

**BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH**  
**MINUTES OF PUBLIC MEETING**  
**COMMISSION CHAMBERS, ROOM 1400**  
**OF THE UTAH COUNTY ADMINISTRATION BUILDING**  
**April 15, 2014 - 9:00 A.M.**

**PRESENT:** COMMISSIONER GARY J. ANDERSON, CHAIR  
COMMISSIONER LARRY A. ELLERTSON, VICE-CHAIR  
**EXCUSED:** COMMISSIONER DOUG WITNEY

**ALSO PRESENT:**

Jeffrey R. Buhman, Utah County Attorney	Peggy Kelsey, Community Development
E. Kent Sundberg, Civil Division Chief Attorney	Richard Nielson, Utah County Public Works Director
David Shawcroft, Utah County Deputy Attorney	Jeff Smith, Utah County Recorder
Robert J. Moore, Utah County Deputy Attorney	Andrea Allen, Utah County Recorder's Office
Paul Jones, Utah County Deputy Attorney	James O. Tracy, Utah County Sheriff
Chris Buckley, Utah County Attorney's Office	Darin Durfey, Utah County Sheriff's Office
Bryan E. Thompson, Utah County Clerk/Auditor	Mike Forshee, Utah County Sheriff's Office
Burt Harvey, Clerk/Auditor - Tax Admin. Supervisor	Dalene Higgins, Utah County Sheriff's Office
Julie Rollins, Utah County Purchasing Agent	Lieutenant Nancy Killian, Utah County Sheriff's Office
Kris Poulson, Utah County Assessor	Gary Ratcliffe, Utah County Surveyor
Peter A. Jeppsen, Utah County Assessor's Office	Robert C. Kirk, Utah County Treasurer
Robert Johnson, Drug&Alcohol Prevention&Treatment	Cary McConnell, Utah County Treasurer's Office
Kye Nordfelt, Drug & Alcohol Prevention & Treatment	Mason Liu, Utah County Resident
Lana Jensen, Utah County Personnel Director	Taylor Oldroyd, Utah County Association of Realtors
Jane Ivie, Personnel Office	Mike Stansfield, Fairways Media
	Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Anderson called the meeting to order at 9:03 A.M. and welcomed those present. He excused Commissioner Witney and noted that Robert's Rules of Order would be waived for the purpose of making motions. The following matters were discussed:

**PRAYER/READING/THOUGHT:** Gary Ratcliffe, Utah County Surveyor  
**PLEDGE OF ALLEGIANCE:** Robert C. Kirk, Utah County Treasurer

**CONSENT AGENDA**

- 1. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON AN ACKNOWLEDGMENT LETTER FOR THE STATE OF UTAH SCHOOL & INSTITUTIONAL TRUST LANDS ADMINISTRATION FOR THE LAKE MOUNTAIN AREA CLEAN-UP**
- 2. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20304, DATED APRIL 9, 2014**
- 3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE STATE OF UTAH - VICTIMS OF CRIME ACT (VOCA) FY2014 - 2015 VICTIM ASSISTANCE PROGRAM GRANT APPLICATION**
- 4. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY HEALTH DEPARTMENT**

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**5. APPROVE THE MINUTES OF THE APRIL 8, 2014 COMMISSION MEETING**

The Board requested that Consent Agenda Item No. 5 be continued to the next meeting of the Board.

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**6. RATIFICATION OF WARRANT REGISTER SUMMARY**

Register No. 405	April 07, 2014	Purchasing Cards 1748-1750	Total: \$	736.24
Register No. 406	April 07, 2014	Direct Deposit:19157-19160	Total: \$	6,486.24
Register No. 407	April 07, 2014	Check Nos. 192917-192926	Total: \$	24,147.05
Register No. 408	April 07, 2014	Purchasing Cards 1751-1763	Total: \$	3,777.93
Register No. 409	April 07, 2014	Purchasing Cards 1764-1832	Total: \$	19,085.23
Register No. 410	April 07, 2014	Check Nos. 192927-192939	Total: \$	16,652.88
Register No. 411	April 07, 2014	Check Nos. 192940-192940	Total: \$	3,150.00
Register No. 412	April 08, 2014	Purchasing Cards 1833-1834	Total: \$	3,235.36
Register No. 413	April 08, 2014	Check Nos. 192941-192993	Total: \$	669,072.16
Register No. 414	April 09, 2014	Purchasing Cards 1835-1836	Total: \$	5,493.53
Register No. 415	April 09, 2014	Purchasing Cards 1837-1840	Total: \$	1,475.68
Register No. 416	April 09, 2014	Direct Deposit:19161-19178	Total: \$	96,808.25
Register No. 417	April 09, 2014	Check Nos. 192994-193040	Total: \$	68,516.77
Register No. 418	April 09, 2014	Bond Wires:264-265	Total: \$	465,462.41
Register No. 419	April 09, 2014	Check Nos. 193041-193041	Total: \$	4,486.00
Register No. 420	April 09, 2014	Check Nos. 193042-193054	Total: \$	14,812.47
Register No. 421	April 10, 2014	Check Nos. 193055-193056	Total: \$	12,994.58
Register No. 422	April 10, 2014	Direct Deposit:19179-19194	Total: \$	5,597.70
Register No. 423	April 10, 2014	Check Nos. 193057-193074	Total: \$	5,060.23
Register No. 424	April 10, 2014	Purchasing Cards 1841-1841	Total: \$	306.68
Register No. 425	April 10, 2014	Check Nos. 193075-193085	Total: \$	10,694.44
Register No. 426	April 10, 2014	Check Nos. 193086-193087	Total: \$	919.65
Register No. 427	April 10, 2014	Direct Deposit:19195-19226	Total: \$	7,488.90
Register No. 428	April 10, 2014	Check Nos. 193088-193116	Total: \$	6,515.17
Register No. 429	April 11, 2014	Check Nos. 193117-193117	Total: \$	76.35
Register No. 430	April 11, 2014	Purchasing Cards 1842-1843	Total: \$	1,616.19
Register No. 431	April 11, 2014	Purchasing Cards 1844-1854	Total: \$	1,666.48
Register No. 432	April 11, 2014	Direct Deposit:19227-19232	Total: \$	4,793.92
Register No. 433	April 11, 2014	Check Nos. 193118-193138	Total: \$	27,142.81
Register No. 434	April 11, 2014	Direct Deposit:19233-19233	Total: \$	85.00
Register No. 435	April 11, 2014	Purchasing Cards 1855-1887	Total: \$	7,686.81
Register No. 436	April 11, 2014	Check Nos. 193139-193140	Total: \$	2,089.50
Register No. 437	April 11, 2014	Check Nos. 193141-193221	Total: \$	204,738.54
Register No. 438	April 11, 2014	Direct Deposit:19234-19238	Total: \$	2,946.11
Register No. 439	April 11, 2014	Check Nos. 193222-193227	Total: \$	1,800.62
Register No. 440	April 11, 2014	Direct Deposit:19239-19240	Total: \$	120.00
Register No. 441	April 11, 2014	Check Nos. 193228-193232	Total: \$	1,179.34
			<b>Total:</b>	<b>\$1,708,917.22</b>

Consent Agenda Item Nos. 1 through 4, and 6, were approved as written. Commissioner Anderson recommended the following Regular Agenda items be moved to Consent:

**2. APPROVE EMPLOYEE DONATIONS OF LEAVE TIME WITHIN THE UTAH COUNTY HEALTH DEPARTMENT**

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3. **APPROVE EMPLOYEE DONATION OF LEAVE TIME WITHIN THE UTAH COUNTY SHERIFF'S OFFICE**
4. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A SERVICE AGREEMENT WITH NCSPLUS INC. TO PROVIDE DEBT COLLECTION SERVICES FOR THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT** (*Continued from the April 8, 2014 Commission meeting*)

The Board requested that Regular Agenda Item No. 4 be continued to the next meeting of the Board.

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5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M355N COPIER, SERIAL NO. 6505361X, LOCATED IN THE SHERIFF'S OFFICE - INVESTIGATIONS; RENEWAL DATES 04/16/2014 - 04/15/2015**
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455N COPIER, SERIAL NO. 55032347, LOCATED IN THE SHERIFF'S OFFICE - SEARCH AND RESCUE; RENEWAL DATES 04/04/2014 - 04/03/2015**
11. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH TELMATE, LLC TO PROVIDE INMATE PHONE, VIDEO VISITATION AND OTHER SERVICES AT THE UTAH COUNTY JAIL**
12. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN ADDENDUM NO. 1 TO RESIDENTIAL LEASE AGREEMENT NO. 2012-244 WITH DEREK AND MARIE RASMUSSEN**
13. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE FIRST AMENDMENT TO AGREEMENT NO. 2013-816 WITH THE UTAH VALLEY CONVENTION AND VISITORS BUREAU, INC. FOR ADDITIONAL FUNDING TO PROMOTION DEVELOPMENT THROUGH THE COUNTY SEAT**
14. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH VALLEY CHAMBER OF COMMERCE FOR USE OF COUNTY GROUNDS FOR THE 2014 TASTE OF THE VALLEY**

The Board requested that Regular Agenda Item No. 14 be continued to the next meeting of the Board.

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**ACTIONS TAKEN**

**Consent Agenda Item Nos. 1 and 6 were ratified; No. 2 was approved; No. 3 was approved and authorized; No. 4 was adopted; and No. 5 was continued** to the April 22, 2014 meeting of the Board. **Regular Agenda Item Nos. 2 and 3 were approved; Nos. 4 and 14 were continued** to the April 22, 2014 meeting of the Board; and Nos. **5, 6, 11, 12, and 13 were approved and authorized.**

**AGREEMENT NOS.:** 2014-235, 2014-236, 2014-237, 2014-238, 2014-239, 2014-240, 2014-241 and 2014-242

**RESOLUTION NO.:** 2014-49

**REGULAR AGENDA**

**1. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A PROCLAMATION DECLARING APRIL 2014 AS “NATIONAL CHILD ABUSE PREVENTION MONTH”**

The commissioners spoke of the importance of nurturing children, and Commissioner Ellertson read the proclamation for the record:

- ▶ WHEREAS, the work of raising children in Utah County and empowering them to thrive stands among our greatest responsibilities as parents and community leaders;
- ▶ WHEREAS, all Utah County children deserve to experience and enjoy the innocence of childhood in a safe and nurturing environment, free from abuse and neglect;
- ▶ WHEREAS, child abuse—which robs children of this inalienable right—affects hundreds of Utah County’s children annually, often impacting them negatively for the rest of their lives;
- ▶ WHEREAS, physical, verbal, emotional, and sexual abuse are serious and growing problems that respect no religious, socioeconomic, or geographic boundaries;
- ▶ WHEREAS, child abuse is often related to substance abuse, domestic violence, and other crimes that weaken families;
- ▶ WHEREAS, preventing child abuse depends on the efforts of all Utah County residents to collectively recommit to providing care, stability, and a brighter future for our sons and daughters;
- ▶ WHEREAS, each citizen of Utah County can play an integral role in preventing child abuse within their respective families, neighborhoods, and communities through education, active involvement, and advocacy;
- ▶ WHEREAS, decreasing the incidence of child abuse makes a positive, substantial impact on the children of today, paving the way for them to succeed as the leaders of tomorrow;
- ▶ WHEREAS, effective child abuse prevention programs rely on community partnerships among individuals, families, municipalities, social service agencies, schools, religious and civic organizations, law enforcement, and the business community;
- ▶ Now, therefore be it resolved that Utah County hereby proclaims the month of April 2014 to be

**Child Abuse Prevention Month**

The Utah County Commission hereby commends this observance during April 2014 to the citizens of Utah County, actively promoting and improving public awareness; encouraging responsible intervention; and supporting the collaborative mission of *Strengthening Families and Protecting Children*.

**Commissioner Ellertson made the motion to proclaim April 2014 as “National Child Abuse Prevention Month” in Utah County as detailed in Regular Agenda Item No. 1. The motion was seconded by Commissioner Anderson and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
NAY: None**

PROCLAMATION NO. 2014-3

**7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2013-102 WITH DR. RAY MERRILL FOR EVALUATION AND DATA COLLECTION FOR THE SUBSTANCE ABUSE AND MISUSE REDUCTION TEAM (SMART) COALITION**

Kye Nordfelt of the Utah County Department of Drug and Alcohol Prevention and Treatment, and SMART Coalition leader, approached the bench. Mr. Nordfelt explained that the county contracts with Dr. Ray Merrill, who identifies areas for focus and evaluates the impact of the program on the intended target population. Commissioner Ellertson noted that the amendment is to increase the dollar amount of the agreement, and extend the terms through September 2015. He asked for clarification on whether the amount is an annual payment or a sum total; Utah County Deputy Attorney Paul Jones would follow-up with the response at a later time.

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**Commissioner Ellertson made the motion to approve and authorize the Commission Chair to sign an amendment to Agreement No. 2013-102 with Dr. Ray Merrill as outlined in Regular Agenda Item No. 7. The motion was seconded by Commissioner Anderson and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
NAY: None**

AGREEMENT NO. 2014-243

**8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CONTRACT WITH DD GRILL LLC, TO PROVIDE CONCESSION SERVICES AT LINCOLN BEACH (Continued from the May 21, May 28, and June 4, 2013 Commission meetings)**

Utah County Public Works Director Richard Nielson stepped forward with Utah County Deputy Attorney Paul Jones, and Dan Paulsen of DD Grill LLC. Mr. Paulsen explained that a concessions stand will be set up at Lincoln Beach to serve hamburgers, hot dogs, grilled cheese sandwiches, drinks, and frozen treats. He specifically noted the call-in service that will be available to the public, and Commissioner Anderson expressed enthusiasm for the venture. Mr. Paulsen anticipates business hours to be 10:00 A.M. to 8:00 P.M. daily, including Saturdays and Sundays.

Utah County Clerk/Auditor Bryan E. Thompson asked which account would be designated for revenue. Richard Nielson was not sure and mentioned he is open to suggestion; Parks is a possibility. The lease amount is \$250.00 per calendar month in operation. Commissioner Anderson commented on startup costs and wished success upon Dan Paulsen. Utah County Deputy Attorney Paul Jones added that the site map would be attached to the agreement to identify location.

**Commissioner Ellertson made the motion to approve and authorize the Commission Chair to sign a contract with DD Grill LLC to provide concession services at Lincoln Beach as described in Regular Agenda Item No. 8, with the note that Exhibit A and a site map would be attached to the documentation. The motion was seconded by Commissioner Anderson and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
NAY: None**

AGREEMENT NO. 2014-244

**9. 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" TO BE HELD ON APRIL 26, 2014**

Utah County Public Works Director Richard Nielson explained that the middle school near the park is holding a race for students and family members; it is a fundraiser and the proceeds will go towards volunteers and programs for struggling students.

**Commissioner Ellertson made the motion to waive the \$300 event permit fee for Willowcreek Middle School to use a portion of the Jordan River Parkway and the roads in Willow Park for the "Willowcreek 5K" to be held on April 26, 2014, as specified in Regular Agenda Item No. 9, 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 Anderson and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
NAY: None**

AGREEMENT NO. 2014-245

**10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE FACILITY ACKNOWLEDGMENT FOR NUMI PREPAID MASTERCARD CARDS AT THE UTAH COUNTY JAIL**

Utah County Sheriff James O. Tracy explained that the jail used to return checks to prisoners upon release for any monies collected from the inmate upon booking. This led to fraud problems because the checks could be altered for unauthorized sums; the method was in turn changed to prepaid cards. Nothing has changed in that arrangement other than the business has changed banks and needs updated permission from Utah County to continue providing the service.

**Commissioner Ellertson made the motion to approve and authorize the Commission Chair to sign the Facility Acknowledgment for NUMI Prepaid Mastercard Cards as described in Regular Agenda Item No. 10. The motion was seconded by Commissioner Anderson and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
NAY: None**

AGREEMENT NO. 2014-246

At this point, the commissioners determined which closed meetings would be necessary to set and which could be stricken from the Regular Agenda.

**16. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION  
STRICKEN**

**19. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., AS AMENDED  
STRICKEN**

**Commissioner Ellertson made the motion to strike Regular Agenda Item Nos. 16 and 19 to set dates, times and locations for closed meetings for a strategy session to discuss pending or reasonably imminent litigation; and to discuss commercial information as defined in Section 59-1-404, U.C.A., as amended. The motion was seconded by Commissioner Anderson and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
NAY: None**

**15. 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**

**Commissioner Ellertson 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 immediately follow the public comment portion of the regular public meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Anderson and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
NAY: None**

SET

**17. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY**

Commissioner Ellertson 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 to immediately follow the previously scheduled closed meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Anderson and carried with the following vote:

**AYE: Gary J. Anderson  
Larry A. Ellertson  
NAY: None**

SET

**18. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY**

Commissioner Ellertson 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 to immediately follow the previously scheduled closed meetings today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Anderson and carried with the following vote:

**AYE: Gary J. Anderson  
Larry A. Ellertson  
NAY: None**

SET

**WORK SESSION**

NO WORK SESSION ITEMS WERE SUBMITTED

**PUBLIC COMMENTS**

There were no public comments and the meeting recessed at 9:22 A.M. to go into closed meetings. The public meeting reconvened at 10:08 A.M.

Commissioner Ellertson made the motion to adjourn the April 15, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Anderson and carried with the following vote:

**AYE: Gary J. Anderson  
Larry A. Ellertson  
NAY: None**

There being no further business nor public comment, the meeting adjourned at 10:08 A.M. The minutes of the April 15, 2014 Commission Meeting were approved as transcribed on April 22, 2014.

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GARY J. ANDERSON, Commission Chair

ATTEST:

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BRYAN E. THOMPSON  
Utah County Clerk/Auditor