

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
October 25, 2016 - 9:00 A.M.

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

ALSO PRESENT:

David Shawcroft, Civil Div. Chief Deputy Attorney
Robert J. Moore, Utah County Deputy Attorney
Dianne Orcutt, Utah County Deputy Attorney
Paul Jones, 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, Clerk/Auditor – Tax Admin. Supervisor
Burt Garfield, Utah County Assessor’s Office
Clarissa Reeve, Utah County Assessor’s Office
Bryce Armstrong, Community Development
Ralph Clegg, County Health Department Director
Marla Brannum, Utah County Health Department
Patty Cross, Utah County Health Department
Eric Edwards, Utah County Health Department
Bryce C. Larsen, Utah County Health Department
Steve Mickelson, Utah County Health Department
Jeff Smith, Utah County Recorder
Andrea Allen, Utah County Recorder’s Office

Cammie Taylor, Utah County Personnel Director
Richard Nielson, Utah County Public Works Director
James O. Tracy, Utah County Sheriff
Dalene Higgins, Utah County Sheriff’s Office
Gary Ratcliffe, Utah County Surveyor
Kim Jackson, Utah County Treasurer
Ryan Hatch, Utah Local Governments Trust
Steven Downs, Assistant to Orem City Manager
Corey Norman, Provo City Deputy Mayor
Gary Millward, Provo City Attorney’s Office
Peter Anderson, Orem Resident
Sharon Anderson, Orem Resident
Diane Christensen, Provo Resident
James Fawcett, Orem Resident
Phillip Hinckley, Provo Resident
Brian Jones, Provo Resident
Robert Nielson, Payson Resident
Peter H. Rehm, Orem Resident
Phil Snelgrove, Orem Resident
Katie England, *The Daily Herald*
Mike Stansfield, Fairways Media
Renée Caron, Clerk/Auditor Administrative Assistant

Commissioner Ellertson called the meeting to order at 9:47 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Robert J. Moore, Utah County Deputy Attorney

PLEDGE OF ALLEGIANCE: Ralph Clegg, Utah County Health Department Director

CONSENT AGENDA

(Track A, 02:13)

1. RATIFY COMMISSION CHAIR’S SIGNATURE ON THE SPONSORSHIP AGREEMENT FOR THE COUNTY SEAT TELEVISION PROGRAM FOR 2017 IN THE AMOUNT OF \$44,000

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

[Though initially continued, the Board returned to discussion of Consent Agenda Item No. 1 following the closed sessions; the commissioners reconsidered this item and ultimately decided to strike it from the agenda.]

STRICKEN

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

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2. APPROVE THE COUNTY HOLIDAY LIST FOR 2017

Commissioner Graves noted his suggestion to include the Friday before Christmas (December 25, 2017) as a County Holiday, but that day was ultimately left off the list. Commissioner Lee mentioned “Presidents’ Day” should officially be referred to as “Washington and Lincoln Day” per Utah Code.

3. 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 and October 18, 2016 Commission meetings)

The commissioners requested Consent Agenda Item No. 3 be continued to the next meeting of the Board.
CONTINUED TO NOVEMBER 1, 2016

4. DECLARE THE SPECIFIED GPS UNITS AS SURPLUS TO BE TRANSFERRED TO OTHER ENTITIES AS PART OF THE GARLIC MUSTARD NOXIOUS WEED GRANT (REFERENCE AGREEMENT NO. 2016-242)

5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THREE MAINTENANCE AGREEMENT RENEWALS WITH CANON SOLUTIONS AMERICA, EXPIRING 12/31/2017: IR1023 COPIER, SERIAL NUMBER TJE06325, LOCATED IN THE EXTENSION OFFICE; IR3530 COPIER, SERIAL NUMBER KJG03462, LOCATED IN THE RECORDER’S OFFICE; AND TWO IR6570 COPIERS, SERIAL NUMBERS DLP01992 AND SLP02097, LOCATED IN THE ATTORNEY’S OFFICE

6. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR’S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60347, DATED OCTOBER 19, 2016

7. APPROVE PERSONAL PROPERTY EXEMPTIONS LIST DATED OCTOBER 19, 2016

8. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER’S OFFICE IN CANCELLATION LETTER NO. 20371, DATED OCTOBER 19, 2016

9. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2016-21

The commissioners requested Consent Agenda Item No. 9 be continued to the next meeting of the Board.
CONTINUED TO NOVEMBER 1, 2016

10. RATIFICATION OF WARRANT REGISTER SUMMARY FOR OCTOBER 25, 2016

Consent Agenda Item Nos. 2, and 4 through 10, 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 and October 18, 2016 Commission meetings)

3. APPROVE THE MINUTES OF THE SEPTEMBER 13, 2016 COMMISSION MEETING (Continued from the October 18, 2016 Commission meeting)

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 (Continued from the October 18, 2016 Commission meeting)

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5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 1 TO AGREEMENT NO. 2016-495 WITH THE UTAH DEPARTMENT OF HEALTH FOR ADDITIONAL FUNDING TO MAINTAIN THE INJURY AND VIOLENCE PREVENTION PROGRAM IN UTAH COUNTY**
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A COOPERATIVE AGREEMENT BETWEEN THE STATE OF UTAH, DIVISION OF FORESTRY, FIRE, AND STATE LANDS AND UTAH COUNTY FOR IMPROVEMENTS AT SANDY BEACH IN THE AMOUNT OF \$250,000**

The commissioners requested Regular Agenda Item No. 6 be continued to the next meeting of the Board.
CONTINUED TO NOVEMBER 1, 2016

7. **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 and October 18, 2016 Commission meetings)*

The Board requested Regular Agenda Item No. 7 be stricken from the agenda.
STRICKEN

8. **RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON A SUPPLEMENTAL LAW ENFORCEMENT CONTRACT WITH VALLEY OF THE GODS, INC. TO HAVE TWO DEPUTIES FOR TRAFFIC CONTROL ON FRIDAY, OCTOBER 21, 2016, FROM 12PM TO 6PM**

9. **APPROVE AN AMENDMENT TO AGREEMENT NO. 2016-20 BETWEEN UTAH COUNTY AND THE UTAH COUNTY PUBLIC DEFENDER ASSOCIATION**

10. **ADOPT A RESOLUTION APPOINTING WILLIAM C. LEE TO THE UTAH FOUNDATION BOARD OF TRUSTEES**

The Board requested Regular Agenda Item No. 10 be stricken from the agenda.
STRICKEN

The commissioners scheduled and struck closed meetings from the calendar as needed within the Consent Agenda.
(Track A, 06:50)

14. **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)*

The Board requested Regular Agenda Item No. 14 be stricken from the agenda.
STRICKEN

11. **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)*

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:

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

SET

12. 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*)

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

13. 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*) (*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

ACTIONS TAKEN

Consent Agenda Item No. 1 was stricken from the agenda; Nos. 2, 5, 6, 7, 8 and 10 were approved, authorized, and ratified; Nos. 3 and 9 were continued to the November 1, 2016 meeting of the Board; and No. 4 was declared as surplus. Regular Agenda Item Nos. 2, 3, 4, 5, 8 and 9 were approved, authorized, and ratified; No. 6 was continued to the November 1, 2016 meeting of the Board; Nos. 7, 10, and 14 were stricken from the agenda; and Nos. 11, 12, and 13 were set.

AGREEMENT NOS.: 2016-760 through 2016-771

REGULAR AGENDA

1. PRESENTATION FROM THE UTAH LOCAL GOVERNMENTS TRUST WITH THE UTAH COUNTY PORTION OF THE 2015 DIVIDEND IN THE AMOUNT OF \$37,482.14

(Track A, 09:00)

Ryan Hatch of the Utah Local Governments Trust spoke about dividends, actuarial odds, and surpluses. Since the Trust is a non-profit entity, any surplus is returned to the county – this year the amount is \$37,482.14. Mr. Hatch credited the county for taking active roles in safety and loss prevention, and the Board thanked him for the partnership.

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

There were no public comments and the meeting recessed at 10:01 A.M. to go into closed meetings. The public meeting reconvened at 11:20 A.M. and the Board chose to return to Consent Agenda Item No. 1 for discussion. Commissioner Ellertson excused Commissioner Lee's absence and noted that Robert's Rules of Order would be waived for the purpose of making motions.

(Track B, 00:15)

1. RATIFY COMMISSION CHAIR'S SIGNATURE ON THE SPONSORSHIP AGREEMENT FOR THE COUNTY SEAT TELEVISION PROGRAM FOR 2017 IN THE AMOUNT OF \$44,000

Commissioner Ellertson noted the Board of Commissioners does not need to act on a sponsorship agreement for 'The County Seat' television program, as that will be handled by the Utah Valley Convention and Visitors Bureau.

**Commissioner Graves made the motion to strike Consent Agenda Item No. 1.
The motion was seconded by Commissioner Ellertson and carried with the following vote:**

**AYE: Larry A. Ellertson
Greg Graves**

NAY: None

[Though initially continued, the Board returned to discussion of Consent Agenda Item No. 1 following the closed sessions; the commissioners reconsidered this item and ultimately decided to strike it from the agenda.]

STRICKEN

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

This concluded the open meeting.

Commissioner Graves made the motion to adjourn the October 25, 2016 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Larry A. Ellertson
Greg Graves**

NAY: None

There being no further business nor public comment, the meeting adjourned at 11:21 A.M. The minutes of the October 25, 2016 Commission meeting were approved as transcribed on December 5, 2016.

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LARRY A. ELLERTSON, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor

***Consent Agenda Item No. 1:**

Though initially continued, the Board returned to discussion of Consent Agenda Item No. 1 following the closed session. Commissioner Ellertson noted the Board of Commissioners does not need to take action on a sponsorship agreement for 'The County Seat' television program, as that will be handled by the Utah Valley Convention and Visitors Bureau. The commissioners reconsidered the item and ultimately decided to strike it from the agenda by unanimous vote.