**

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

AGREEMENT NO. 2016-638

**17. ACCEPT AND APPROVE AMENDMENT NO. 4 TO AGREEMENT NO. 2015-421 BETWEEN THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT, AND THE STATE OF UTAH DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH, AMENDING THE ALLOCATION FOR SFY 2017; FUNDING ALLOCATIONS FOR SFY 2016 WILL BE \$4,704,129.00 WITH COUNTY MATCH OF \$376,018.00**

*(Track A, 45:45)*

When Commissioner Ellertson asked whether the county financial match is included in the budget, Robert Johnson of the Utah County Department of Drug and Alcohol Prevention and Treatment answered the approximate \$80,000 increase will be requested as part of the 2017 budget. Commissioners Lee and Graves asked about the consequences if the increase is not granted, and Mr. Johnson explained the county would need to make arrangements with the state. They discussed the overmatch from 2016, and Mr. Johnson clarified that funds will be reallocated but the total budget amount is the same.

**Commissioner Graves made the motion to approve Amendment No. 4 to Agreement No. 2015-421 with the State of Utah Division of Substance Abuse and Mental Health as specified in Regular Agenda Item No. 17. 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. 2016-639

**18. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT, AND ODYSSEY HOUSE, TO PROVIDE RESIDENTIAL SUBSTANCE ABUSE TREATMENT**

*(Track A, 49:28)*

Pat Bird of the Utah County Department of Drug and Alcohol Prevention and Treatment explained the dollar amount for this contract will be managed within the current budget.

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**Commissioner Lee made the motion to approve the agreement with Odyssey House 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**

AGREEMENT NO. 2016-640

**19. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2014-307 WITH PROVO CITY FOR THE WESTSIDE CONNECTOR PROJECT TO ADD THE 10% CONTINGENCY TO THE PROJECT IN THE AMOUNT OF \$1,450,000**

*(Track A, 51:13)*

Utah County Public Works Director Richard Nielson explained how the county entered into an agreement with Provo City in 2014 for the Provo Westside Connector, now part of the Lakeview Parkway. This amendment is for the portion from Interstate 15 and University Avenue to the Provo Airport. As part of the Mountainland Association of Governments (MAG) process in which the contract was originally approved, a ten percent contingency was withheld; the city is requesting that amount be returned. The commissioners discussed the total project expenditures, and Commissioner Graves disclosed for the record that his father is a Provo City employee and the Project Engineer for this contract; they have discussed it at length.

**Commissioner Lee made the motion to approve the amendment to Agreement No. 2014-307 with Provo City for the Westside Connector Project as defined in Regular Agenda Item No. 19. 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. 2016-641

**20. APPROVE THE UTAH COUNTY TRANSPORTATION FUND PROJECTS ON THE APPROVED LIST OF PROJECTS TO FUND IN THE TIP AS APPROVED BY REGIONAL PLANNING**

*(Track A, 54:35)*

Commissioner Lee pointed out wording of the Transportation Improvement Program (TIP) which states “if funding becomes available.” He suggested a mechanism be put in place so that if a project is unable to be completed, discussion can return to Utah County for a decision on which project to approach next rather than automatically going down a numbered list. Commissioner Graves agreed, pointing out Study No. 19 on the list has an expense of almost \$8,000,000 whereas Study No. 21 has an estimated cost of \$568,000 – if extra monies are available, it may be more feasible for the county to complete No. 21 first. The commissioners would like the opportunity to readdress and prioritize the list based on available funds. Bob Allen of the Mountainland Association of Governments noted it would not be a problem to add that stipulation, and discussed upcoming projects and regional planning with the commissioners and Utah County Public Works Director Richard Nielson. Commissioner Ellertson clarified the Board would only be approving the eight studies on the list today which are being funded by the county.

**Commissioner Lee made the motion to approve the eight county-funded Utah County Transportation Fund Project on the approved list of Transportation Improvement Program studies approved by Regional Planning as discussed in Regular Agenda Item No. 20, with the understanding that use of any additional county funds would be determined by the Board of Commissioners as needed. The motion was seconded by Commissioner Graves and carried with the following vote:**

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

AGREEMENT NO. 2016-641

**21. ADOPT A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH SPANISH FORK CITY FOR THE CENTER STREET PROJECT**

*(Track A, 1:04:05)*

Commissioner Ellertson pointed out the request is for \$5,000,000, but the Board had only approved \$4,100,000. Commissioner Graves mentioned the original amounts being included in the contract, and Utah County Public Works Director Richard Nielson confirmed the dollar amount should be specified as \$4,100,000 within the agreement.

**Commissioner Lee made the motion to adopt the resolution approving an interlocal agreement with Spanish Fork City for the Center Street Project as detailed in Regular Agenda Item No. 21, with the correction of \$4,100,000 being approved and made consistent throughout the contract. 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. 2016-99

AGREEMENT NO. 2016-643

**29. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH CENTRO HISPANO FOR ITS 2016 FESTIVO LATINO AMERICANO**

*(Track A, 1:08:03)*

Utah County Deputy Attorney Carl Hollan confirmed for Commissioner Lee that this agreement is essentially the same as the 2015 contract, with appropriate date changes. Mr. Hollan noted Utah County Public Works Associate Director Don Nay reviewed the property protection, and Commissioner Graves suggested it would be a good idea to have the food vendors available by lunch time on the first day of the festival for the sake of county employees. Commissioner Lee asked whether the deposit has been received, and Michelle Araujo of the Utah County Commission Office confirmed from the audience. Utah County Civil Division Chief Deputy Attorney David Shawcroft noted his office is in the process of obtaining an amended insurance certificate from Centro Hispano.

**Commissioner Graves made the motion to approve the agreement with Centro Hispano for the 2016 Festivo Latino Americano as described in Regular Agenda Item No. 29. 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. 2016-644

**30. AUTHORIZE COMMISSION CHAIR TO VERIFY THE UTAH COUNTY ARTS BOARD AS THE OFFICIAL DESIGNATED LOCAL ARTS AGENCY FOR UTAH COUNTY**

*(Track A, 1:10:53)*

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Utah County Deputy Attorney Carl Hollan introduced Inez Harwood and Leslie Flores of the Utah County Arts Board. Ms. Harwood thanked the commissioners for their support, explaining her Arts Board meets the requirements to be designated as a Local Arts Agency for Utah County, which will in turn allow them to seek additional funding opportunities. She spoke about creating a forum and addressed county responsibilities with Commissioner Lee, who noted the county is not financially obligated to the Arts Board. This designation will help prioritize the Utah County Arts Board on the state funding lists.

**Commissioner Lee made the motion to verify the Utah County Arts Board as the official designated Local Arts Agency as detailed in Regular Agenda Item No. 30. 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. 2016-645

**31. APPROVE AN AGREEMENT FOR SPONSORSHIP OF ENVISION UTAH'S 'UTAH COUNTY STRATEGIC AGRICULTURE TOOLBOX' (Continued from the August 2 and August 9, 2016 Commission meetings)**

*(Track A, 1:18:00)*

When Commissioner Ellertson mentioned the sponsorship would be funding \$20,000, Commissioner Lee pointed out that amount is not currently in the budget. Commissioner Lee stated he has taken the time to speak to the ultimate stakeholders in Utah County's agriculture, specifically ranchers and farmers, who would rather see the money go toward something proactive within the county instead of this program study. Commissioner Ellertson reminded Commissioner Lee that Commissioner Lee was present when the Board committed to participating in this study. Commissioner Lee replied that if any financial commitment was implied, it was done improperly.

Commissioner Ellertson noted Envision Utah has already collected \$140,000 towards this cause; they had initially requested more but came back to ask for this \$20,000 after additional research. Commissioners Lee and Graves stated they recall discussing that the Board would consider matching the funds of the farmers and ranchers, but never finalizing a figure. Commissioner Graves asked what could be done with the \$20,000, either in the Strategic Agriculture Toolbox or 'proactively in the community' as suggested by Commissioner Lee, to address the issue. Commissioner Graves pointed out that not all parties know what they want, and Commissioner Ellertson responded that is why the toolbox is needed. The commissioners discussed stakeholder matches and the need to protect agriculture. Commissioner Lee said the farmers are calling this program pure Socialism, and Commissioner Graves stated government should not be telling residents what to do; they need to protect agriculture but the citizens must make their own decisions about what to do with their land, including selling it for purposes other than farming if that is their choice.

*(Track A, 1:29:20)*

Benjamin resident Nathan Ivie commended the commissioners for helping Utah County continue as the state lead in agriculture production. As a participant in the Envision Utah process, Mr. Ivie was concerned that the printed material did not always match the discussions from the meetings he attended. Mr. Ivie mentioned he would be meeting with Envision Utah to get some questions answered. One of his questions is, did Utah County commit to paying \$20,000? Mr. Ivie said there has been misunderstanding in the community as to what the investment would entail. In the end, he is hoping for something tangible and local control in making better decisions. Mr. Ivie encouraged the Board to uphold their commitment if one was made, but also to question what product has been delivered thus far to justify that expense. Commissioner Graves summarized his recollection from conversations earlier this year that the LDS Church and Utah County would be willing to match whatever contribution was made by the farmers, to total three times the original amount, but an amount was not specified.

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**Commissioner Graves made the motion to continue Regular Agenda Item No. 31 regarding the sponsorship of Envision Utah’s ‘Utah County Strategic Agriculture Toolbox’ for one week to the September 6, 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**

CONTINUED TO SEPTEMBER 6, 2016

**32. APPROVE AN AGREEMENT BETWEEN UTAH COUNTY AND MELVIN R. HUDMAN, VOLUNTEER SECRETARY/BUDGET OFFICER OF UTAH COUNTY FAIR**

*(Track A, 1:32:57)*

Commissioner Lee pointed out that the agreement is for \$2,500, but the Board had discussed more during the budget process. Commissioner Graves stated it is likely for \$2,500 and additional expenses. Commissioner Lee asked about the reimbursement process, and Commissioner Graves commented on procurement rules. Commissioner Ellertson added that just because money is in the budget, it does not have to be spent.

**Commissioner Lee made the motion to continue Regular Agenda Item No. 32 regarding an agreement with Melvin R. Hudman, Volunteer Secretary/Budget Officer for the Utah County Fair, for one week to the September 6, 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 SEPTEMBER 6, 2016

**55. AUTHORIZE THE COMMISSION CHAIR TO SIGN UTAH COUNTY’S WRITTEN NOTICE OF INTENT TO WITHDRAW AS A MEMBER OF THE JORDAN RIVER COMMISSION**

*(Track A, 1:36:03)*

Commissioner Graves explained one year’s notice is necessary to withdraw as a member of the Jordan River Commission. Utah County Civil Division Chief Deputy Attorney David Shawcroft noted the Jordan River Commission fiscal year begins July 1, 2017, and would thus go into effect next Summer. Commissioner Graves suggested continuing discussion for one week so that the potential future commissioners could be included in this decision that may impact Utah Lake and other recent developments.

**Commissioner Graves made the motion to continue Regular Agenda Item No. 55 regarding notice of intent to withdraw as a member of the Jordan River Commission for one week to the September 6, 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**

CONTINUED TO SEPTEMBER 6, 2016

**56. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH RESPONSIBILITY FOUNDATION, INC. FOR PLAQUES**

*(Track A, 1:37:47)*

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Brian Voeks of the Utah County Commission Office explained the county purchased four plaques from Responsibility Foundation, Inc. for a statue. Of the four plaques, two have errors. The company has agreed to fix one of the erroneous plaques at their expense, but considers the second plaque to only have minor mistakes: the ‘h’ in the word ‘Holocaust’ was not capitalized, and the title of a book had quotes rather than being printed in italics. The commissioners discussed whether or not those issues are trivial, and the cost of replacement, grouting, and re-installation with Utah County Public Works Director Richard Nielson. When it was realized that their office was not given the opportunity to proof-read the writing before the plaques were cast, the Board briefly discussed splitting costs with the company.

**Commissioner Graves made the motion to continue Regular Agenda Item No. 56 regarding an agreement with Responsibility Foundation, Inc. for plaques for one week to the September 6, 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**

CONTINUED TO SEPTEMBER 6, 2016

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, 1:51:57)*

**57. 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 items) (Announce the vote of each Commissioner)*

STRICKEN

**58. 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 items) (Announce the vote of each Commissioner)*

STRICKEN

**Commissioner Graves made the motion to strike Regular Agenda Item Nos. 57 and 58 to set dates, times, and locations for closed meetings for strategy sessions to discuss the purchase, exchange, or lease of real property, water rights, or water shares; and to discuss the sale 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**

**59. 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 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 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

60. 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 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 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 ON THE TIMPANOGOS ABANDONED MINE PROJECT

*(Track A, 1:53:18)*

Commissioner Ellertson invited Tom Nicolayson and Connie Jo Garcia of Utah Oil, Gas and Mining forward to discuss the Timpanogos Abandoned Mine Project. There are six openings that have been identified for closure in Utah County; three on federal land, two on private land, and one on Provo City land. The closures would be for the safety of the public. Right-of-entry will be obtained from each private landowner, and a construction company will perform the closures at no cost to the landowners. There are three openings in rocky canyon areas and one in a slate canyon area; the remaining two are near Spanish Fork Canyon. Ms. Garcia and Mr. Nicolayson did not disclose the exact locations for safety's sake. They explained this is their seventh project in Utah County as they close these dangerous openings along the Wasatch Front.

Tom Nicolayson talked about the engineering firm, and Connie Jo Garcia explained how the locations are found through mining records. When it was mentioned that three of the openings are horizontal and the other three are inclined, Commissioner Lee asked whether the company is involved with spelunking. Ms. Garcia explained how they work with trust lands to keep the caverns open when possible by using a grate instead of backfilling. Mr. Nicolayson pointed out that private landowners may also choose to maintain access, but do so upon their own liability.

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**PUBLIC COMMENTS**

There were no public comments and the meeting recessed at 11:13 A.M. to go into closed meetings. The public meeting reconvened at 12:47 P.M.

*(Track B, 00:01)*

**Commissioner Graves made the motion to adjourn the August 30, 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 12:47 P.M. The minutes of the August 30, 2016 Commission meeting were approved as transcribed on October 11, 2016.

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LARRY A. ELLERTSON, Commission Chair

ATTEST:

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BRYAN E. THOMPSON  
Utah County Clerk/Auditor