

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH  
**MINUTES OF PUBLIC MEETING**  
COMMISSION CHAMBERS, ROOM 1400  
OF THE UTAH COUNTY ADMINISTRATION BUILDING  
**July 8, 2014 - 9:00 A.M.**

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

**ALSO PRESENT:**

|   |  |
|---|--|
| Bryan E. Thompson, Utah County Clerk/Auditor          | Rebecca Martell, Children's Justice Center         |
| Scott C. Hogensen, Chief Deputy Clerk/Auditor         | Kris Poulson, Utah County Assessor                 |
| Burt Harvey, Clerk/Auditor - Tax Admin. Supervisor    | Jim Stevens, Utah County Assessor's Office         |
| Sandy Nielson, Clerk/Auditor's Office - Tax Admin.    | Lana Jensen, Utah County Personnel Director        |
| Julie Rollins, Utah County Purchasing Agent           | Jane Ivie, Personnel Office                        |
| Jeffrey R. Buhman, Utah County Attorney               | Richard Nielson, Utah County Public Works Director |
| E. Kent Sundberg, Civil Division Chief Attorney       | Jeff Smith, Utah County Recorder                   |
| Chris Yannelli, Utah County Deputy Attorney           | Andrea Allen, Utah County Recorder's Office        |
| David Shawcroft, Utah County Deputy Attorney          | Dalene Higgins, Utah County Sheriff's Office       |
| Robert J. Moore, Utah County Deputy Attorney          | Mike Forshee, Utah County Sheriff's Office         |
| Paul Jones, Utah County Deputy Attorney               | Hyrum Cox, Utah County Sheriff's Office            |
| Cort Griffin, Utah County Deputy Attorney             | Robert C. Kirk, Utah County Treasurer              |
| Lance Bastian, Utah County Deputy Attorney            | Cathy Davies, Utah County Justice Court            |
| Jared Perkins, Utah County Deputy Attorney            | Larry Ballard, Utah County Resident                |
| Kelsy Young, Utah County Deputy Attorney              | Matt Dugdale, George K. Baum & Company             |
| Tina Bood, Utah County Attorney's Office              | Dustin Matsumori, Intermountain Healthcare         |
| Celeste Bourne, Utah County Attorney's Office         | Jonathan Moffitt, Moffitt Law LLC                  |
| Keri Cheney, Utah County Attorney's Office            | Brandon Johnson, Chapman and Cutler LLP            |
| Haley Christensen, Utah County Attorney's Office      | Chris Walrath, Chapman and Cutler LLP              |
| Aileen Conder, Utah County Attorney's Office          | Greg Graves, Utah County Resident                  |
| Terri Eisel, Utah County Attorney's Office            | Jason Dodge, -No further information given-        |
| Karen Fairbanks, Utah County Attorney's Office        | Daniel Donaldson, -No further information given-   |
| Dr. Joseph K. Miner, Health Department Exec. Director | Renée Huggins-Caron, Clerk/Auditor Admin. Assist.  |

Commissioner Anderson called the meeting to order at 9:06 A.M. and welcomed those present. The following matters were discussed:

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

**PLEDGE OF ALLEGIANCE:** Doug Witney, Utah County Commissioner

**PUBLIC HEARING**

**PUBLIC HEARING WITH RESPECT TO THE PROPOSED ISSUANCE BY UTAH COUNTY, UTAH (THE "COUNTY") OF ITS REVENUE BONDS (THE "BONDS") IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$630,000,000 FOR THE PURPOSE OF FINANCING, REFINANCING OR PROVIDING REIMBURSEMENT FOR THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF CERTAIN HEALTH CARE FACILITIES FOR IHC HEALTH SERVICES, INC., A UTAH NONPROFIT CORPORATION ("INTERMOUNTAIN") AND CONSIDERING FOR ADOPTION A RESOLUTION APPROVING THE ISSUANCE OF THE BONDS FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED. THIS APPROVAL WOULD BE IN ADDITION TO THE APPROVAL GRANTED BY THE COUNTY ON OCTOBER 9, 2012 TO THE ISSUANCE OF REVENUE BONDS FOR THE BENEFIT OF INTERMOUNTAIN IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$545,000,000.00**

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - July 8, 2014

Page 2

Matt Dugdale of George K. Baum came forward to explain that the county has been through this type of process before, where bonds are issued by Utah County but the county is not obligated to payment because they will be paid by Intermountain Healthcare. A public hearing is legally required when bonds are being issued. Commissioner Anderson reiterated there is no payment obligation for the county, and Mr. Dugdale clarified how this action will allow Intermountain Healthcare access to the tax-exempt market. Conduit bonds are purchased by investors who are not obligated to pay taxes on their interest earnings.

Matt Dugdale introduced Dustin Matsumori, the Financial Planning Director for Intermountain Healthcare, and their bond counsel on behalf of Chapman and Cutler LLP: Chris Walrath. Mr. Matsumori thanked the Board for county partnership with Intermountain Healthcare, and noted that Utah County was chosen for the bonds because a large portion of the proceeds are expected to be spent at Utah Valley Regional Medical Center in Provo. There was a similar expansion at American Fork Hospital. Mr. Matsumori addressed market rates and the anticipated total project amount of \$630,000,000. He also mentioned that Randy Larsen of Ballard Spahr has reviewed the bonds on behalf of the county.

Chris Walrath further clarified the points made by Dustin Matsumori, and repeated that Utah County is not required to make any payments as the county will be indemnified by Intermountain Healthcare. The commissioners thanked them and Matt Dugdale for their partnership.

**Commissioner Witney made the motion to close the public hearing with respect to the proposed issuance of revenue bonds for the purpose of financing, refinancing or providing reimbursement for the acquisition, construction, improvement and equipping of health care facilities for IHC Health Services, Inc., as specified on the agenda. The motion was seconded by Commissioner Ellertson and carried with the following vote:**

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

**CONSENT AGENDA**

- 1. RATIFY SIGNATURE OF THE COMMISSION CHAIR ON AMENDMENT NO. 1 TO DEPARTMENT OF HUMAN SERVICES (DHS/DCFS) CONTRACT NO. 112481 FOR JULY-SEPTEMBER 2014 FUNDING FOR THE UTAH COUNTY CHILDREN'S JUSTICE CENTER MEDICAL PROGRAM (Reference Agreement No. 2011-377)**

When Commissioner Ellertson noted the end date of September 2014 for the amendment, Rebecca Martell of the Utah County Children's Justice Center stated her intention that it will be extended through the rest of the year.

- 2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 5 TO STATE OF UTAH CONTRACT NO. 110291 FOR FY 2014-15 BASIC FUNDING FOR THE UTAH COUNTY CHILDREN'S JUSTICE CENTER (Reference Agreement No. 2010-491)**
- 3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A PROCESSING AND SERVICE AGREEMENT WITH SECURE INSTANT PAYMENTS, LLC FOR ONLINE CREDIT CARD SERVICES FOR JUSTICE COURTS**
- 4. APPROVE REQUESTED EXEMPTIONS ON LIST DATED JULY 1, 2014, APPLIED FOR BY TAXPAYERS, FOR PAYMENT OF TAXES WHERE THE MARKET VALUE OF EQUIPMENT WAS LESS THAN \$10,000 AS PROVIDED BY THE UTAH STATE LEGISLATURE FOR 2014**

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - July 8, 2014

Page 3

5. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 276, DATED JULY 1, 2014**
6. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20310, DATED JULY 2, 2014**
7. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2014-2 (ABATEMENTS) (Continued from the July 1, 2014 Commission meeting)**  
Commissioner Ellertson asked about the income limits referred to within the Recommendation Letter, and Utah County Deputy Attorney David Shawcroft confirmed the dollar amounts are statutory.
8. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY HEALTH DEPARTMENT**
9. **APPROVE THE MINUTES OF THE JUNE 17, 2014 COMMISSION MEETING**
10. **RATIFICATION OF WARRANT REGISTER SUMMARY**

Consent Agenda Item Nos. 1 through 10 were approved as written. Commissioner Anderson recommended the following Regular Agenda items be moved to Consent:

3. **ADD ONE FULL-TIME CAREER SERVICE DEPUTY SHERIFF III POSITION (CLASS CODE 4016, ACCOUNT 274-42111) TO THE STAFFING PLAN OF THE SHERIFF'S OFFICE TO BE ASSIGNED TO EAGLE MOUNTAIN**  
Commissioner Witney noted this position would be completely funded by Eagle Mountain City.
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE NOTICE OF TERMINATION OF PHARMACEUTICAL SERVICES AGREEMENT (NO. 2009-701) WITH K-MART PHARMACY**
14. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN UTAH COUNTY, JUAB COUNTY, TOOELE COUNTY, UTAH STATE UNIVERSITY COOPERATIVE EXTENSION SERVICE, AND THE BUREAU OF LAND MANAGEMENT TO ESTABLISH A FRAMEWORK FOR EFFECTIVE MANAGEMENT, COORDINATION AND IMPLEMENTATION OF A NOXIOUS WEED CONTROL AND EDUCATION PROGRAM ON SQUARROSE KNAWEED**
15. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUPPLEMENTAL LAW ENFORCEMENT CONTRACT WITH PAYSON SCOTTISH FESTIVAL (SHAUNA PHELPS) TO HAVE ONE DEPUTY AND K9 SERVICE DOG TO SECURE 250 SOUTH MAIN ST, PAYSON, UT FROM 11:00 P.M. TO 4:00 A.M. JULY 11, 2014 THROUGH JULY 12, 2014**
17. **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 ON SEPTEMBER 6, 2014**

**ACTIONS TAKEN**

Consent Agenda Item Nos. 1 and 10 were ratified; Nos. 2 and 3 were approved and authorized; Nos. 4, 5, 6, 7 and 9 were approved; and No. 8 was adopted. Regular Agenda Item Nos. 3, 6, 14, 15 and 17 were approved and authorized.

**AGREEMENT NOS.:** 2014-459, 2014-460, 2014-461, 2014-462, 2014-463, 2014-464, 2014-465, 2014-466, 2014-467, 2014-468 and 2014-469  
**RESOLUTION NO.:** 2014-74

### **REGULAR AGENDA**

**1. RECOGNITION OF THE UTAH COUNTY EMPLOYEE OF THE MONTH FOR JULY 2014**

Chris Yannelli of the Attorney's Office was recognized as the Utah County Employee of the Month for July 2014.

**2. ADD ONE HALF-TIME CAREER SERVICE (GRANT) VICTIM ADVOCATE COORDINATOR POSITION (JOB CODE 995370) TO THE STAFFING PLAN OF THE CHILDREN'S JUSTICE CENTER**

Commissioner Witney asked whether this is the same position that was previously discussed, the one which would be privately funded until the end of June. Rebecca Martell of the Utah County Children's Justice Center clarified this is not the same position.

**Commissioner Ellertson made the motion to approve the addition of one half-time Career Service (Grant) Victim Advocate Coordinator Position to the Staffing Plan of the Children's Justice Center as outlined in Regular Agenda Item No. 2. The motion was seconded by Commissioner Witney and carried with the following vote:**

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

APPROVED

**4. DISCUSS, AND APPROVE OR DENY, A TAX SALE PROTEST FILED BY DALLAN ALLRIDGE RELATED TO PARCEL SERIAL NO. 14:021:0109 (Continued from the June 24, 2014 Commission meeting)**

Utah County Clerk/Auditor - Tax Administration Supervisor Burt Harvey introduced Daniel Donaldson. Mr. Donaldson placed the winning bid on the parcel in question at the May Tax Sale, and original owner Dallan Allridge is protesting the sale. Mr. Donaldson requested the Board continue discussion of this item for two weeks due to a death in the family.

Jonathan Moffitt of Moffitt Law, LLC came forward on behalf of Dallan Allridge. Mr. Moffitt explained the property is currently under contract, and the closing date should be today. He expressed condolences to the Donaldson family while noting the urgency to resolve this matter. Commissioner Anderson shared a personal story and sympathized with the inconvenience for Mr. Allridge, but ultimately requested a continuance from the Board. Commissioner Ellertson added his preference for the two parties to meet and work out a resolution between themselves in the meanwhile.

**Commissioner Ellertson made the motion to continue Regular Agenda Item No. 4 regarding the Tax Sale Protest filed by Dallan Allridge related to Parcel Serial No. 14:021:0109 to the July 22, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Witney and carried with the following vote:**

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

CONTINUED TO JULY 22, 2014

**5. RATIFY ALL OR PORTIONS OF THE 2014 ANNUAL DELINQUENT TAX SALE PER UTAH COUNTY CODE 21-5-7**

UTAH COUNTY BOARD OF COMMISSIONERS  
MINUTES - July 8, 2014  
Page 5

Utah County Deputy Attorney David Shawcroft pointed out that the ratification of the 2014 Annual Delinquent Tax Sale is directly related to Regular Agenda Item No. 4, and therefore should also be continued to the next meeting of the Board.

**Commissioner Witney made the motion to continue Regular Agenda Item No. 5 regarding the ratification of all or portions of the 2014 Annual Delinquent Tax Sale to the July 22, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Ellertson and carried with the following vote:**

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

CONTINUED TO JULY 22, 2014

**7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ALLEN'S SUPER SAVE PHARMACY TO DISPENSE PRESCRIPTIONS FOR COUNTY HEALTH DEPARTMENT CLIENTS**

Utah County Health Department Executive Director Dr. Joseph K. Miner noted that Allen's Pharmacy is replacing a previous agreement (reference Regular Agenda Item No. 6 above, on page 3) with K-Mart Pharmacy because the K-Mart store is closing. Allen's has worked with the Health Department for other medications and is willing to dispense the additional prescriptions at near the same costs.

**Commissioner Witney made the motion to approve and authorize the agreement with Allen's Super Save Pharmacy as detailed in Regular Agenda Item No. 7. The motion was seconded by Commissioner Ellertson and carried with the following vote:**

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

AGREEMENT NO. 2014-470

**8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UNITED WAY OF UTAH COUNTY FOR A COMPREHENSIVE COMMUNITY ASSESSMENT AND ANALYSIS OF COMMUNITY NEEDS, ASSETS, AND DEMOGRAPHICS**

Utah County Health Department Executive Director Dr. Joseph K. Miner explained that one of the essential functions of public health is to perform community assessments. United Way provides this service and the Health Department contributes \$5,000 towards costs. Commissioner Anderson expressed interest in obtaining the results of the study, and Dr. Miner mentioned he would be happy to comply.

**Commissioner Witney made the motion to approve and authorize the agreement with United Way of Utah County for a comprehensive community assessment and analysis as specified in Regular Agenda Item No. 8. The motion was seconded by Commissioner Ellertson and carried with the following vote:**

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

AGREEMENT NO. 2014-471

**9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUBDIVISION IMPROVEMENT AND WARRANTY AGREEMENT FOR THE M. MARVIN PLAT "A"**

UTAH COUNTY BOARD OF COMMISSIONERS  
MINUTES - July 8, 2014  
Page 6

When Commissioner Witney asked for an explanation, Utah County Public Works Director Richard Nielson clarified that warranty agreements are commonplace for road improvements. This is a bond for a subdivision in the Spring Lake area. Commissioner Ellertson added that the one-year warranty period can be extended if needed.

**Commissioner Witney made the motion to approve and authorize the subdivision improvement and warranty agreement for M. Marvin Plat "A" as described in Regular Agenda Item No. 9. The motion was seconded by Commissioner Ellertson and carried with the following vote:**

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

AGREEMENT NO. 2014-472

**10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2013-541 WITH GSBS ARCHITECTS FOR THE COURTHOUSE ROOF/PARAPET PROJECT**

Utah County Public Works Director Richard Nielson spoke about the construction administration responsibilities of GSBS Architects as part of their agreement with the county. The terra cotta needed for the project has been delayed by five months, which will significantly extend construction time. Commissioner Ellertson questioned how the duties would be different if they are simply waiting on parts, and suggested continuation of this item until a response could be given.

**Commissioner Ellertson made the motion to continue Regular Agenda Item No. 10 regarding an amendment to Agreement No. 2013-541 with GSBS Architects for the Courthouse Roof/Parapet project to the July 22, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Witney and carried with the following vote:**

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

CONTINUED TO JULY 22, 2014

**11. APPROVE OR DENY A REQUEST FROM SAM'S CLUB TO WAIVE THE REQUIREMENTS OF SECTION 1.6.A OF THE UTAH COUNTY FACILITY USE POLICY TO CONDUCT MARKETING AT THE PUBLIC WORKS BUILDING AND HEALTH AND JUSTICE BUILDING ON AUGUST 7, 2014; AND IN THE ADMINISTRATION BUILDING ON AUGUST 8, 2014, CHANGING THE DATES AND VOIDING AGREEMENT NO. 2014-425 WHICH WAS APPROVED BY THE BOARD ON JUNE 24, 2014**

**Commissioner Ellertson made the motion to approve the request from Sam's Club to waive the requirements of Section 1.6.A of the Utah County Facility Use Policy to conduct marketing on August 7, 2014 and August 8, 2014 as defined in Regular Agenda Item No. 11. The motion was seconded by Commissioner Witney and carried with the following vote:**

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

AGREEMENT NO. 2014-473

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - July 8, 2014

Page 7

**12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE REAL ESTATE PURCHASE AGREEMENT WITH BRAD UNSICKER, ALAN STALLINGS, REED STALLINGS, AND SUNNYBROOK CAPITAL, LLC FOR PARCEL SERIAL NO. 24:003:0049 IN THE AMOUNT OF \$273,000.00**

Utah County Public Works Director Richard Nielson came forward with Utah County Deputy Attorney Robert Moore to address the difference between warranty deeds and 'special' warranty deeds. The contractor edited the original warranty deed submitted by the county to amend it to a special deed. The Board agreed they would prefer the first draft.

**Commissioner Witney made the motion to continue Regular Agenda Item No. 12 regarding the Real Estate Purchase Agreement with Brad Unsicker, Alan Stallings, Reed Stallings, and Sunnybrook Capital, LLC for Parcel Serial No. 24:003:0049 to the July 22, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Ellertson and carried with the following vote:**

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

CONTINUED TO JULY 22, 2014

**13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH SOUTH VALLEY WATER LEAK DETECTION**

Utah County Public Works Director Richard Nielson said this agreement is to have someone available on-call for leak detection services. Mr. Nielson noted the convenience in detecting leaks before digging for repairs, mentioning a past situation in the County Administration Building parking lot. Payment only occurs if the services are utilized. Commissioner Ellertson asked about "extra work" referenced in the contract, and Utah County Deputy Attorney Paul Jones clarified that South Valley Water Leak Detection would need instruction from the Board before commencing said work. Commissioner Ellertson asked for the wording to be made more clear to that effect, to prevent superfluous billing.

**Commissioner Ellertson made the motion to approve and authorize the agreement with South Valley Water Leak Detection, with the changes as noted in Regular Agenda Item No. 13. The motion was seconded by Commissioner Witney and carried with the following vote:**

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

AGREEMENT NO. 2014-474

**16. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH STACY PIERCE FOR MENDING OF INMATE CLOTHING, BLANKETS AND/OR SHEETS**

Utah County Sheriff James O. Tracy explained that items in the jail are repaired until they must be replaced. The previous individual who provided this service has retired. Dalene Higgins of the Utah County Sheriff's Office stated this will cost approximately \$8,000 per year, and summarized working with Utah County Purchasing Agent Julie Rollins to acquire bids. Ms. Higgins provided the account number for Utah County Clerk/Auditor Bryan E. Thompson.

**Commissioner Ellertson made the motion to approve and authorize the agreement with Stacy Pierce for mending of inmate clothing, blankets, and/or sheets as specified in Regular Agenda Item No. 16. The motion was seconded by Commissioner Witney and carried with the following vote:**

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

AGREEMENT NO. 2014-475

- 18. CONSIDERING FOR ADOPTION A RESOLUTION APPROVING FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE ISSUANCE BY UTAH COUNTY, UTAH (THE "COUNTY") OF ITS REVENUE BONDS IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$630,000,000 (THE "BONDS"), THE PROCEEDS OF WHICH WILL BE LOANED TO IHC HEALTH SERVICES, INC., A UTAH NONPROFIT CORPORATION ("INTERMOUNTAIN") FOR THE PURPOSE OF FINANCING, REFINANCING OR PROVIDING REIMBURSEMENT FOR THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF CERTAIN HEALTH CARE FACILITIES OF INTERMOUNTAIN. THIS APPROVAL WOULD BE IN ADDITION TO THE APPROVAL GRANTED BY THE COUNTY ON OCTOBER 9, 2012 TO THE ISSUANCE OF REVENUE BONDS FOR THE BENEFIT OF INTERMOUNTAIN IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$545,000,000**

Randy Larsen of Ballard Spahr serves as bond counsel to Utah County. He has reviewed the resolutions detailed in Regular Agenda Item Nos. 18, 19, and 20, and finds them to be in standard form. Mr. Larsen explained that the three separate items are to increase the authorization from a previous interlocal arrangement; for a fixed rate bond; and for a variable rate bond. He also pointed out that under state law, the county is prohibited from making payment on these bonds other than delivering what has been paid from Intermountain Healthcare.

**Commissioner Ellertson made the motion to adopt the resolution identified in Regular Agenda Item No. 18. The motion was seconded by Commissioner Witney and carried with the following vote:**

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

RESOLUTION NO. 2014-75

- 19. CONSIDERING FOR ADOPTION A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE BY THE COUNTY OF ITS HOSPITAL REVENUE BONDS, SERIES 2014A (IHC HEALTH SERVICES, INC.), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$250,000,000 (THE "SERIES 2014A BONDS"), AND THE LOAN OF THE PROCEEDS THEREOF TO INTERMOUNTAIN FOR THE PURPOSE OF FINANCING, REFINANCING OR PROVIDING REIMBURSEMENT FOR THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF CERTAIN HEALTH CARE FACILITIES OF INTERMOUNTAIN; PROVIDING THAT THE SERIES 2014A BONDS SHALL BE PAYABLE SOLELY AND EXCLUSIVELY FROM THE REVENUES ARISING FROM THE ASSIGNMENT AND PLEDGE OF A LOAN AGREEMENT AND NOTE OF INTERMOUNTAIN GIVEN AS SECURITY FOR THE SERIES 2014A BONDS AND IN NO EVENT TO CONSTITUTE A GENERAL OBLIGATION OR LIABILITY OF THE COUNTY OR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWERS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE COUNTY OF AN INDENTURE OF TRUST AND PLEDGE, A LOAN AGREEMENT, A BOND PURCHASE CONTRACT AND A TAX EXEMPTION CERTIFICATE AND AGREEMENT AND AUTHORIZING THE USE AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND THE USE, DISTRIBUTION, EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE OF THE SERIES 2014A BONDS; AND CERTAIN RELATED MATTERS**

**Commissioner Ellertson made the motion to adopt the resolution identified in Regular Agenda Item No. 19. The motion was seconded by Commissioner Witney and carried with the following vote:**

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

RESOLUTION NO. 2014-76

- 20. CONSIDERING FOR ADOPTION A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE BY THE COUNTY OF ITS VARIABLE RATE HOSPITAL REVENUE BONDS (IHC HEALTH SERVICES, INC.), IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$100,000,000 (THE "VARIABLE RATE BONDS"), AND THE LOAN OF THE PROCEEDS THEREOF TO INTERMOUNTAIN FOR THE PURPOSE OF FINANCING, REFINANCING OR PROVIDING REIMBURSEMENT FOR THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF CERTAIN HEALTH CARE FACILITIES OF INTERMOUNTAIN; PROVIDING THAT THE VARIABLE RATE BONDS SHALL BE PAYABLE SOLELY AND EXCLUSIVELY FROM THE REVENUES ARISING FROM THE ASSIGNMENT AND PLEDGE OF LOAN AGREEMENTS AND NOTES OF INTERMOUNTAIN GIVEN AS SECURITY FOR THE VARIABLE RATE BONDS AND IN NO EVENT TO CONSTITUTE A GENERAL OBLIGATION OR LIABILITY OF THE COUNTY OR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWERS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE COUNTY OF ONE OR MORE INDENTURES OF TRUST AND PLEDGE, ONE OR MORE LOAN AGREEMENTS, ONE OR MORE BOND PURCHASE CONTRACTS AND A TAX EXEMPTION CERTIFICATE AND AGREEMENT AND AUTHORIZING THE USE AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND THE USE, DISTRIBUTION, EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE OF THE VARIABLE RATE BONDS; AND CERTAIN RELATED MATTERS**

**Commissioner Ellertson made the motion to adopt the resolution identified in Regular Agenda Item No. 18. The motion was seconded by Commissioner Witney and carried with the following vote:**

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

RESOLUTION NO. 2014-77

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

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

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

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - July 8, 2014

Page 10

25. 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. 23, 24 and 25 to set dates, times and locations for closed meetings for a strategy session to discuss the purchase, exchange, or lease of real property; for a strategy session to discuss the sale of real property; and to discuss commercial information as defined in Section 59-1-404, U.C.A., as amended. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None

21. 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 Witney and carried with the following vote:

AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None

SET

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

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

AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None

SET

**WORK SESSION**

NO WORK SESSION ITEMS WERE SUBMITTED

**PUBLIC COMMENTS**

There were no public comments and the meeting recessed at 9:54 A.M. to go into closed meetings. The public meeting reconvened at 11:01 A.M.

**Commissioner Witney made the motion to adjourn the July 8, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Ellertson and carried with the following vote:**

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

There being no further business nor public comment, the meeting adjourned at 11:01 A.M. The minutes of the July 8, 2014 Commission Meeting were approved as transcribed on August 5, 2014.

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GARY J. ANDERSON, Commission Chair

ATTEST:

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BRYAN E. THOMPSON  
Utah County Clerk/Auditor