

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
December 6, 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
Paul Jones, Deputy Attorney
Michelle Araujo, Commission Office
Lisa K. Nielson, Commission Office
Brian Voeks, Commission Office
Bryan E. Thompson, Utah County Clerk/Auditor
Danene Jackson, Utah County Clerk/Auditor's Office
Scott C. Hogensen, Chief Deputy Clerk/Auditor
Burt Harvey, Clerk/Auditor – Tax Admin. Supervisor
Sandy Hoffman, Utah County Assessor's Office
Alma Estiva, Utah County Health Department
Bryce C. Larsen, Utah County Health Department
Kohar Oshier, Utah County Health Department
Robert Johnson, Drug & Alcohol Prevention & Treatment
Neil Peterson, County Information Systems Director
Richard Nielson, Utah County Public Works Director
Gary Ratcliffe, Utah County Surveyor

Cammie Taylor, Utah County Personnel Director
Jane Ivie, Personnel Office
Judy Hamaker-Mann, Personnel Office
Andrea Allen, Utah County Recorder's Office
James O. Tracy, Utah County Sheriff
Mike Brower, Utah County Sheriff's Office
Garrett Dutson, Utah County Sheriff's Office
Dalene Higgins, Utah County Sheriff's Office
Tony Sorensen, Utah County Sheriff's Office
Kim Jackson, Utah County Treasurer
Randy D. Edwards, Utah County Veterans Services
Nathan Ivie, Utah County Commissioner-Elect 2017
Shannon Ellsworth, -No further information given-
Bill Exeter, -No further information given-
Mike Stansfield, Fairways Media
Katie England, *The Daily Herald*
Renée Caron, Clerk/Auditor Administrative Assistant

Commissioner Ellertson called the meeting to order at 9:08 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: William C. Lee, Utah County Commissioner
PLEDGE OF ALLEGIANCE: Randy Edwards, Utah County Veterans Services

(Track A, 03:28)

Commissioner Ellertson took a moment of personal privilege to invite public comment. Randy D. Edwards of Utah County Veterans Services used the opportunity to present certificates to the three commissioners and their Administrative Assistants – Michelle Araujo, Lisa Nielson, and Brian Voeks – for their continued dedication and service to 'quality of life programs' for veterans and their families.

EMPLOYEE OF THE MONTH

(Track A, 06:30)

RECOGNITION OF THE UTAH COUNTY EMPLOYEE OF THE MONTH FOR DECEMBER 2016

Tony Sorensen of the Utah County Sheriff's Office was recognized as the December 2016 Employee of the Month.

At this point, there was a recess of the Utah County Board of Commissioners as they assembled to discuss business as other entities. The public Commission meeting recessed at 9:17 A.M. and reconvened at 9:30 A.M.; the Board continued with the agenda as posted.

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – December 6, 2016

Page 2

PUBLIC HEARING

PUBLIC HEARING TO DISCUSS THE 2017 BUDGET FOR THE GENERAL FUND AND OTHER BUDGETARY FUNDS OF UTAH COUNTY AND TO CONSIDER A CHANGE IN THE EXISTING SALARIES OF THE COUNTY OFFICERS OF UTAH COUNTY, UTAH (*Public Hearing set November 1, 2016*)

(Track B, 00:30)

Commissioner Ellertson summarized the 2017 Budget amount for consideration totals at \$81,872,734. Utah County Clerk/Auditor Bryan E. Thompson noted this is an increase of approximately \$1,700,000 over last year's budget. Mr. Thompson clarified that all items discussed internally by the Board in the last few days are included in the most recent budget schedule draft, and talked about restricted accounts, Surveyor Office adjustments and benefits, and proposed legislation and bond funding with Commissioner Ellertson.

(Track B, 09:10)

Commissioner Graves mentioned an email report from the Utah County Personnel Office addressing a two-percent COLA (Cost of Living Adjustment) for elected officials, and the related ordinance about a one-year delay in actions for elected officials which were taken for county employees. When Commissioner Lee objected to receiving a report electronically after regular business hours on the night before expecting to make a decision during a meeting, Utah County Personnel Director Cammie Taylor took responsibility for not providing the figures earlier – being new to the county, she is still familiarizing herself with the budget process. Bryan Thompson summarized what is included on the current budget schedule, and Commissioner Ellertson reviewed it in detail.

None came forward with public comment, and the Public Hearing recessed until a vote was taken on Regular Agenda Item No. 11 (*see Page 6*) for the corresponding action item. The Public Hearing was then continued to the December 13, 2016 Commission meeting at 9:00 A.M.

CONSENT AGENDA

(Track B, 26:54)

1. APPROVE THE MASTER PARTICIPATING AGREEMENT BETWEEN UTAH COUNTY AND THE U.S. FOREST SERVICE UINTA-WASATCH-CACHE NATIONAL FOREST FOR NOXIOUS WEED CONTROL PROJECTS ON USFS LANDS

Commissioner Ellertson and Utah County Public Works Director Richard Nielson briefly discussed the payment arrangement.

2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) OBLIGATING DOCUMENT FOR AWARD FROM THE UTAH DEPARTMENT OF PUBLIC SAFETY - DIVISION OF EMERGENCY MANAGEMENT

3. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60350, DATED DECEMBER 1, 2016

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

5. RATIFICATION OF WARRANT REGISTER SUMMARY FOR DECEMBER 6, 2016

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – December 6, 2016

Page 3

Consent Agenda Item Nos. 1 through 5 were approved as written. Commissioner Ellertson recommended the following Regular Agenda items be moved to Consent:

1. APPROVE THE MINUTES OF THE OCTOBER 25, 2016 COMMISSION MEETING (*Continued from the November 29, 2016 Commission meeting*)

Commissioner Ellertson asked for additional detail to be included within Consent Agenda Item No. 1 on the October 25, 2016 meeting minutes; the minutes were approved with the specified changes.

APPROVED WITH CHANGES

2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE MEMORANDUM OF UNDERSTANDING: SELECTHEALTH SHARE ENGAGEMENT AGREEMENT FOR UTAH COUNTY GOVERNMENT

5. RATIFY PORTIONS OF THE 2016 ANNUAL DELINQUENT TAX SALE NOT PREVIOUSLY RATIFIED DUE TO THE PRESENCE OF A FEDERAL TAX LIEN AGAINST THE ORIGINAL OWNER OF RECORD PER UTAH COUNTY CODE 21-5-7 AND SECTION 7425 (C) OF THE INTERNAL REVENUE CODE

Tax Administration Supervisor Burt Harvey of the Utah County Clerk/Auditor's Office confirmed for Commissioner Ellertson that federal tax liens have been resolved and this ratification is the last step in finalizing the 2016 Delinquent Tax Sale before the new year.

7. APPROVE AND AUTHORIZE A RENEWAL OF AGREEMENT NO. 2013-366 FOR NEOPOST METER MAINTENANCE ON POSTAGE METER

8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE UTAH DEPARTMENT OF WORKFORCE SERVICES FOR ESHARE SYSTEM USE

The commissioners requested Regular Agenda Item No. 8 be continued to the next meeting of the Board.

CONTINUED TO DECEMBER 13, 2016

10. ADOPT AN ORDER CALLING FOR SPECIAL MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH, PURSUANT TO SECTION 17-53-205, UTAH CODE ANNOTATED, 1953 AS AMENDED

The commissioners scheduled and struck closed meetings from the calendar as needed within the Consent Agenda. (*Track B, 35:15*)

12. 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*)

The Board requested Regular Agenda Item No. 12 be stricken from the agenda.

STRICKEN

13. 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*)

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – December 6, 2016

Page 4

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

14. 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

15. 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*)

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

ACTIONS TAKEN

Consent Agenda Item Nos. 1 through 5 were approved, authorized, adopted and ratified. Regular Agenda Item Nos. 1, 2, 5, 7, 10, 13, 14 and 15 were approved, authorized, ratified, adopted, and set; No. 8 was continued to the December 13, 2016 meeting of the Board; and No. 12 was stricken from the agenda.

AGREEMENT NOS.: 2016-838 through 2016-843

RESOLUTION NO.: 2016-129

ORDER NO.: 2016-3

REGULAR AGENDA

- 3. AUTHORIZE THE FOLLOWING CHANGES TO THE SHERIFF ENFORCEMENT - ADMINISTRATIVE SUPPORT STAFFING PLAN: DELETE ADMIN SUPP 008 - OFFICE SPECIALIST III - OPERATIONS FROM SH ENF - ADMIN SUPP; DELETE ADMIN SUPP 007 - OFFICE MANAGER - SHERIFF FROM SH ENF - ADMIN SUPP; AND AUTHORIZE THE FOLLOWING CHANGES TO THE SHERIFF ENFORCEMENT PATROL STAFFING PLAN: ADD JOB CODE 6486 OFFICE SPECIALIST II - ENFORCEMENT TO SH ENF - PATROL; AND ADD JOB CODE 6497 OFFICE MANAGER - SHERIFF TO SH ENF - PATROL**

(Track B, 37:05)

Mike Brower of the Utah County Sheriff's Office explained this action is to move an Office Manager from the Administrative Support Division to the Patrol Division, and an Office Specialist III position from the Patrol Division to Administrative Support – effectively 'switching' the two positions. He and Judy Hamaker-Mann of the Utah County Personnel Office discussed and clarified the Staffing Plan changes, as Mr. Brower's explanation was different from the action posted on the agenda.

Commissioner Graves made the motion to authorize the switch of an Office Manager in the Administrative Support Division and an Office Specialist III in the Patrol Division as specified by Mike Brower in the Utah County Sheriff's Office for Regular Agenda Item No. 3. The motion was seconded by Commissioner Lee and carried with the following vote:

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

APPROVED

- 4. ADD TWO (2) FULL-TIME CAREER SERVICE DEPUTY SHERIFF - ENFORCEMENT (JOB CODE 4016) POSITIONS AND ADD ONE (1) OFFICE SPECIALIST III - OPERATIONS (JOB CODE 6482) POSITION TO THE SHERIFF ENFORCEMENT - JUDICIAL DIVISION (SH ENF - JUDICIAL)**

(Track B, 40:11)

Commissioner Lee made the motion to add the three positions to the Utah County Sheriff's Office Staffing Plan as outlined in Regular Agenda Item No. 4. The motion was seconded by Commissioner Graves and carried with the following vote:

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

APPROVED

- 6. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 3 TO AGREEMENT NO. 2014-654 WITH THE UTAH DEPARTMENT OF HEALTH REGARDING REDUCED FEDERAL FUNDING FOR THE WIC PROGRAM**

(Track B, 40:40)

Eric Edwards of the Utah County Health Department came forward to answer Commissioner Ellertson's questions about the reductions in WIC funding. They discussed how the award will be granted in multiple phases based on availability, and the challenges of losing approximately thirty percent of the budget.

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – December 6, 2016

Page 6

Commissioner Lee made the motion to approve Amendment No. 3 to Agreement No. 2014-654 with the Utah Department of Health regarding reduced federal funding for the WIC program as defined in Regular Agenda Item No. 6. The motion was seconded by Commissioner Graves and carried with the following vote:

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

AGREEMENT NO. 2016-844

9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE STATE OF UTAH CONTRACT PROVIDING FOR THE COUNTY TO HOST AND MANAGE THE STATEWIDE CHILDREN’S JUSTICE SYSTEM

(Track B, 43:56)

Utah County Information Systems Director Neil Peterson explained the county has previously contracted with the state to take the system created for the Utah County Children’s Justice Center and retro-fit it to work with other agencies. Now that work has been completed, and the state would like the county to host the system. The state will pay the county \$600 per month, with a maximum of \$24,600 annually to include data transfer, maintenance, and support.

Commissioner Graves made the motion to approve the State of Utah contract for the statewide Children’s Justice system as identified in Regular Agenda Item No. 9. The motion was seconded by Commissioner Lee and carried with the following vote:

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

AGREEMENT NO. 2016-845

11. ADOPT A RESOLUTION APPROVING THE 2017 BUDGETS FOR THE GENERAL FUND AND OTHER BUDGETARY FUNDS OF UTAH COUNTY, UTAH, AND AMENDING AND FIXING THE ANNUAL SALARIES FOR ELECTED UTAH COUNTY OFFICIALS FOR 2017

(Track B, 45:40)

Referencing the new information in an email received on the subject only one day prior, Commissioner Lee noted his feelings that more discussion is needed on the COLA (Cost of Living Adjustment) for elected officials. Commissioner Graves agreed the figures themselves may be new, but the conversations have been had and he is ready to move forward. Commissioner Ellertson suggested adoption of the budget except for the elected official issues, but withdrew the suggestion upon realization that other budget items may be impacted by that decision. Utah County Clerk/Auditor Bryan E. Thompson mentioned there have traditionally been further in-depth conversations on the issue before the Board takes a vote, and Commissioner Graves commented on an upcoming salary study impacting whether a COLA is necessary.

Commissioner Graves made the motion to continue Regular Agenda Item No. 11 regarding the 2017 Budget for the General Fund and other budgetary funds for one week to the December 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**
NAY: Greg Graves

CONTINUED TO DECEMBER 13, 2016

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – December 6, 2016

Page 7

It was noted the corresponding Public Hearing has also been continued to 9:00 A.M. on December 13, 2016 in Room No. 1400 at 100 East Center Street in Provo, Utah. Commissioner Graves also thanked Danene Jackson of the Utah County Clerk/Auditor's Office for all of her work in accommodating the Board.

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

There were no public comments and the meeting recessed at 10:35 A.M. to go into closed meetings. The public meeting reconvened at 12:23 P.M.

(Track C, 00:01)

Commissioner Graves made the motion to adjourn the December 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**

There being no further business nor public comment, the meeting adjourned at 12:23 P.M. The minutes of the December 6, 2016 Commission meeting were approved as transcribed on January 10, 2017.

WILLIAM C. LEE, Commission Vice-Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor