

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
October 18, 2016 - 9:00 A.M.

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

ALSO PRESENT:

Paul Jones, 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, Clerk/Auditor – Tax Admin. Supervisor
Kris Poulson, Utah County Assessor
Burt Garfield, County Assessor’s Office
Tod Smith, County Assessor’s Office
Peter A. Jeppsen, County Assessor’s Office
Jim Stevens, County Assessor’s Office
Cammie Taylor, Utah County Personnel Director

Ralph Clegg, County Health Department Director
Steve Mickelson, Utah County Health Department
Eric Edwards, Utah County Health Department
Jeff Smith, Utah County Recorder
Andrea Allen, Utah County Recorder’s Office
Mike Brower, Utah County Sheriff’s Office
Darin Durfey, Utah County Sheriff’s Office
Gary Ratcliffe, Utah County Surveyor
Kim Jackson, Utah County Treasurer
Dave Jackson, NFP Corp.
Mike Stansfield, Fairways Media
Renée Caron, Clerk/Auditor Administrative Assistant

Commissioner Ellertson called the meeting to order at 9:14 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Greg Graves, Utah County Commissioner
PLEDGE OF ALLEGIANCE: Sammy Shalopy, Willowcreek Middle School Student Body President

CONSENT AGENDA
(Track A, 02:38)

1. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE UPDATED WARRANTY AGREEMENT WITH COMMERCIAL ELECTRONICS FOR THE V2 ADVOCATE DIGITAL INTERVIEW RECORDING MANAGEMENT SYSTEM** *(Continued from the October 11, 2016 Commission meeting)*

The commissioners requested Consent Agenda Item No. 1 be continued to the next meeting of the Board.
CONTINUED TO OCTOBER 25, 2016

2. **DECLARE UNITS 701185 AND 701322 AS SURPLUS AND AUTHORIZE THE DISPOSAL OF THESE VEHICLES THROUGH PUBLIC SURPLUS ONLINE AUCTION SERVICES**
3. **RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON A FINANCIAL AGREEMENT WITH DR. JONATHAN BONE, EXPERT WITNESS**
4. **RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON A CREDIT APPLICATION FOR ASSOCIATED FOODS FOR THE UTAH COUNTY SECURITY CENTER**
5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ADS, INC. FOR THE PURCHASE OF EOD (EXPLOSIVE ORDINANCE DISPOSAL) EQUIPMENT** *(Continued from the October 11, 2016 Commission meeting)*

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6. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20370, DATED OCTOBER 12, 2016**
7. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE SENIOR COMPANION PROGRAM**
8. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2016-5 (ABATEMENTS)**
9. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2016-20**
10. **RATIFICATION OF PAYROLL FOR PAY PERIOD 21**
11. **RATIFICATION OF WARRANT REGISTER SUMMARY FOR OCTOBER 18, 2016**

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

2. **APPROVE THE MINUTES OF THE SEPTEMBER 6, 2016 COMMISSION MEETING** (*Continued from the October 11, 2016 Commission meeting*)

The commissioners requested Regular Agenda Item No. 2 be continued to the next meeting of the Board.
CONTINUED TO OCTOBER 25, 2016

3. **APPROVE THE MINUTES OF THE SEPTEMBER 13, 2016 COMMISSION MEETING**

The commissioners requested Regular Agenda Item No. 3 be continued to the next meeting of the Board.
CONTINUED TO OCTOBER 25, 2016

4. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 3 TO AGREEMENT NO. 2015-101 WITH THE UTAH DEPARTMENT OF HEALTH TO INCREASE FUNDING FOR MENINGOCOCCAL H FLU ENHANCED SURVEILLANCE**

The commissioners requested Regular Agenda Item No. 4 be continued to the next meeting of the Board.
CONTINUED TO OCTOBER 25, 2016

5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE EMI HEALTH PROVIDER PARTICIPATION AGREEMENT AND BACK DATE THE SIGNATURE TO JANUARY 1, 2016, REPLACING AGREEMENT NO. 2011-34**

6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2012-653 WITH COMMUNITY HEALTH CONNECT**

7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT FOR PREFERRED PROVIDER ORGANIZATION PARTICIPATING FACILITY AGREEMENT WITH WISE PROVIDER NETWORK, LLC.**

10. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ES TACTICAL TO PROVIDE SIX PRECISION SNIPER RIFLES TO THE UTAH COUNTY SHERIFF'S OFFICE** (*Continued from the October 11, 2016 Commission meeting*)

The commissioners requested Regular Agenda Item No. 10 be continued to the next meeting of the Board.
CONTINUED TO OCTOBER 25, 2016

11. **APPROVE AND CERTIFY THE ENVIRONMENTAL REVIEW RECORD FOR THE DINITIA RUNOLFSON HOUSING REHAB COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT**

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12. **APPROVE A MOUNTAINLAND ASSOCIATION OF GOVERNMENTS UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD OF UP TO \$108,500.00 TO THE TOWN OF CEDAR FORT FOR TOWN PARK RESTROOMS**
13. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A FINANCIAL AGREEMENT WITH LESLIE W. SLAUGH, EXPERT WITNESS**
14. **ADOPT A RESOLUTION OPPOSING UNILATERAL USE OF THE ANTIQUITIES ACT**
15. **ADOPT A RESOLUTION REAPPOINTING JONATHAN K. DRIGGS TO THE UTAH COUNTY CAREER SERVICE COUNCIL**
16. **ADOPT A RESOLUTION APPOINTING RALPH CLEGG AND KATHY CURTIS TO THE UTAH COUNTY CHILDREN’S JUSTICE CENTER ADVISORY BOARD**

ACTIONS TAKEN

Consent Agenda Item No. 1 was **continued** to the October 25, 2016 meeting of the Board; and Nos. **2 through 11** were **declared, ratified, approved, authorized, and adopted**. **Regular Agenda Item Nos. 2, 3, 4, and 10** were **continued** to the October 25, 2016 meeting of the Board; and Nos. **5, 6, 7, and 11 through 16** were **approved, authorized, certified, and adopted**.

AGREEMENT NOS.: 2016-735 through 2016-744

RESOLUTION NOS.: 2016-112 and 2016-113

REGULAR AGENDA

1. **WILLOWCREEK MIDDLE SCHOOL PRESENTATION ABOUT THE BENEFITS TO THE SCHOOL AND COMMUNITY AS A RESULT OF THE 2016 ‘WILLOWCREEK 5K & FAMILY FUN RUN’**

(Track A, 06:38)

Utah County Public Works Director Richard Nielson reminded the Board they had waived the fees for use of county grounds several weeks prior, introducing the group which had requested the waiver for a fundraiser. Representatives of Willowcreek Middle School came forward: 9th Grade Vice-President Savannah Sheen, 9th Grade President Emma Plank, 9th Grade Secretary Sidney Miller, and Student Body President Sammy Shalopy. They thanked the commissioners for waiving the fees, which allowed them to in turn raise \$10,000 to repair their school auditorium. The students posed for photographs with the Board, and Principal Jarom Becar noted this is the eighth consecutive year they have hosted this fundraiser.

8. **APPROVED OR DENY A REQUEST FROM THE UTAH DEPARTMENT OF WORKFORCE SERVICES TO WAIVE THE ROOM RESERVATION FEE OF \$800 FOR A TRAINING MEETING IN THE COUNTY ADMINISTRATION BUILDING ROOMS LL 700-900 ON JANUARY 5, 2017**

(Track A, 10:20)

Utah County Public Works Director Richard Nielson confirmed for Commissioner Ellertson that the Utah Department of Workforce Services will be discussing how to eliminate inter-generational poverty. When Commissioner Graves asked about the benefit to the public, Commissioner Ellertson noted the training would be open to the public and several government agencies.

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Commissioner Graves made the motion to waive the \$800 room reservation fee for the Utah Department of Workforce Services to conduct a training meeting in the County Administration Building on January 5, 2017 as specified in Regular Agenda Item No. 8, 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. 2016-758

9. ADOPT A RESOLUTION AUTHORIZING THE COMMISSION CHAIR TO SIGN AN INTERLOCAL AGREEMENT WITH PLEASANT GROVE CITY AND THE CITY OF CEDAR HILLS FOR THE CANYON ROAD PROJECT AND MAINTENANCE RESPONSIBILITIES

(Track A, 12:33)

Commissioner Ellertson noted this agreement has been in the works for several years; both Pleasant Grove City and Cedar Hills will be considering the same interlocal agreement on their agendas as they meet tonight. When Utah County Deputy Attorney Carl Hollan mentioned that the intent is clear, but some of the explanations need additional clarification, Commissioner Ellertson asked whether the modifications would be made in time for tonight's meetings; Mr. Hollan replied 'yes.' Commissioner Lee reviewed with Mr. Hollan and Utah County Public Works Director Richard Nielson some of the defining language.

Commissioner Lee made the motion to adopt the resolution authorizing the Interlocal Agreement with Pleasant Grove City and the City of Cedar Hills for the Canyon Road Project as outlined in Regular Agenda Item No. 9, with the understanding that Commission approval is subject to corresponding City Council approval. 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. 2016-118

AGREEMENT NO. 2016-759

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, 18:33)

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) (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) (Announce the vote of each Commissioner)*

STRICKEN

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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) (Announce the vote of each Commissioner)*

STRICKEN

Commissioner Lee made the motion to strike Regular Agenda Item Nos. 17, 18, and 20 to set dates, times, and locations for closed meetings for a strategy session to discuss the purchase, exchange, or lease of real property, water rights, or water shares; for a strategy session to discuss the sale of real property, water rights, or water shares; and for a strategy session to discuss pending or reasonably imminent litigation. The motion was seconded by Commissioner Graves and carried with the following vote:

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

20. 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

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

(Track A, 12:33)

Commissioner Graves brought up the 'Shop With A Cop' program; local law enforcement, including Utah County Sheriff Deputies, are temporarily allowed to have facial hair in exchange for participation in the program. Upon seeing Utah County Sheriff's Office Lieutenant Mike Brower in the audience, Commissioner Ellertson joked with him about "paying to look like that."

This concluded the public comment portion of the open meeting, and the meeting recessed at 9:34 A.M. to go into closed sessions. The public meeting reconvened at 11:26 A.M.

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Commissioner Graves made the motion to adjourn the October 18, 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 11:26 A.M. The minutes of the October 18, 2016 Commission meeting were approved as transcribed on November 29, 2016.

LARRY A. ELLERTSON, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor