BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
September 13, 2016 - 9:00 A.M.

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

ALSO PRESENT:
Dianne Orcutt, Utah County Deputy Attorney
Carl Hollan, Utah County Deputy Attorney
Michelle Araujo, Commission Office
Lisa K. Nielson, Commission Office
Brian Voeks, Commission Office
Robert Baxter, Utah County Purchasing Manager
Burt Harvey, Utah County Tax Admin. Supervisor
Jim Stevens, Assessor's Office
Peter A. Jeppsen, Assessor's Office
Joshua Ivie, Community Development
Ralph Clegg, Health Department Exec. Director
Eric Edwards, Utah County Health Department
Steve Mickelson, Utah County Health Department
Michelle Allen,Drug&AlcoholPrevention&Treatment
RobertJohnson,Drug&AlcoholPrevention&Treatment
MalyceWarner,Drug&AlcoholPrevention&Treatment
Cammie Taylor, 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
Dalene Higgins, Utah County Sheriff's Office
Mike Forshee, Utah County Sheriff's Office
Gary Ratcliffe, Utah County Surveyor
Kim T. Jackson, Utah County Treasurer
Mike Stansfield, Fairways Media
Renée Caron, Clerk/Auditor Administrative Assistant

Commissioner Ellertson called the meeting to order at 9:05 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Michelle Allen, County Dept. of Drug and Alcohol Prevention & Treatment
PLEDGE OF ALLEGIANCE: James O. Tracy, Utah County Sheriff

CONSENT AGENDA

(Track A, 02:42)

1. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH HELO-WOOD HELICOPTERS, INC FOR AERIAL APPLICATION OF HERBICIDES

2. APPROVE OR DENY A REQUEST FROM WILLOWCREEK MIDDLE SCHOOL TO WAIVE THE $300 EVENT PERMIT FEE FOR USE OF A PORTION OF THE JORDAN RIVER PARKWAY AND THE ROADS IN WILLOW PARK FOR THE 'WILLOWCREEK 5K & FAMILY FUN RUN' TO BE HELD ON OCTOBER 8, 2016

The Board requested Consent Agenda Item No. 2 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE FY2016 ANNUAL BEER TAX REPORT FOR THE STATE OF UTAH SUBSTANCE ABUSE ADVISORY COUNCIL

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

5. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20366, DATED SEPTEMBER 7, 2016

6. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY

7. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2016-18

8. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2016-4 (ABATEMENTS)

9. RATIFICATION OF WARRANT REGISTER SUMMARY FOR SEPTEMBER 6, 2016 ***(Continued from the September 6, 2016 Commission meeting)***

10. RATIFICATION OF WARRANT REGISTER SUMMARY FOR SEPTEMBER 13, 2016

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

1. APPROVE THE MINUTES OF THE JULY 12, 2016 COMMISSION MEETING
The commissioners requested Regular Agenda Item No. 1 be continued to the next meeting of the Board.
CONTINUED TO SEPTEMBER 20, 2016

2. ADOPT (OR DENY) AN ORDINANCE TO AMEND SECTIONS 5-6-C, 5-6-D, AND 6-5-B OF THE UTAH COUNTY LAND USE ORDINANCE TO ADD A CEMETERY AS A CONDITIONAL USE AND ADMINISTRATIVE OFFICES AS A PERMITTED USE IN RECREATIONAL RESORTS LOCATED IN THE CRITICAL ENVIRONMENT (CE-2) ZONE ***(Continued from the September 6, 2016 Commission meeting)***
The commissioners requested Regular Agenda Item No. 2 be continued to the next meeting of the Board.
CONTINUED TO SEPTEMBER 20, 2016

3. DELETE ONE FULL-TIME CAREER SERVICE SERGEANT – INVESTIGATIONS POSITION FROM THE ATTORNEY – INVESTIGATIONS DIVISION [DELETE POSITION INVEST ATTY 004 FROM ATTY - INVEST]

4. ADD ONE FULL-TIME CAREER SERVICE FORENSIC COMPUTER ANALYSIS II TO THE SHERIFF ENFORCEMENT – INVESTIGATIONS DEPARTMENT STAFFING PLAN [ADD: JOB CODE TBD, TO SH ENF – INVEST]

5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH WISE PROVIDER NETWORKS, LLC TO PROVIDE HEALTH SERVICES ***(Continued from the September 6, 2016 Commission meeting)***

7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2015-688 WITH THE UTAH DEPARTMENT OF HEALTH FOR MATERNAL AND CHILD HEALTH FUNDING

9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UNIVERSITY OF UTAH POISON CONTROL CENTER TO PROMOTE POISON PREVENTION EDUCATION
The commissioners requested Regular Agenda Item No. 9 be continued to the next meeting of the Board.
CONTINUED TO SEPTEMBER 20, 2016

10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UTAH VALLEY UNIVERSITY FOR STUDENT INTERNSHIPS

11. ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE COMMISSION CHAIR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT WITH PAYSON TO COORDINATE AND IMPLEMENT THE COMMUNITIES THAT CARE PREVENTION MODEL ***(Continued from the September 6, 2016 Commission meeting)***

12. ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE COMMISSION CHAIR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT WITH SARATOGA SPRINGS CITY TO COORDINATE AND IMPLEMENT THE COMMUNITIES THAT CARE PREVENTION MODEL ***(Continued from the September 6, 2016 Commission meeting)***

13. APPROVE A MOUNTAINLAND ASSOCIATION OF GOVERNMENTS UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD UP TO $30,000.00 TO MOUNTAINLAND ASSOCIATION OF GOVERNMENTS FOR THE COMMUNITY KITCHEN TA AND MICROLOANS

15. APPROVE AND AUTHORIZE A MEMORANDUM OF UNDERSTANDING BETWEEN UTAH COUNTY AND THE USDA FOREST SERVICE INTERMOUNTAIN REGION MANTI-LA-SAL NATIONAL FOREST (REPLACING AGREEMENT NO. 2015-669)

16. AUTHORIZE THE COMMISSION CHAIR TO SIGN UTAH COUNTY'S WRITTEN NOTICE OF INTENT TO WITHDRAW AS A MEMBER OF THE JORDAN RIVER COMMISSION ***(Continued from the August 30 and September 6, 2016 Commission meetings)***

17. ADOPT A RESOLUTION APPOINTING GREG GRAVES AS UTAH COUNTY REPRESENTATIVE TO THE POINT OF THE MOUNTAIN DEVELOPMENT COMMISSION

18. ADOPT A RESOLUTION APPOINTING JUDI A. PICKELL TO THE UTAH COUNTY PLANNING COMMISSION

ACTIONS TAKEN

Consent Agenda Item Nos. 1, and 3 through 10, were **approved, authorized, abated, adopted and ratified**; and No. **2** was **tabled** for further discussion. **Regular Agenda Item Nos. 1, 2, and 9** were **continued** to the September 20, 2016 meeting of the Board; Nos. **3, 4, 7, 10 through 13, and 15 through 18** were **approved, authorized, and adopted**; and No. **5** was **stricken** from the agenda.

AGREEMENT NOS.: 2016-663 through 2016-675
RESOLUTION NOS.: 2016-102 through 2016-106

REGULAR AGENDA

(PULLED FROM CONSENT)

2. APPROVE OR DENY A REQUEST FROM WILLOWCREEK MIDDLE SCHOOL TO WAIVE THE $300 EVENT PERMIT FEE FOR USE OF A PORTION OF THE JORDAN RIVER PARKWAY AND THE ROADS IN WILLOW PARK FOR THE 'WILLOWCREEK 5K & FAMILY FUN RUN' TO BE HELD ON OCTOBER 8, 2016

(Track A, 06:41)

Commissioner Ellertson noted it would be nice to have a report following the event, to find out the success of the fundraiser and how the students were helped. Utah County Public Works Director Richard Nielson stated he could follow-up with Willowcreek Middle School to request that information.

Commissioner Graves made the motion to waive the $300 Event Permit fee for use of a portion of the Jordan River Parkway and roads in Willow Park for the 'Willowcreek 5K & Family Fun Run' to be held October 8, 2016 as identified in Consent Agenda Item No. 2, with the finding that the benefit to the community exceeds the monetary fees in fair and adequate consideration to the county. The motion was seconded by Commissioner Lee and carried with the following vote:

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

AGREEMENT NO. 2016-676

REGULAR AGENDA

6. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ENLIGHTEN COMMUNICATIONS TO PROVIDE ABSTINENCE EDUCATION

(Track A, 08:45)

Utah County Health Department Executive Director Ralph Clegg mentioned this is part of an ongoing contract with the state, and introduced Jackie Larsen to expound upon the county's relation to Nebo School District. Ms. Larsen responded to Commissioners Ellertson and Graves' questions regarding the $2,500 payment and why only two of the five schools are included, explaining the two schools were chosen because they are especially supportive of the abstinence program which she has been coordinating with them since 2011. Though the education has been available by video since then, there are extra funds this year and having the speaker appear in person will impact as many students as possible. Mr. Clegg confirmed the money is coming from the state specifically for this contract.

Jackie Larsen mentioned she has begun working with Alpine School District, but they have not approved this speaker yet. Ralph Clegg added they are anticipating additional funding for Alpine School District, and Ms. Larsen addressed the contract room and board details with Commissioners Ellertson and Graves. Commissioner Lee asked why they must fly in an educator from out of state rather than use someone local, and Ms. Larsen explained this person is the only one in the entire country performing this specific type of presentation, as abstinence can be a controversial subject. Ms. Larsen and Commissioner Lee discussed the best use of funds for the approximate 800 students ranging from ninth grade to twelfth grade, as well as their parents.

(Track A, 15:15)

Utah County Deputy Attorney Carl Hollan pointed out the $2,500 stipend, and clarified that the hotel and meals would be the responsibility of the contractor. Commissioner Graves expressed concern over the limited number of schools included in the presentation, and suggested perhaps splitting up the day to invite more attendees. Jackie Larsen responded it is a possibility. Commissioner Lee noted the presenter is already being paid by the county, but may also be selling product for additional profit during the event.

Commissioner Graves made the motion to approve the agreement with Enlighten Communications with changes as discussed in Regular Agenda Item No. 6. The motion was seconded by Commissioner Lee and carried with the following vote:

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

AGREEMENT NO. 2016-677

8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SERVICE LEVEL AGREEMENT WITH UTAH INTERACTIVE FOR ELECTRONIC ACCESS FUNCTIONS AND TRANSACTIONS

(Track A, 18:45)

Utah County Health Department Executive Director Ralph Clegg introduced Eric Edwards, who explained the Health Department is in the process of updating their website and Utah Interactive is included on the state contract. This is a service level agreement for Utah Interactive to serve as the portal manager. When Commissioner Graves asked who will control the content and appearance of the website, Mr. Edwards clarified the county will provide the information to be included to Utah Interactive. Mr. Edwards mentioned Utah Interactive is responsible for www.utah.gov, and Commissioner Graves expressed skepticism about that site being user friendly; Commissioner Graves stated the current County Health Department site looks better than Utah.gov in his opinion. Mr. Edwards talked about the importance of having the site be easily accessible through mobile applications, and discussed the budget with Commissioner Ellertson. Commissioner Lee summarized the purpose of the agreement, and Mr. Edwards noted addendums can be created as necessary. Commissioner Graves also expressed skepticism that the work would be completed by year's end.

Commissioner Graves made the motion to approve the service level agreement with Utah Interactive for electronic access functions and transactions as detailed in Regular Agenda Item No. 8. The motion was seconded by Commissioner Lee and carried with the following vote:

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

AGREEMENT NO. 2016-678

14. APPROVE AND AUTHORIZE A SELECTHEALTH SHARE ENGAGEMENT LETTER

(Track A, 27:30)

When Commissioner Ellertson noted that the form appeared to be incomplete, Commissioner Graves pointed out he had checked with Utah County Deputy Attorney Robert Moore and confirmed it was mostly filled out. Utah County Personnel Director Cammie Taylor explained the question "Do you offer an employer contribution of at least 70% across all ratings tiers?" should remain unchecked until she receives an answer from SelectHealth for "70% of what?" Ms. Taylor mentioned the county will be in compliance.

Commissioner Graves made the motion to approve the SelectHealth Share engagement letter, upon receipt of the information requested by Utah County Personnel Director Cammie Taylor, as outlined 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. 2016-679

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, 31:35)

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

Commissioner Graves made the motion to set a date, time, and location for a closed meeting for a strategy session to discuss the purchase, exchange, or lease of real property, water rights, or water shares 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 Lee and carried with the following vote:

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

SET

20. 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 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 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

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

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 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

22. 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 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 items today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Lee and carried with the following vote:

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

SET

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

There were no public comments and the meeting recessed at 9:39 A.M. to go into closed meetings. The public meeting reconvened at 11:01 A.M.
(Track B, 00:01)

Commissioner Graves made the motion to adjourn the September 13, 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 11:01 A.M. The minutes of the September 13, 2016 Commission meeting were approved as transcribed on October 25, 2016.

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LARRY A. ELLERTSON, Commission Chair

ATTEST:

_____
BRYAN E. THOMPSON
Utah County Clerk/Auditor

Copies available on the Utah County website at www.utahcounty.gov
Recorded by Renée Caron, Clerk/Auditor Administrative Assistant