

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
August 12, 2014 - 9:00 A.M.

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

ALSO PRESENT:

Jeffrey R. Buhman, Utah County Attorney
E. Kent Sundberg, Civil Division Chief Attorney
David Shawcroft, Utah County Deputy Attorney
Scott C. Hogensen, Chief Deputy Clerk/Auditor
Sandy Nielson, Clerk/Auditor's Office - Tax Admin.
Vicky Westergard, Clerk/Auditor's Office - Tax Admin.
Karlee Jo Jarvis, Clerk/Auditor's Office - Elections
Julie Rollins, Utah County Purchasing Agent
Clarissa Reeve, Utah County Assessor's Office
Jim Stevens, Utah County Assessor's Office
Peter Jepps, Utah County Assessor's Office
Peggy Kelsey, Community Development
Brandon Larsen, Community Development
Robert May, Community Development
Joshua K. Ivie, Community Development
Dr. Joseph K. Miner, Health Department Exec. Director
Marianne Christensen, Utah County Health Department
Brian Alba, Drug & Alcohol Prevention & Treatment
Pat Bird, Drug & Alcohol Prevention & Treatment
Robert Johnson, Drug&Alcohol Prevention&Treatment
Lance Madigan, Drug &Alcohol Prevention &Treatment
Dean Richins, Information Systems

Lana Jensen, Utah County Personnel Director
Richard Nielson, Utah County Public Works Director
Jeff Smith, Utah County Recorder
Yvette M. Rice, Utah County Sheriff's Office
Shawn Radmall, Utah County Sheriff's Office
Mike Forshee, Utah County Sheriff's Office
Dana Barney, Utah County Treasurer's Office
Joel Racker, Utah Valley Convention & Visitors Bureau
Lee Adamson, Utah Valley Convention & Visitors Bureau
Lance Mergens, Utah Local Governments Trust
Bill Freeze, Utah County Association of Realtors President
Larry Ballard, Utah County Resident
Steven Boshard, Utah County Resident
Helina Carter-Thomas, Utah County Resident
Craig Eatough, Utah County Resident
Taylor Eatough, Utah County Resident
Lynn Fowers, Fowers Fruit Ranch
Sherryl Fowers, Fowers Fruit Ranch
Dana Beck, -No further information given-
Steven Moon, -No further information given-
Earl J. Seeley, -No further information given-
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

The Board momentarily recessed to assemble as The Board of Equalization of Utah County from 9:08 A.M. to 9:09 A.M. The Utah County Board of Commissioners reconvened at 9:09 A.M., and the commissioners moved forward with the following agenda items.

CONSENT AGENDA

- 1. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON MODIFICATION NO. 1 TO AGREEMENT NO. 2014-292 WITH THE U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE (FS AGREEMENT 14-RO-11041915-032) FOR ROAD WORK IN DIAMOND FORK CANYON**

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2. APPROVE REQUESTED EXEMPTIONS ON LIST DATED AUGUST 5, 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
3. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20312, DATED AUGUST 6, 2014
4. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE CHILDREN'S JUSTICE CENTER, THE UTAH COUNTY HEALTH DEPARTMENT, AND THE UTAH COUNTY SHERIFF'S OFFICE

5. RATIFICATION OF PAYROLL

Period 16	3 Checks: \$ 619.05	1,137 Total Deposits: \$1,533,706.03	Total: \$1,534,325.08
		Federal Payroll Taxes	Total: \$ 238,206.14

6. RATIFICATION OF WARRANT REGISTER SUMMARY

Register No. 747	August 4, 2014	Direct Deposit:19934-19934	Total: \$ 76.00
Register No. 748	August 4, 2014	Purchasing Cards 2555-2589	Total: \$ 42,808.22
Register No. 749	August 4, 2014	Check Nos. 196949-196989	Total: \$ 180,526.65
Register No. 750	August 5, 2014	Purchasing Cards 2590-2590	Total: \$ 2,091.28
Register No. 751	August 5, 2014	Direct Deposit:19935-19935	Total: \$ 157.64
Register No. 752	August 5, 2014	Check Nos. 196990-197017	Total: \$ 106,476.06
Register No. 753	August 5, 2014	Direct Deposit:19936-19937	Total: \$ 59,245.94
Register No. 754	August 5, 2014	Purchasing Cards 2591-2613	Total: \$ 58,344.42
Register No. 755	August 5, 2014	Check Nos. 197018-197031	Total: \$ 590,816.45
Register No. 757	August 5, 2014	Check Nos. 197032-197090	Total: \$ 2,580.00
Register No. 758	August 6, 2014	Check Nos. 197091-197100	Total: \$ 36,728.51
Register No. 759	August 6, 2014	Direct Deposit:19938-19938	Total: \$ 19.99
Register No. 760	August 6, 2014	Purchasing Cards 2614-2622	Total: \$ 2,080.73
Register No. 761	August 6, 2014	Check Nos. 197101-197122	Total: \$ 393,848.13
Register No. 762	August 7, 2014	Purchasing Cards 2623-2623	Total: \$ 684.52
Register No. 763	August 7, 2014	Direct Deposit:19939-19949	Total: \$ 92,710.87
Register No. 764	August 7, 2014	Check Nos. 197123-197140	Total: \$ 68,176.83
Register No. 765	August 7, 2014	Direct Deposit:19950-19951	Total: \$ 5,415.00
Register No. 766	August 7, 2014	Purchasing Cards 2624-2641	Total: \$ 38,403.38
Register No. 767	August 7, 2014	Check Nos. 197141-197170	Total: \$ 46,431.38
Register No. 768	August 8, 2014	Bond Wires:298-298	Total: \$ 238,206.14
Register No. 769	August 8, 2014	Direct Deposit:19952-19962	Total: \$ 779,086.44
Register No. 770	August 8, 2014	Check Nos. 197171-197183	Total: \$ 85,841.98
Register No. 771	August 8, 2014	Direct Deposit:19963-19971	Total: \$ 983.44
Register No. 772	August 8, 2014	Check Nos. 197184-197186	Total: \$ 1,354.87
Register No. 773	August 8, 2014	Purchasing Cards 2642-2714	Total: \$ 53,228.01
Register No. 774	August 8, 2014	Check Nos. 197187-197203	Total: \$ 33,157.78
Register No. 775	August 8, 2014	Check Nos. 197204-197204	Total: \$ 313.27
			<u>Total: \$2,919,793.93</u>

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

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3. **APPROVE (OR DENY) THE S. MOON SUBDIVISION, PLAT "A," SUBJECT TO THE CONDITIONS STATED IN THE STAFF REPORT**
4. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH APPRAISER ANDREW DIAZ AS AN INDEPENDENT CONTRACTOR TO PROVIDE REAL ESTATE VALUATION SERVICES TO THE UTAH COUNTY ASSESSOR DURING THE 2014 BOARD OF EQUALIZATION APPEALS PROCESS**
5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH APPRAISER BRYN KAELIN AS AN INDEPENDENT CONTRACTOR TO PROVIDE REAL ESTATE VALUATION SERVICES TO THE UTAH COUNTY ASSESSOR DURING THE 2014 BOARD OF EQUALIZATION APPEALS PROCESS**
6. **APPROVE AND AUTHORIZE PAYMENT TO ALL POLL WORKERS AND ROVERS THAT PARTICIPATED IN THE JUNE 24, 2014 PRIMARY ELECTION**
8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT TO PROVIDE SENIOR COMPANIONS TO ENCOMPASS HOME HEALTH & HOSPICE OF HEBER**
(Continued from the August 5, 2014 Commission meeting)
11. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH LE BUS TO TRANSPORT VOLUNTEERS TO THE SENIOR COMPANION PROGRAM TRAINING TO BE HELD SEPTEMBER 24, 2014**
12. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND WASATCH MENTAL HEALTH - SPECIAL SERVICES DISTRICT FOR LEVEL II JUNCTION SUPPORT AND MAINTENANCE AND SOFTWARE**
13. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 2 TO AGREEMENT NO. 2010-565 WITH THE STATE OF UTAH DIVISION OF FACILITIES CONSTRUCTION AND MANAGEMENT (DFCM), NOW TO BE REFERENCED AS SPECIAL BILLING AGREEMENT NUMBER DPR-0798 WITH THE DEPARTMENT OF TECHNOLOGY SERVICES (DTS)**
15. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH DIAMOND DRUGS, INC. DBA DIAMOND PHARMACY SERVICES FOR PHARMACEUTICAL SERVICES FOR INMATES AT THE UTAH COUNTY JAIL**
16. **DECLARE UNSUITABLE FIREARMS ASSIGNED TO THE UTAH COUNTY SHERIFF'S OFFICE AS SURPLUS AND AUTHORIZE THE SALE OR TRADE THEREOF TO A FEDERALLY LICENSED DEALER AS REQUIRED BY FEDERAL LAW IN EXCHANGE FOR NEW FIREARMS OR EQUIPMENT**
17. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ACTION TARGET FOR THE LETC FIREARMS TRAINING COURSE TO BE CONDUCTED IN SEPTEMBER 2014**

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- 18. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUPPLEMENTAL LAW ENFORCEMENT CONTRACT WITH MAPLETON 1/2 MOONLIGHT MARATHON, TO HAVE THREE DEPUTIES FOR TRAFFIC CONTROL AND CROSSING AT RIGHT HAND FORK, ROTARY PARK, AND HOBBLE CREEK GOLF COURSE FROM 8:30 P.M. TO 11:30 P.M. AUGUST 8, 2014**

ACTIONS TAKEN

Consent Agenda Item Nos. 1, 5 and 6 were ratified; Nos. 2 and 3 were approved; and No. 4 was adopted. Regular Agenda Item No. 3 was approved; Nos. 4, 5, 6, 8, 11, 12, 13, 15, 17 and 18 were approved and authorized; and No. 16 was declared and authorized.

AGREEMENT NOS.: 2014-531, 2014-532, 2014-533, 2014-534, 2014-535, 2014-536, 2014-537, 2014-538, 2014-539, 2014-540, 2014-541, 2014-542, 2014-543, 2014-544 and 2014-545

RESOLUTION NO.: 2014-88

REGULAR AGENDA

- 1. PRESENTATION OF TRUST ACCOUNTABILITY RISK MANAGEMENT AWARD TO UTAH COUNTY FOR 2013**

Lance Mergens of the Utah Local Governments Trust (ULGT) came forward to explain how their company provides property, casualty, and workers' compensation insurance for Utah County. Mr. Mergens commended the risk management efforts of the county and activities related to the reduction of loss, which in turn reduce premiums and promote safety for all. A monetary award will be presented to Utah County in addition to the trophy shown today.

Commissioner Ellertson commented on the partnership between employers and employees, noting that it is a group effort to lower insurance claims. The commissioners also complimented the work done by ULGT.

- 2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE "COMPLIANCE AGREEMENT AND BOND FOR OPEN PIT MINING OPERATIONS" FOR CONTINUATION OF AN EXISTING MINING OPERATION WITH NEW OPERATOR FOR MOUNTAIN SHORES DEVELOPMENT (AKA FAIRBOURN PIT) WITH A SITE LOCATION OF APPROXIMATELY 7605 S LINCOLN BEACH RD., WEST SIDE OF WEST MOUNTAIN AREA OF UNINCORPORATED UTAH COUNTY; SURETY BOND NO. 1106221 IN THE AMOUNT OF \$19,419.50 WITH GCNA, ONE TOWNE SQUARE, #1470, SOUTHFIELD, MI 48076 (Continued from the August 5, 2014 Commission meeting)**

Commissioner Anderson mentioned that as suggested during the last Commission session, the fruit pickers and construction company were able to meet the night before to address concerns. Peggy Kelsey of the Utah County Community Development Office confirmed that Mountain Shores Development has met the code requirements to be granted approval on this 'Compliance Agreement and Bond for Open Pit Mining Operations.' When Commissioner Witney asked about the existing Fairbourn Pit operation, Ms. Kelsey clarified the allowed use of mining operations within that Mining and Grazing Zone. The property owner has contracted Beck & Beck Construction as their new operator, which requires an updated agreement with the Board as detailed on the agenda.

Peggy Kelsey reviewed the contents of the proposed compliance agreement, including a reclamation plan, a reclamation bond, a traffic study, and road analysis. It has been reviewed by the engineering division of the Utah County Public Works Department, and they approve of the plans. Commissioner Witney noted the considerable amount of discussion at last night's meeting concerning dust control and the size of the road. He reiterated that the permit is already in place; unless the property owner or pit operator is in violation, the mining operation will proceed. Commissioner Witney reminded the audience that Beck & Beck Construction has publicly promised to comply with the conditions set by the permit - this includes removing mud from tires, and wetting down the pit to prevent dust transported by wind. Ms. Kelsey added that if her office receives a complaint regarding operation, she attempts to contact the company that same day so that it can be addressed immediately by the construction company.

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Commissioner Ellertson summarized Commissioner Witney's comments regarding the existing permit, and questioned why the issue is brought before the Board if it is practically an automatic process. Peggy Kelsey responded that the Utah County Land Use Ordinance calls for the commissioners to approve the compliance agreement. When Ms. Kelsey mentioned that the Land Use Ordinance could be changed in the future, Commissioner Anderson objected to removing the discretion of the elected officials and leaving the decisions entirely up to the staff. Commissioner Anderson repeated Commissioner Ellertson's question, stating "Why do we that responsibility if we can't exercise it?"

Utah County Deputy Attorney David Shawcroft clarified legislative authority compared to administrative duties. Elected officials must exercise decisions within the confines of the ordinance. Mr. Shawcroft reiterated that mining is a permitted use in this zone, and spoke about zoning laws. Commissioner Ellertson asked about the course of action if other factors are determined, such as deficient safety standards, or concerns regarding the welfare of the public. They continued to discuss requirements, and Commissioner Anderson suggested acquiring a second legal opinion. Commissioner Anderson commented on the fragile agricultural environment. When he asked about air quality permits, Peggy Kelsey replied that those are based on rock crushing amounts. Beck & Beck Construction will not be conducting a crushing operation. Ms. Kelsey noted that the Utah State Division of Air Quality will also be enforcing requirements for this pit.

Commissioner Anderson commented on fruit industry regulations and expressed concerns about addressing the issues after violations have occurred. The crops will already be ruined if the pit operators fail to meet the set standards; prosecution after that fact cannot salvage the fruit. Commissioner Witney replied that damage reimbursement can be sought; he empathizes with the farmers, but believes the property owner and operator have taken every possible measure to appease all concerns.

Commissioner Witney made the motion to approve the "Compliance Agreement and Bond for Open Pit Mining Operations" for continuation of an existing mining operation with new operator for Mountain Shores Development (a.k.a. Fairbourn Pit) as detailed in Regular Agenda Item No. 2. The motion died for lack of a second.

Commissioner Ellertson asked about the administrative tasks that need to be completed before the pit operation can commence. Both he and Commissioner Anderson stated that the operator seems very responsible; they do not doubt his intention to comply. Commissioner Ellertson suggested a continuance of one more week.

Utah County Deputy Attorney David Shawcroft addressed state requirements and county requirements. Dana Beck of Beck & Beck Construction explained that state approval for the operation is partially contingent upon county approval; construction cannot begin until both parties have decided to allow it. Mr. Beck stated that Utah County is only one of seven different government agencies holding him to a set of standards, and the commissioners agreed that Mr. Beck is figuratively "under a microscope."

Commissioner Ellertson asked whether the Board could approve the compliance agreement subject to certain conditions. David Shawcroft stated that the options are to approve or deny; any occurrence of actions cannot be quantified any more than the Board has already attempted to do. Commissioner Anderson agreed.

Commissioner Witney reiterated that there would be repercussions for the property owner and the pit operator if they fail to comply with the ordinances. David Shawcroft clarified that enforcement actions would be commenced, and the orchard owners could also independently pursue legal action. Discussion continued for several minutes, and Commissioner Ellertson summarized his misgivings: the pit was initially opened for a specific purpose, and now that is changing. Commissioner Anderson agreed with Commissioner Ellertson's worries.

Commissioner Ellertson made the motion to continue Regular Agenda Item No. 2 regarding a “Compliance Agreement and Bond for Open Pit Mining Operations” with Mountain Shores Development (a.k.a. Fairbourn Pit) to the August 19, 2014 meeting of the Utah County Board of Commissioners.

Because there was lack of a second, Commissioner Anderson briefly suspended Robert’s Rules of Order for the purpose of seconding this motion.

The motion was seconded by Commissioner Anderson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
NAY: Doug Witney**

CONTINUED TO AUGUST 19, 2014

7. APPROVE OR DENY A LATE VETERAN ABATEMENT APPLICATION FOR CHRISTOPHER ROSE, SERIAL NO. 52:797:0030

Commissioner Ellertson made the motion to approve the late veteran abatement application for Christopher Rose on Property Serial No. 52:797:0030 as specified in Regular Agenda Item No. 7, with the finding that it would be against equity and good conscience to deny the application. 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

9. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON THE NON-FOOD VENDOR APPLICATION FOR KOHAR OSHIER OF UTAH COUNTY WIC TO PARTICIPATE IN THE FESTIVAL LATINOAMERICANO

Commissioner Ellertson noted that the fees are usually waived for county-associated personnel to participate in these types of events, and Utah County Civil Division Chief Deputy Attorney E. Kent Sundberg concurred. Utah County Health Department Executive Director Dr. Joseph K. Miner commented on the purposes of a WIC booth at the Festival LatinoAmericano, and the Board expressed a desire to waive the fees.

Commissioner Ellertson made the motion to continue Regular Agenda Item No. 9 regarding a non-food vendor application for Kohar Oshier of Utah County WIC to participated in the Festival LatinoAmericano to the August 19, 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 AUGUST 19, 2014

10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2011-34 WITH EDUCATORS MUTUAL/EDUCATORS HEALTH CARE (EMI HEALTH) FOR FLU VACCINE PRICING

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Utah County Health Department Executive Director Dr. Joseph K. Miner clarified that this is an increase of one or two dollars for the cost of influenza vaccination shots, which this year will cover four different strains of the flu instead of the previous three strains.

Commissioner Ellertson made the motion to approve the amendment to Agreement No. 2011-34 with Educators Mutual/Educators Health Care (EMI Health) for flu vaccine pricing as described in Regular Agenda Item No. 10. 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. 2014-546

Commissioner Witney invited Dr. Miner to take a moment to speak about West Nile Virus, which has been confirmed in Utah County. Lance Madigan of the Utah County Department of Drug and Alcohol Prevention and Treatment explained how the Health Department locates the virus through mosquito pools. Dr. Miner and Mr. Madigan reviewed symptoms and noted the small percentage of infections that can be fatal.

14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CASH BOND AGREEMENT WITH DEL SCOTT DEVELOPER IN THE AMOUNT OF \$40,261.25

Commissioner Ellertson and Utah County Public Works Director Richard Nielson discussed bonds and the estimated costs of improvements.

Commissioner Ellertson made the motion to approve the cash bond agreement with Del Scott Developer in the amount of \$40,261.25 as identified in Regular Agenda Item No. 14. 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. 2014-546

19. ADOPT AN ORDINANCE TO AMEND UTAH COUNTY CODE CHAPTER 3: ALCOHOLIC BEVERAGES (Continued from the July 29 and August 5, 2014 Commission meetings)

Utah County Deputy Attorney Paul Jones presented copies of the proposed ordinance amendment with incorporated suggestions discussed during the past two weeks. He summarized that the county would allow events that require large public assembly permits to be eligible for beer sales permits. The beer can only be 3.2% alcohol by weight, and the Board can request that the Utah County Sheriff's Office conduct background reports on the applicants and locations. The sheriff can also offer an opinion on the safety of the location, roads, and availability of temporary lodging. Only artificial entities can apply to sell beer - not an individual - and the entity must have existed for a minimum of one year. Since the promotion of economic development has been used as a reason for this amendment to the code, the vendor must be able to show that at least thirty percent of the event attendants will be from outside of Utah County.

Paul Jones went on to note that the new ordinance would require the applicant to submit three letters of reference from local jurisdictions where events were previously held. The number of permits allowed per calendar year has been reduced from four to two at the suggestion of the Utah County Department of Drug and Alcohol Prevention and Treatment. A written plan must be submitted to clarify the prevention of sales and distribution of alcohol to minors, as well as plans to prevent excessive intoxication. Mr. Jones explained how an additional \$3,000 bond has been added.

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Commissioner Witney addressed the sizes of containers for beer. Paul Jones clarified that the current ordinance limits one serving to one liter, and Commissioner Witney suggested it be lowered to sixteen ounces. Pat Bird of the Utah County Department of Drug and Alcohol Prevention and Treatment (DDAPT) added comments regarding unintended consequences, and expressed appreciation for the research dedicated to the amendment to the county code. The Board thanked him and the DDAPT staff for their input and opinions in this update.

Commissioner Ellertson mentioned the responsibility of the initiating applicant, stating that "Tough Mudder" has a good reputation with other local government entities. Joel Racker of the Utah Valley Convention and Visitors Bureau (UVCVB) concurred, and spoke about taking direction from the commissioners in order to drive our economy. Mr. Racker and the Board discussed "Tough Mudder," long-term effects, impacts of not having similar licenses for wine and liquor at large public gatherings, and county standards. They discussed exact wording of the ordinance with Paul Jones.

Commissioner Ellertson made the motion to adopt the ordinance amending Utah County Code Chapter 3: Alcoholic Beverages as defined in Regular Agenda Item No. 19, with the changes discussed. The motion was seconded by Commissioner Witney and carried with the following vote:

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

ORDINANCE NO. 2014-8
APPROVED WITH CHANGES

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

22. 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

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

24. 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. 22, 23 and 24 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**

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20. 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

21. 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 10:16 A.M. to go into closed meetings. The public meeting reconvened at 11:12 A.M.

Commissioner Witney made the motion to adjourn the August 12, 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 11:13 A.M. The minutes of the August 12, 2014 Commission Meeting were approved as transcribed on September 2, 2014.

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GARY J. ANDERSON, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor