

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
July 22, 2014 - 9:00 A.M.

PRESENT: COMMISSIONER LARRY A. ELLERTSON, VICE-CHAIR
COMMISSIONER DOUG WITNEY

EXCUSED: COMMISSIONER GARY J. ANDERSON, CHAIR

ALSO PRESENT:

Jeffrey R. Buhman, Utah County Attorney	Jeff Smith, Utah County Recorder
David Shawcroft, Utah County Deputy Attorney	Andrea Allen, Utah County Recorder's Office
Paul Jones, Utah County Deputy Attorney	Dalene Higgins, Utah County Sheriff's Office
Bryan E. Thompson, Utah County Clerk/Auditor	Dave Bennett, Utah County Sheriff's Office
Burt Harvey, Clerk/Auditor - Tax Admin. Supervisor	Hyrum Cox, Utah County Sheriff's Office
Julie Rollins, Utah County Purchasing Agent	Mike Forshee, Utah County Sheriff's Office
Rebecca Martell, Children's Justice Center	Mark Troxel, Utah County Sheriff's Office
Cathy Davies, Utah County Justice Court	Gary Ratcliffe, Utah County Surveyor
Jim Stevens, Utah County Assessor's Office	Cary McConnell, Utah County Treasurer's Office
Bryce Armstrong, Community Development	Jonathan Moffitt, Moffitt Law LLC
Peggy Kelsey, Community Development	Larry Ballard, Utah County Resident
Dr. Joseph K. Miner, Health Department Exec. Director	Dallan Allridge, -No further information given-
Richard Nance, Drug & Alcohol Prevention & Treatment	Daniel Donaldson, -No further information given-
Rachel Moulton, Drug & Alcohol Prevention & Treatment	Wade Taylor, -No further information given-
Lana Jensen, Utah County Personnel Director	Mike Stansfield, Fairways Media
Richard Nielson, Utah County Public Works Director	Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Ellertson called the meeting to order at 9:08 A.M. and welcomed those present. He excused Commissioner Anderson 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: Doug Witney, Utah County Commissioner

PLEDGE OF ALLEGIANCE: Larry A. Ellertson, Utah County Commissioner

CONSENT AGENDA

- 1. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON THE NOTICE OF ELECTRONIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH ON JULY 22, 2014**
- 2. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON A LETTER ACCEPTING JOHNSON CONTROLS INCORPORATED'S OFFER TO CLOSE OUT UTAH COUNTY AGREEMENT NO. 2010-448**
- 3. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON AMENDMENT NO. 1 TO STATE OF UTAH CONTRACT 140628 (COUNTY AGREEMENT NO. 2013-561) FOR FY 14-15 MEDICAL PROGRAM FUNDING FOR THE UTAH COUNTY CHILDREN'S JUSTICE CENTER**

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4. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60308, DATED JULY 12, 2014

5. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20311, DATED JULY 16, 2014

6. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2014-14

Commissioner Ellertson noted the second item in the recommendation letter: Personal Property Account No. 73613 registered to Tacos Don Joaquin, LLC. He indicated that rather than deny the request, the Board would like to waive or abate the penalty and interest. Taxes are still due.

APPROVED WITH CHANGES

7. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE CHILDREN'S JUSTICE CENTER

8. APPROVE THE MINUTES OF THE JUNE 24, 2014 COMMISSION MEETING

9. APPROVE THE MINUTES OF THE JULY 1, 2014 COMMISSION MEETING

The commissioners requested Consent Agenda Item No. 9 be continued to the next meeting of the Board.
CONTINUED TO JULY 29, 2014

10. RATIFICATION OF PAYROLL FOR JULY 15, 2014

Period 14	7 Checks: \$6,403.53	1,155 Total Deposits: \$1,481,803.88	Total: \$1,488,207.41
		Federal Payroll Taxes	Total: \$ 223,338.30

11. RATIFICATION OF WARRANT REGISTER SUMMARY FOR JULY 15, 2014

Register No. 680	July 07, 2014	Direct Deposit:19755-19758	Total: \$ 5,663.80
Register No. 681	July 07, 2014	Check Nos. 196058-196077	Total: \$ 123,037.49
Register No. 682	July 07, 2014	Purchasing Cards 2486-2495	Total: \$ 1,849.99
Register No. 683	July 07, 2014	Check Nos. 196078-196131	Total: \$ 2,496.00
Register No. 684	July 08, 2014	Direct Deposit:19759-19765	Total: \$ 8,034.47
Register No. 685	July 08, 2014	Check Nos. 196132-196192	Total: \$ 155,716.65
Register No. 686	July 08, 2014	Direct Deposit:19766-19776	Total: \$ 1,023.43
Register No. 687	July 08, 2014	Check Nos. 196193-196203	Total: \$ 1,577.98
Register No. 688	July 08, 2014	Check Nos. 196204-196205	Total: \$ 6,069.95
Register No. 689	July 10, 2014	Direct Deposit:19777-19777	Total: \$ 754.30
Register No. 690	July 10, 2014	Direct Deposit:19778-19788	Total: \$ 773,795.46
Register No. 691	July 10, 2014	Check Nos. 196206-196230	Total: \$ 89,112.08
Register No. 692	July 14, 2014	Direct Deposit:19789-19807	Total: \$ 6,354.09
Register No. 693	July 14, 2014	Check Nos. 196231-196250	Total: \$ 5,490.85
Register No. 694	July 14, 2014	Purchasing Cards 2496-2496	Total: \$ 647.05
Register No. 695	July 14, 2014	Direct Deposit:19808-19815	Total: \$ 8,402.12
Register No. 696	July 14, 2014	Check Nos. 196251-196338	Total: \$2,811,388.50
Register No. 697	July 15, 2014	Direct Deposit:19816-19824	Total: \$ 6,392.95
Register No. 698	July 15, 2014	Check Nos. 196339-196416	Total: \$ 124,298.89
Register No. 699	July 15, 2014	Bond Wires:293-293	Total: \$ 233,338.30
			<u>Total: \$4,355,444.35</u>

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12. RATIFICATION OF WARRANT REGISTER SUMMARY FOR JULY 22, 2014

Register No. 700	July 16, 2014	Bond Wires:294-294	Total: \$	299.75
Register No. 701	July 16, 2014	Check Nos. 196417-196459	Total: \$	105,930.89
Register No. 702	July 17, 2014	Purchasing Cards 2497-2521	Total: \$	7,296.26
Register No. 703	July 17, 2014	Direct Deposit:19825-19841	Total: \$	6,593.55
Register No. 704	July 17, 2014	Check Nos. 196460-196466	Total: \$	14,621.00
Register No. 705	July 18, 2014	Direct Deposit:19842-19844	Total: \$	805,533.29
Register No. 706	July 18, 2014	Direct Deposit:19845-19847	Total: \$	11,749.80
Register No. 707	July 18, 2014	Check Nos. 196467-196467	Total: \$	85.01
Register No. 708	July 18, 2014	Check Nos. 196468-196479	Total: \$	59,885.28
			Total:	<u>\$1,011,994.83</u>

Consent Agenda Item Nos. 1 through 5, 7, 8, and 10 through 12 were approved as written. Commissioner Ellertson recommended the following Regular Agenda items be moved to Consent:

- 1. DELETE ONE FULL-TIME CAREER SERVICE PERSONNEL ANALYST I POSITION FROM THE STAFFING PLAN OF THE OFFICE OF PERSONNEL MANAGEMENT, AND ADD THE FOLLOWING FULL-TIME CAREER SERVICE POSITIONS: TWO PERSONNEL TECHNICIAN POSITIONS (CLASS CODE 3202) AND ONE OFFICE SPECIALIST III-PERSONNEL POSITION (CLASS CODE 6800)**
- 2. DELETE TWENTY-ONE FULL TIME CAREER SERVICE DEPUTY SHERIFF I POSITIONS (JOB CODE 2012, ACCOUNT 100-42130) FROM THE STAFFING PLAN OF THE JUDICIAL SERVICES DIVISION OF THE SHERIFF'S OFFICE, AND ADD TWENTY-TWO DEPUTY II (CLASS CODE 4024, ACCOUNT 100-42130) POSITIONS TO THE STAFFING PLAN**
- 3. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON THE MANAGEMENT REPRESENTATION LETTER FOR THE 2013 UTAH COUNTY AUDIT**
- 7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH CANON SOLUTIONS AMERICA FOR THE ADVC65045 COPIER, SERIAL NO. GPQ12128, LOCATED IN THE ATTORNEY'S OFFICE**
- 8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M550N COPIER, SERIAL NO. 4500352X, LOCATED IN THE DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT**
- 9. RATIFY THE SIGNATURE OF JUDGE SCOTT J. CULLIMORE ON A GRANT APPLICATION TO THE ADMINISTRATIVE OFFICE OF THE COURTS FOR THE PURCHASE OF SECURITY EQUIPMENT TO UPGRADE THE UTAH COUNTY COURTHOUSE AND HEALTH AND JUSTICE BUILDING, AND ACCEPT THE AWARD OF \$13,700.00**
- 11. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE C-1 LOCAL HEALTH DEPARTMENT GENERAL GRANT FY2015 AGREEMENT WITH THE UTAH STATE DEPARTMENT OF HEALTH FOR THE CHEC AND TARGETED CASE MANAGEMENT (TCM) PROGRAMS**
- 12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE C-8 LOCAL HEALTH DEPARTMENT CLUSTER GRANT FY2015 AGREEMENT WITH THE UTAH STATE DEPARTMENT OF HEALTH TO PROVIDE FUNDING FOR THE MEDICAL RESERVE CORPS AND PUBLIC HEALTH EMERGENCY PREPAREDNESS**

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13. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 1 TO AGREEMENT NO. 2013-498 WITH THE UTAH DEPARTMENT OF WORKFORCE SERVICES TO AMEND THE AMOUNT OF THE CONTRACT FOR SFY15 TO \$30,500.00**
14. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 1 TO AGREEMENT NO. 2013-499 WITH THE UTAH DEPARTMENT OF WORKFORCE SERVICES TO AMEND THE AMOUNT OF THE CONTRACT FOR SFY15 TO \$30,500.00**
15. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 1 TO AGREEMENT NO. 2013-500 WITH THE UTAH DEPARTMENT OF WORKFORCE SERVICES TO AMEND THE AMOUNT OF THE CONTRACT FOR SFY15 TO \$30,500.00**
16. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 3 TO AGREEMENT NO. 2010-524 WITH HOUSE OF HOPE TO EXTEND THE CURRENT CONTRACT AN ADDITIONAL YEAR ENDING JUNE 30, 2015**
17. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 4 TO AGREEMENT NO. 2010-525 WITH INSTITUTE FOR COGNITIVE THERAPY TO EXTEND THE CURRENT CONTRACT AN ADDITIONAL YEAR ENDING JUNE 30, 2015**
18. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 4 TO AGREEMENT NO. 2010-526 WITH LIFE ENHANCEMENT CENTER TO EXTEND THE CURRENT CONTRACT AN ADDITIONAL YEAR ENDING JUNE 30, 2015**
19. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 4 TO AGREEMENT NO. 2010-527 WITH NEW ROADS TO EXTEND THE CURRENT CONTRACT AN ADDITIONAL YEAR ENDING JUNE 30, 2015**
20. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 4 TO AGREEMENT NO. 2010-528 WITH PROJECT REALITY TO EXTEND THE CURRENT CONTRACT AN ADDITIONAL YEAR ENDING JUNE 30, 2015**
22. **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** *(Continued from the July 8, 2014 Commission meeting)*

Commissioner Witney mentioned the need for a budget transfer to complete Regular Agenda Item No. 22.

25. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF AGRICULTURE AND FOOD TO FUND PART OF THE PHRAGMITES ERADICATION WORK AROUND UTAH LAKE**
26. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF AGRICULTURE AND FOOD TO PROVIDE FUNDING FOR THE SQUARROSE COOPERATIVE WEED MANAGEMENT AREA INVASIVE SPECIES MITIGATION PROGRAM**

Commissioner Ellertson commented on the collaboration between Utah, Juab, and Tooele counties; Utah County is serving only as the fiscal agent.

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29. **SET A DATE, TIME AND LOCATION FOR A PUBLIC HEARING TO DISCUSS AMENDING AND INCREASING THE 2014 UTAH COUNTY BUDGET IN THE COUNTY'S GENERAL FUND AND VARIOUS OTHER BUDGETARY FUNDS; Suggested Date: Tuesday, July 29, 2014 at 9:00 AM in Room 1400 of the Utah County Administration Building, 100 East Center, Provo, Utah**
31. **RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON THE RESOLUTION OF APPOINTMENT OF LT. DAVE BENNETT AS UTAH COUNTY REPRESENTATIVE TO THE UTAH COMMUNICATIONS AUTHORITY BOARD**

ACTIONS TAKEN

Consent Agenda Item Nos. 1, 2, 3, 10, 11 and 12 were ratified; Nos. 4, 5, 6 (with changes) and 8 were approved; No. 7 was adopted; and No. 9 was continued to the July 29, 2014 meeting of the Board. **Regular Agenda Item Nos. 1 and 2 were approved; Nos. 3, 9, and 31 were ratified; Nos. 7, 8, 11 through 20, 22, 25 and 26 were approved and authorized; and No. 29 was set.**

AGREEMENT NOS.: 2014-476, 2014-477, 2014-478, 2014-479, 2014-480, 2014-481, 2014-482, 2014-483, 2014-484, 2014-485, 2014-486, 2014-487, 2014-488, 2014-489, 2014-490, 2014-491, 2014-492, 2014-493, 2014-494, 2014-492, 2014-496 and 2014-497

RESOLUTION NOS.: 2014-78 and 2014-79

REGULAR AGENDA

4. **APPROVE AND ADOPT A RESOLUTION TRANSFERRING FUNDS BETWEEN DEPARTMENTS OF UTAH COUNTY**

Commissioner Ellertson clarified the Board's intention to place \$45,000 in the budget for a boat for the Sheriff's Office. The paperwork indicates only \$15,000 is available. Mike Forshee of the Utah County Sheriff's Office confirmed the \$45,000 amount following some discussion at the bench with the commissioners and Utah County Clerk/Auditor Bryan E. Thompson, summarizing the source of the funds. Mr. Thompson stated he would verify the correct amounts.

Commissioner Witney made the motion to adopt the resolution transferring funds between departments of Utah County as outlined in Regular Agenda Item No. 4. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Larry A. Ellertson
Doug Witney
NAY: None**

RESOLUTION NO. 2014-80

5. **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 and July 8, 2014 Commission meetings)**

Jonathan Moffitt of Moffitt Law, LLC came forward on behalf of Dallan Allridge. The property in question is slightly less than one-third of an acre. Dallan Allridge also approached to explain that he bought the property from American Fork City approximately fifteen years ago. It is a sliver of property, but is located on State Street and becomes significant for development when combined with the parcel next to it. Mr. Allridge clarified that there is not a lien on the property because it was purchased via credit; there is still a \$50,000 balance due. He has found an interested buyer for the larger piece and has been working on a contract for six months. The buyer is still interested in the parcel even though the closing date has passed; however, the smaller piece under protest is to be part of the deal. Mr. Allridge expressed he would never have let the property fall into jeopardy and would have taken every measure to correct the situation had Utah County properly contacted him about the issue.

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Utah County Clerk/Auditor - Tax Administration Supervisor Burt Harvey responded to Dallan Allridge's statements. Mr. Harvey addressed state law which requires good faith efforts be made to contact property owners about impending tax sales. Mr. Harvey emphasized that the law does not assume contact will be made; only that the attempt will be made, which was done several times. He noted that Mr. Allridge acknowledged receipt of a letter dated May 19, 2014; one of Mr. Harvey's final attempts to make contact with the property owner.

Attorney Jonathan Moffitt returned to explain his position that the notice was posted for Serial Property No. 14:021:0109 while the portion belonging to Dallan Allridge is actually No. 14:021:0201. The correct serial number is registered to the correct address for Mr. Allridge. Burt Harvey pointed out that the correct address was not updated until May 23, 2014, the day after the sale. Mr. Moffitt refuted that the parcel was still noticed incorrectly based on the serial number.

Jonathan Moffitt also referenced Utah State law and the requirement for the county to send notice to all interested owners of record. The Utah Department of Transportation (UDOT) has a warranty deed for a piece of Serial Property No. 14:021:0109, but has no record of receiving any notification of the sale. Mr. Moffitt explained that case law has shown if even one requirement of the Tax Sale is not met, the transaction is void. Mr. Moffitt stated there are multiple violations by the county: the parcel was subdivided and not verified, not all interested parties received notice, and the correct address was recorded in the 'Affidavit of Surviving Tenant.'

Commissioner Ellertson commented on equity and good conscience, and Jonathan Moffitt mentioned that his client Dallan Allridge was a joint owner for the property with his now deceased father. The loss of the family member created confusion in the paperwork, but Dallan Allridge has paid due taxes on delinquent properties. Mr. Moffitt repeated that Mr. Allridge would have paid the taxes had he been made aware of the sale. Burt Harvey confirmed that the paperwork filed with the county matches Mr. Moffitt's description.

David Jeffs came forward to represent Dan Donaldson, the buyer of the property at the May Tax Sale. Mr. Jeffs summarized that the sale to the Utah Department of Transportation (UDOT) happened in 2013, and an affidavit to terminate the joint tenancy was recorded at the same time. He clarified that the properties sold during the Tax Sale are offered by the oldest year first, meaning that the delinquent taxes on the parcel should date back to 2009. At that time, UDOT was in no way affiliated with the property; therefore their involvement is irrelevant. Mr. Jeffs stated that bidding does allow the sale of portions of a parcel. Mr. Jeffs noted the statute definition of notice for the May Tax Sale, stating the county can either: A.) send letters and publish electronically, or B.) publish in the newspaper. Since Utah County practices all three suggestions, the requirement has been met under Option B even if letters were not sent to the parties. Since Mr. Donaldson followed due process to acquire the property through the May Tax Sale, he should be allowed to retain ownership. Mr. Jeffs also commented that it is the responsibility of the owner to update address changes and reiterated that the county has met all legal requirements.

Burt Harvey clarified that the parcel in question is a child/parent property. UDOT was not notified because their portion of the property was not under threat of sale, since that payment had been made. He explained the difference between parcel serial numbers.

Jonathan Moffitt disagreed with the interpretation by David Jeffs about notice requirements; he maintained that the wording states "and," not "or," in the section defining notices, and that UDOT did have an interest in the property. Utah County Deputy Attorney Paul Jones concurred with Mr. Moffitt's statement regarding the wording, and clarified that Utah County did in fact meet those notification requirements even by that interpretation. Mr. Jones also argued that UDOT did not have an interest in the property. He reiterated Burt Harvey's earlier points that while the correct address for Dallan Allridge was recorded on an affidavit and certificate on April 15, 2013, but neither of those documents would procedurally update the owner address with the county. Utah County Deputy Attorney David Shawcroft suggested that if the sale is not ratified, it would have to be through a finding of county error.

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Commissioner Ellertson mentioned two unrelated parcels that are also recommended to be pulled from the sale, and Burt Harvey assured that those properties are specifically county errors as determined by his office. Commissioner Ellertson sympathized with both the original owner and the buyer. Utah County Deputy Attorney David Shawcroft suggested that each party could submit a written brief to the Board. Mr. Jeffs responded that the reports would not contain any new factual information, but they are happy to follow any instruction from the Board.

Commissioner Witney questioned whether Dallan Allridge was aware of the sale before it took place. Burt Harvey could not recall if he had spoken with Mr. Allridge over the phone. Mr. Harvey mentioned that both parcels mentioned today were actually open to bidding at the May Tax Sale. One of the parcels was not sold; this parcel was sold and was not redeemed. During the break, the Utah County Treasurer's Office called Utah County Clerk/Auditor Bryan E. Thompson to let him know that Mr. Allridge had contacted them with intentions to pay the balance on both properties. The decision was made to keep the parcel listed for sale unless Mr. Allridge was able to make payment before the second round. Commissioner Witney noted that if his family is in this business, Mr. Allridge should be aware of tax responsibilities. Mr. Allridge agreed that he must accept some responsibility for this predicament, but had assumed that the recorded affidavit with an updated address would clarify the correct place to mail notices. Mr. Thompson asked when Dallan Allridge's father had passed on, and Mr. Allridge stated 2008.

Utah County Chief Deputy Clerk/Auditor Scott Hogensen confirmed Burt Harvey's statement of events. Dallan Allridge clarified that his real estate agent had just been made aware of the Tax Sale the same day it was occurring, and called Mr. Allridge to exclaim the county would be selling two of his properties due to delinquent taxes. Mr. Allridge was surprised by the information and immediately reported to the Utah County Treasurer's Office to pay the balances. He was able to submit payment for the first parcel that was not sold during the first round of bidding, but this parcel had already been sold during the second round and payment submitted by the buyer. Mr. Allridge noted when he returned home that evening, the "Final Notice" regarding the May Tax Sale was in his mailbox - it was postmarked May 19, 2014 and delivered May 22, 2014.

Commissioner Witney made the motion to approve the Tax Sale Protest filed by Dallan Allridge related to Parcel Serial No. 14:021:0109 as defined in Regular Agenda Item No. 5. The motion was seconded by Commissioner Ellertson, and discussion continued.

Utah County Deputy Attorney David Shawcroft clarified for the record that the findings of fact regarding this item will be placed on a future agenda to be adopted by the Board.

The motion carried with the following vote:

**AYE: Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-498

6. RATIFY ALL OR PORTIONS OF THE 2014 ANNUAL DELINQUENT TAX SALE PER UTAH COUNTY CODE 21-5-7 (Continued from the July 8, 2014 Commission meeting)

Utah County Clerk/Auditor - Tax Administration Supervisor Burt Harvey explained the changes that would need to be made to the list based on the recent Commission actions. An updated and corrected list will be provided for county records.

Commissioner Witney made the motion to ratify the 2014 Annual Delinquent Tax Sale as detailed in Regular Agenda Item No. 6. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-499

10. RATIFY THE SIGNATURE OF JUDGE SCOTT J. CULLIMORE ON A GRANT APPLICATION TO THE ADMINISTRATIVE OFFICE OF THE COURTS FOR THE PURCHASE OF A LIVE SCAN FINGER PRINTING MACHINE, AND ACCEPT THE AWARD OF \$4,998.00

Cathy Davies of the Justice Court came forward to explain that the fingerprint machine is currently not working. Though there is a maintenance contract through the state for the machine, they are unable to service it because it is at the end of the life span. The machine was purchased in 2006 and has been repaired a couple of times at a cost of approximately \$4,000, the price to upgrade the software. The hardware is almost dead, however, and a new machine costs \$8,500.00. The grant award from the Administrative Office of the Courts is for a little more than half the amount of a new machine. The Justice Court is specially requesting \$3,500 from the Commission to make up the difference. Utah County Clerk/Auditor Bryan E. Thompson mentioned that there is a restricted funding account from which the balance could be obtained. The commissioners spoke of the necessity of the new machine, and Mr. Thompson asked Ms. Davies to communicate to his department the exact amount upon approval by the Board.

Commissioner Witney made the motion to ratify the signature of Judge Scott J. Cullimore on the grant application to the Administrative Office of the Courts for the purchase of a live scan finger printing machine as discussed in Regular Agenda Item No. 10. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-500

21. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2013-541 WITH GSBS ARCHITECTS FOR THE COURTHOUSE ROOF/PARAPET PROJECT (Continued from the July 8, 2014 Commission meeting)

Commissioner Ellertson summarized that this project completion date is to be extended five months due to a shortage in supplies, leading to additional costs of approximately \$11,000.00. Utah County Public Works Director Richard Nielson explained that GSBS Architects will still be tracking items, preparing pay requests, conducting meetings, and other related issues during the extra time.

Commissioner Witney made the motion to approve and authorize an amendment to Agreement No. 2013-541 with GSBS Architects for the Courthouse Roof/Parapet Project as specified in Regular Agenda Item No. 21. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-501

23. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2013-702 WITH ROCKY MOUNTAIN UNIVERSITY OF HEALTH PROFESSIONS FOUNDATION FOR LEASE OF SPACE IN THE HEALTH SERVICES BUILDING

Commissioner Ellertson summarized that Rocky Mountain University of Health Professions Foundation is requesting a date change within Agreement No. 2013-702 to reflect actual occupancy of the space, foregoing the amount due for the period of time they were unable to be in the building.

Commissioner Witney made the motion to approve and authorize an amendment to Agreement No. 2013-702 with Rocky Mountain University of Health Profession Foundation as identified in Regular Agenda Item No. 23. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-502

24. APPROVE AND AUTHORIZE THE UTAH COUNTY CLERK/AUDITOR TO SIGN A QUIT CLAIM DEED FROM THE COUNTY TO ARA AND HASMIK BEKEARIAN IN THE AMOUNT OF \$643.45 FOR PARCEL SERIAL NO. 17:040:0062

Utah County Public Works Director Richard Nielson explained this is a parcel from the 2012 May Tax Sale that was not sold and reverted back to the county. No one has made claims to the property since then, and the adjacent neighbor has requested to pay the delinquent taxes and obtain ownership. Utah County Clerk/Auditor Bryan E. Thompson confirmed the process for doing such.

Commissioner Witney made the motion to approve and authorize the Utah County Clerk/Auditor to sign a Quit Claim Deed from the county to Ara and Hasmik Bekearian in the amount of \$643.45 for Parcel Serial No. 17:040:0062 as outlined in Regular Agenda Item No. 24. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-503

27. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF EAGLE MOUNTAIN FOR LAW ENFORCEMENT SERVICES

Mike Forshee of the Utah County Sheriff's Office confirmed for Commissioner Witney that the City of Eagle Mountain wants to add a law enforcement officer to service their area, and will fully fund the addition. Mr. Forshee discussed overtime percentages with Commissioner Ellertson, and Dalene Higgins of the Utah County Sheriff's Office confirmed receipt of a letter from Eagle Mountain approving of the contract changes.

Commissioner Witney made the motion to approve and authorize an interlocal cooperation agreement with the City of Eagle Mountain for law enforcement services as specified in Regular Agenda Item No. 27. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-504

Utah County Clerk/Auditor Bryan E. Thompson added a note about the 2014 Budget; though the revenue off-sets expense, the figures will need to be updated to accurately reflect the changes. He requested the Utah County Sheriff's Office communicate that information to his department.

28. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UTAH VALLEY UNIVERSITY FOR BEHAVIORAL SCIENCE STUDENT INTERNSHIPS

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Commissioner Ellertson asked whether a master agreement is already in place for internships from Utah Valley University students. Utah County Personnel Director Lana Jensen stated yes, but noted that sometimes specific experiences are outlined in individual agreements. They discussed intern requirements, and Commissioner Ellertson mentioned that the contract outlines a letter or other document signed by the intern to acknowledge their relationship with the county. He suggested approval of this agreement, subject to whether or not this is superfluous to the master agreement already in place with Utah Valley University, and county receipt of the intern letter defined in the contract.

Commissioner Witney made the motion to approve and authorize an agreement with Utah Valley University for Behavioral Science Student Internships as discussed in Regular Agenda Item No. 28. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-505

30. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF EAGLE MOUNTAIN FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT *(Continued from the May 27, June 3, and June 17, 2014 Commission meetings)*

Utah County Deputy Attorney Dianne Orcutt explained that the \$38,000 total reflects the last three years of funds awarded to the City of Eagle Mountain. That amount will be reduced by \$25,000 for the Pony Express statue, effectively reimbursing the county's costs.

Commissioner Witney made the motion to approve and authorize an agreement with the City of Eagle Mountain for a Utah County Community Activities Grant for a Tourism and Recreation Development Project as described in Regular Agenda Item No. 30. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-506

32. ADOPT A RESOLUTION APPROVING AND AUTHORIZING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND WASATCH MENTAL HEALTH SERVICES SPECIAL SERVICE DISTRICT

The Board discussed the purpose, dates, and details of this agreement with Utah County Deputy Attorney David Shawcroft, as well as the specified match of funds from the state. Dalene Higgins of the Utah County Sheriff's Office was able to provide clarification from the audience.

Commissioner Witney made the motion to adopt a resolution approving and authorizing an interlocal cooperation agreement between Utah County and Wasatch Mental Health Services Special Service District as detailed in Regular Agenda Item No. 32. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Larry A. Ellertson
Doug Witney
NAY: None**

RESOLUTION NO. 2014-81
AGREEMENT NO. 2014-507

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

35. 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

37. 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 Witney made the motion to strike Regular Agenda Item Nos. 35 and 37 to set dates, times and locations for closed meetings for a strategy session to discuss the purchase, exchange, or lease 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 Ellertson and carried with the following vote:

AYE: Larry A. Ellertson
Doug Witney
NAY: None

33. 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 Witney 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 Ellertson and carried with the following vote:

AYE: Larry A. Ellertson
Doug Witney
NAY: None

SET

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

Commissioner Witney 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 Ellertson and carried with the following vote:

AYE: Larry A. Ellertson
Doug Witney
NAY: None

SET

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

Commissioner Witney 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 Ellertson and carried with the following vote:

**AYE: 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 10:20 A.M. to go into closed meetings. The public meeting reconvened at 11:45 A.M.

Commissioner Witney made the motion to adjourn 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: Larry A. Ellertson
Doug Witney
NAY: None**

There being no further business nor public comment, the meeting adjourned at 11:45 A.M. The minutes of the July 22, 2014 Commission Meeting were approved as transcribed on August 19, 2014.

GARY J. ANDERSON, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor