

**BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH**  
**MINUTES OF PUBLIC MEETING**  
**COMMISSION CHAMBERS, ROOM 1400**  
**OF THE UTAH COUNTY ADMINISTRATION BUILDING**  
**October 4, 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  
Carl Hollan, Deputy Attorney  
Paul Jones, Deputy Attorney  
Michelle Araujo, Commission Office  
Lisa K. Nielson, Commission Office  
Brian Voeks, Commission Office  
Robert Baxter, Utah County Purchasing Manager  
Burt Harvey, Clerk/Auditor – Tax Admin. Supervisor  
Burt Garfield, Assessor’s Office  
Peter Jeppsen, Assessor’s Office  
Brandon Larsen, Community Development  
Josh Ivie, Community Development  
Andrea Allen, Utah County Recorder’s Office  
Ralph Clegg, County Health Department Director  
Eric Edwards, Utah County Health Department  
Marla Brannum, Utah County Health Promotions  
Jan Rogers, Utah County Health Department

Pat Bird, Drug & Alcohol Prevention & Treatment  
Christy Long, Drug & Alcohol Prevention&Treatment  
Mark Brady, County Personnel Assistant Director  
Jane Ivie, Utah County Personnel Office  
Richard Nielson, Utah County Public Works Director  
James O. Tracy, Utah County Sheriff  
Dalene Higgins, Utah County Sheriff’s Office  
Mike Forshee, Utah County Sheriff’s Office  
Nancy Killian, Utah County Sheriff’s Office  
Milo Keele, Utah County Sheriff’s Office  
Chris Sainsbury, Utah County Sheriff’s Office  
Traci Wilcock, Utah County Sheriff’s Office  
Gary Ratcliffe, Utah County Surveyor  
Kim Jackson, Utah County Treasurer  
Trevor Finlinson, Utah Valley University Student  
Mike Stansfield, Fairways Media  
Renée Caron, Clerk/Auditor Administrative Assistant

Commissioner Ellertson called the meeting to order at 9:11 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** Larry A. Ellertson, Utah County Commissioner

**PLEDGE OF ALLEGIANCE:** William C. Lee, Utah County Commissioner

**CONSENT AGENDA**

*(Track A, 02:50)*

1. **RATIFY THE SIGNATURES OF THE UTAH COUNTY COMMISSIONERS ON THE LETTER OF SUPPORT FOR THE FEDERAL TRANSIT ADMINISTRATION (FTA) FISCAL YEAR 2017 POSITIVE TRAIN CONTROL (PTC) GRANT**
2. **APPROVE HALL FARM SUBDIVISION, PLAT ‘A,’ SUBJECT TO THE CONDITIONS IN THE STAFF REPORT**
3. **APPROVE RAND SUBDIVISION, PLAT ‘A,’ SUBJECT TO THE CONDITIONS IN THE STAFF REPORT**
4. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH MOUNTAINLAND SUPPLY COMPANY FOR THE PURCHASE OF \$14,468.16 WORTH OF PLUMBING PARTS TO BE USED IN THE JAIL**

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5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE FY16 HOMELAND SECURITY GRANT AWARD AND ARTICLES OF AGREEMENT DOCUMENTS FOR THE EOD (EXPLOSIVE ORDINANCE DISPOSAL) GRANT FROM THE UTAH DEPARTMENT OF PUBLIC SAFETY**
6. **APPROVE REDUCING THE PENALTY IN THE AMOUNTS LISTED FOR THE ATTACHED PERSONAL PROPERTY ACCOUNTS, HAVING BEEN IDENTIFIED AS MEETING THE QUALIFICATIONS UNDER ORDINANCE NO. 2010-4 AND RESOLUTION NO. 2011-64 OF THE UTAH COUNTY CODE**
7. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2016-19**

The Board requested Consent Agenda Item No. 7 be moved to the Regular Agenda for discussion.  
PULLED TO REGULAR

8. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY**
9. **RATIFICATION OF PAYROLL FOR PAY PERIOD 20**
10. **RATIFICATION OF WARRANT REGISTER SUMMARY FOR OCTOBER 4, 2016**

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

Consent Agenda Item Nos. 1 through 6, and 8 and 9, were approved as written. Commissioner Ellertson recommended the following Regular Agenda items be moved to Consent:

1. **APPROVE THE MINUTES OF THE AUGUST 9, 2016 COMMISSION MEETING**

The commissioners requested Regular Agenda Item No. 1 be continued to the next meeting of the Board.  
CONTINUED TO OCTOBER 11, 2016

2. **APPROVE THE MINUTES OF THE AUGUST 30, 2016 COMMISSION MEETING**

The commissioners requested Regular Agenda Item No. 2 be continued to the next meeting of the Board.  
CONTINUED TO OCTOBER 11, 2016

3. **AUTHORIZE A CHANGE TO THE TREASURER'S OFFICE STAFFING PLAN TO ADD ONE (1) FULL-TIME CAREER SERVICE PERSONAL PROPERTY COLLECTIONS - LEAD POSITION [OFFICIAL ACTION: ADD CLASS CODE 6541 TO TREASURER]**

The Board requested Regular Agenda Item No. 3 be stricken from the agenda.  
STRICKEN

5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE AGREEMENT WITH INTERMOUNTAIN HEALTHCARE (IHC) TO PROVIDE FACILITIES, FOOD, AND RELATED CONFERENCE MATERIALS FOR THE OB DISASTER PLANNING WORKSHOP**
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ALPINE SCHOOL DISTRICT TO PROVIDE PREVENTION SERVICES TO UTAH COUNTY RESIDENTS**
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH NEBO SCHOOL DISTRICT TO PROVIDE PREVENTION SERVICES TO UTAH COUNTY RESIDENTS**

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8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH PROVO SCHOOL DISTRICT TO PROVIDE PREVENTION SERVICES TO UTAH COUNTY RESIDENTS
11. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2015-726 WITH WASATCH MENTAL HEALTH
13. APPROVE AND CERTIFY THE ENVIRONMENTAL REVIEW RECORD FOR THE SINDY GALVEZ HOUSING REHAB COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT
15. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE A NOTICE OF ELECTRONIC MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, FOR ALL FUTURE MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH, PURSUANT TO SECTION 17-53-205, UTAH CODE ANNOTATED, 1953 AS AMENDED, UNTIL FURTHER NOTICE
16. ADOPT A RESOLUTION OF APPOINTMENT OF DANIEL GUBLER TO THE UTAH COUNTY CHILDREN'S JUSTICE CENTER ADVISORY BOARD

**ACTIONS TAKEN**

Consent Agenda Item Nos. 1, 2, 3, 4, 5, 6, 8, and 9 were ratified, approved, authorized, and adopted; Nos. 7 and 10 were tabled for further discussion. Regular Agenda Item Nos. 1 and 2 were continued to the October 11, 2016 meeting of the Board; No. 3 was stricken from the agenda; and Nos. 5, 6, 7, 8, 11, 13, 15, and 16 were approved, authorized, certified, and adopted.

AGREEMENT NOS.: 2016-716 through 2016-729

RESOLUTION NOS.: 2016-110 and 2016-111

**EMPLOYEE OF THE MONTH**

*(Track A, 06:40)*

**RECOGNITION OF THE UTAH COUNTY EMPLOYEE OF THE MONTH FOR OCTOBER 2016**

Traci Wilcock of the Utah County Sheriff's Office was recognized as the October 2016 Employee of the Month.

**REGULAR AGENDA**

**(PULLED FROM CONSENT)**

7. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2016-19

*(Track A, 09:32)*

Commissioner Ellertson commented on the seemingly duplicate payment of taxes, and Utah County Civil Division Chief Deputy Attorney David Shawcroft explained how the uniform fee is required by statute because of the change in ownership.

Commissioner Lee made the motion to approve the Property Tax actions contained in Recommendation Letter No. 2016-19 as detailed in Consent Agenda Item No. 7. 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. 2016-730

**(PULLED FROM CONSENT)**

**10. RATIFICATION OF WARRANT REGISTER SUMMARY FOR OCTOBER 4, 2016**

*(Track A, 11:30)*

Commissioner Ellertson noted he had placed a question mark within the internal register system for Purchase Order No. 2016-11509-1 attached to Check Register No. 1279, and Commissioner Lee also had concerns regarding Register No. 1272. The commissioners discussed the approval process for the register summary, pointing out that only a few of the items have approval from at least two commissioners. Utah County Clerk/Auditor Bryan E. Thompson noted he did not see some of the changes which were made, and suggested he and the Board meet with Information Systems to learn the full process. Commissioner Ellertson asked Mr. Thompson not to release the two specified checks until the Board received answers to their questions.

**Commissioner Lee made the motion to ratify the Warrant Register Summary for October 4, 2016 as outlined in Consent Agenda Item No. 10. 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

**REGULAR AGENDA**

**4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UNIVERSITY OF UTAH POISON CONTROL CENTER TO PROMOTE POISON PREVENTION EDUCATION** *(Continued from the September 13 and September 20, 2016 Commission meetings)*

*(Track A, 16:45)*

Utah County Health Department Executive Director requested the Board continue this item, as the University of Utah has agreed to make the changes requested by the Utah County Attorney's Office but have yet to submit the amended contract. Commissioner Ellertson asked Mr. Clegg to also look further into the reimbursement of travel policy included within the agreement.

**Commissioner Lee made the motion to continue Regular Agenda Item No. 4 regarding the agreement with University of Utah Poison Control Center for one week to the October 11, 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 OCTOBER 11, 2016

**9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND UTAH TRANSIT AUTHORITY TO SELL UTA PASSES, TICKETS, AND TOKENS**

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*(Track A, 19:18)*

Christy Long of the Utah County Department of Drug and Alcohol Prevention and Treatment came forward to answer Commissioner Ellertson's questions. He asked about the benefit of this agreement, and Ms. Long explained the county has generally purchased the tokens in advance. This leads to estimating the number needed monthly and eventually a huge reserve of unused passes and tickets. Ms. Long noted this would be the best use of taxpayer dollars to only pay for the tickets that are actually used. She confirmed the tickets would not be for public sale, and the supply will be securely accounted for billing purposes.

**Commissioner Graves made the motion to approve the agreement with Utah Transit Authority to sell UTA passes, tickets, and tokens as discussed 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. 2016-731

**10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A VEHICLE RETENTION REQUEST FOR THE THREE VEHICLES RETAINED BY THE SHERIFF'S OFFICE, TO BE USED BY DEPUTIES IN THE PROBATION DIVISION AND AS A SECOND VEHICLE FOR SEX CRIME VICTIM'S ADVOCATES**

*(Track A, 22:05)*

Lieutenant Mike Brower of the Utah County Sheriff's Office explained the Justice Reinvestment Initiative will likely go into effect within the next year. Two deputies will use the vehicles, and in a couple of years the Sheriff's Office will either request money in the budget for new vehicles or find a way to replace them with viable used vehicles. Commissioner Ellertson mentioned the Sheriff's Office budget being used for operation of the vehicles.

**Commissioner Lee made the motion to approve the vehicle retention request as outlined in Regular Agenda Item No. 10. 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. 2016-732

**12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2015-753 WITH PLEASANT GROVE LIBRARY**

*(Track A, 23:48)*

Commissioner Lee pointed out a typo which should be corrected from Agreement No. 2015-723 to Agreement No. 2015-753. Commissioner Ellertson noted he had a question for the Mountainland Association of Governments, specifically whether the group was able to find the additional monies for this agreement and follow through based on committee recommendation.

**Commissioner Graves made the motion to approve the amendment to Agreement No. 2015-753 with Pleasant Grove Library as specified in Regular Agenda Item No. 12, with the understanding that monies were allocated through the Mountainland Association of Governments process as noted. 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. 2016-733

**14. APPROVE AND AUTHORIZE A MEMORANDUM OF UNDERSTANDING BETWEEN UTAH COUNTY AND THE U.S. FOREST SERVICE, ASHLEY NATIONAL FOREST (REPLACING AGREEMENT NO. 2015-771)**

*(Track A, 26:28)*

Utah County Deputy Attorney Robert Moore reviewed the minor changes which have been made to this updated Memorandum of Understanding with the U.S. Forest Service, in order to clarify the involvement of Ashley National Forest and contact information for involved groups.

**Commissioner Lee made the motion to approve the Memorandum of Understanding with the U.S. Forest Service as identified in Regular Agenda Item No. 14. The motion was seconded by Commissioner Graves and carried with the following vote:**

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

AGREEMENT NO. 2016-734

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, 28:35)*

**17. 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)*

STRICKEN

**18. 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)*

STRICKEN

**Commissioner Lee made the motion to strike Regular Agenda Item Nos. 17 and 18 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 Graves and carried with the following vote:**

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

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19. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS (*Suggested for today's date, at this location, following the completion of the Regular Agenda items*) (*Announce the vote of each Commissioner*)

Commissioner Lee made the motion to set a date, time, and location for a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or individuals to follow the Regular Agenda items today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Graves and carried with the following vote:

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

SET

20. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION (*Suggested for today's date, at this location, following the completion of the Regular Agenda items*) (*Announce the vote of each Commissioner*)

Commissioner Lee made the motion to set a date, time, and location for a closed meeting for a strategy session to discuss pending or reasonably imminent litigation to follow the Regular Agenda items today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Graves and carried with the following vote:

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

SET

**WORK SESSION**

NO WORK SESSION ITEMS WERE SUBMITTED

**PUBLIC COMMENTS**

There were no public comments and the meeting recessed at 9:41 A.M. to go into closed meetings. The public meeting reconvened at 10:13 A.M.  
(*Track B, 00:01*)

Commissioner Graves made the motion to adjourn the October 4, 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

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There being no further business nor public comment, the meeting adjourned at 10:14 A.M. The minutes of the October 4, 2016 Commission meeting were approved as transcribed on November 22, 2016.

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LARRY A. ELLERTSON, Commission Chair

ATTEST:

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BRYAN E. THOMPSON  
Utah County Clerk/Auditor