

THE BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH

THE UTAH COUNTY COMMISSION CHAMBERS,
ROOM 1400 OF THE UTAH COUNTY ADMINISTRATION BUILDING,
100 E. CENTER STREET, PROVO, UTAH.

March 15, 2016 - 09:00 A.M.

PRAYER/READING/THOUGHT: Ralph Clegg

PLEDGE OF ALLEGIANCE: Lisa Nielson

PRESENT: Larry A. Ellertson

William C. Lee

Greg Graves

ALSO PRESENT:

Bryan Thompson, Utah County Clerk/Auditor	Kim Jackson, Utah County Treasurer
David Shawcroft, Attorney, Civil Division	Pat Bird, ADDAPT
Michelle Araujo, Commission	Patty Cross, Health Promotions
Lisa K, Nielson, Commission	Paul Jones, Attorney
Brian Voeks, Commission	Peggy Kelsey, Community Development
Richard Nielson, Public Works Director	Bryce C. Larsen, Health
Andrea Allen, Recorder's Office	Katie England, Daily Herald
Vicky Westergard, Deputy Clerk/Auditor	Tim Torkildson, Provo Poet
Neil Peterson, I.T. Director	Ralph Clegg, Health Director
Mark Brady, Personnel	Ryan Hatch, Utah Local Gov. Trust
Kris Poulson, Utah County Assessor	Steve Mickelson, Health
Brent Oakeson, Utah Local Gov. Trust	Gary Ratcliff, Utah County Surveyor
Kim Jackson, Utah County Treasurer	Casey Voeks, Lehi Resident
Dianne Orcutt, Attorney	Linda Strickland, Clerk/Auditor Adm Asst.

CONSENT AGENDA

1. APPROVE AND RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON THE PARTICIPANT LOAN PROGRAM DOCUMENTS OF THE UTAH COUNTY 401(A) AND UTAH COUNTY 401(K) RETIREMENT PLANS

Commissioner Ellertson asked if the Commissioners had been able to view this document. Commissioner Graves, he couldn't view them on the agenda log-in system, but he had looked at Lana Jensen's copy.

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

3. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER 60338 DATED 03/09/2016

4. RATIFICATION OF CHECK WARRANT SUMMARY

Commissioner Ellertson had a question on Warrant Register 351; Check Nos. 2585-1 and 2789-1. He's okay with everything with the exception of those two which should be pulled off the register. Bryan Thompson will review those.

7. APPROVE AND AUTHORIZE AN AGREEMENT WITH SANTAQUIN PHARMACY AND DIABETES CENTER TO CONDUCT TYPE 2 DIABETES PREVENTION LIFESTYLE INTERVENTION PROGRAM

9. APPROVE AND AUTHORIZE MOA WITH THE UTAH DEPARTMENT OF HEALTH FOR TARGETED RAPID HEPATITIS C TESTING TO PROVIDE RAPID TEST KITS AND PROVIDE RAPID LAB TECHNICIAN TRAINING, HCV COUNSELING TRAINING AND OTHER TECHNICAL ASSISTANCE

Commissioner Ellertson suggested moving Consent Agenda Item Nos. 5 and 6 to the Regular Agenda for discussion .

Consent Agenda Items Nos. 1, 2, 3, 4, 7 and 9 were approved. In addition, Commissioner Ellertson recommended moving the following Regular Agenda Items to Consent: Nos. 1, 2, 3, 10, 11, 12, 13, 16, 17, 20 and 21

1. APPROVE THE MINUTES OF THE JANUARY 26, 2016 THE COMMISSION MEETING

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2. APPROVE THE MINUTES OF THE FEBRUARY 16, 2016 COMMISSION MEETING -

Commissioner Ellertson said he was okay approving the Minutes of the February 16, 2016 Commission Meeting. He observed the March 1, 2016 minutes should have been on the Agenda, but were not.

3. APPROVE THE MINUTES OF THE MARCH 8, 2016 COMMISSION MEETING -

Commissioner Ellertson said where it states the meeting was called to order at 9:00. It should say 9:00 AM. Also, the minutes state Item No. 25 for the closed meeting was stricken, but it should be Item 24. He recommended continuing these minutes to the March 22, 2016 meeting.

Commissioner Lee noted all minutes are posted and recorded for audio availability. Commissioner Graves asked Dave Shawcroft which would be considered as the official minutes; written or audio. Mr. Shawcroft said only the written minutes would be considered as the official record. Bryan Thompson indicated it had been his understanding that only a summarization of a discussed item would be included in the written minutes and asked if this was correct and Mr. Shawcroft said the summarization should be quite detailed.

Commissioner Lee suggested continuing approval of all of the minutes until the March 22, 2016 meeting for approval until clarification is obtained. Mr. Thompson and Mr. Shawcroft will meet to discuss how detailed the summarizations should be.

10. APPROVE AND AUTHORIZE AN EVENT AGREEMENT WITH PROVO TOWN CENTRE FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION DAY APRIL 9, 2016 - Continued to the March 22, 2016 Commission meeting.

11. APPROVE AND AUTHORIZE AN AGREEMENT WITH STATE OF UTAH COMMUNITY BASED CHILD ABUSE PREVENTION AND CHILDREN'S TRUST GRANT/DCFS FOR SUCCESS BY SIX PROGRAM JAN. 1 2016 - DEC. 31, 2020

12. APPROVE AND AUTHORIZE AGREEMENT WITH UTAH DEPARTMENT OF HEALTH AMENDMENT 2 TO CONTRACT 2015-277 FOR THE TERMINATION DATE TO BE INCREASED BY NINE MONTHS TO 6/30/2017

13. NEED APPROVAL AND AUTHORIZATION ON LEASE AGREEMENT WITH UNITED WAY OF UTAH COUNTY FOR ONE CUBICAL AREA IN SUITE 2304 IN THE HEALTH AND JUSTICE BUILDING AND VARIOUS CONFERENCE ROOMS AS SCHEDULE. - Placed on consent to continue to the March 22, 2016 meeting

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16. APPROVE AND AUTHORIZE AMENDMENT 1 TO AGREEMENT 2015-443, WISEWOMAN AGREEMENT WITH UTAH DEPARTMENT OF HEALTH. THIS INCREASES THE FUNDING AMOUNT FOR BLOOD PRESSURE MEASUREMENT PILOT PROJECT.

17. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND INSTITUTE FOR COGNITIVE THERAPY TO PROVIDE TREATMENT SERVICES.

19. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE A NOTICE OF VACANCY ON THE NORTH FORK SPECIAL SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD

20. ADOPT A RESOLUTION OF REAPPOINTMENTS OF BRYAN ACKERMAN AND R. KEITH PAYNE TO THE ADMINISTRATIVE CONTROL BOARD OF THE NORTH FORK SPECIAL SERVICE DISTRICT

21. ADOPT AN ORDER CALLING FOR A SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH FOR TUESDAY, APRIL 12, 2016 AT 10:00 A.M.

Consent Agenda Item Nos. 1, 2, 3, 4, 7 and 9; and Regular Agenda Item Nos. 1, 2, 3, 10, 11, 12, 13, 16 and 17 20, and 21 and moved to Consent, were approved, authorized, ratified and adopted.

Resolution Nos. 2016-23 and 2016-24

Agreement Nos. 2016-208, 2016-206, 2016-206A, 2016-210, 2016-211, 2016-212, 2016-213, 2016-218 and 2016-219

Vacancy No. 2016-1

Order No. 2016-1

REGULAR AGENDA

4. APPROVE THE NOTICE OF CANCELLATION OF MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH FOR TUESDAY, APRIL 5, 2016 AND TUESDAY, APRIL 12, 2016

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Commissioner Ellertson said he was okay with the cancellation of the April 5, 2016 meeting. However, were they going to cancel the April 12, 2016 meeting at 9:00 AM, or did they decide the meeting could be held then. Commissioner Lee said in looking at the schedules, they thought if they cancelled it at 9:00, they could reschedule it for 10:00 AM to accommodate schedules and also this should be noticed as an electronic meeting.

Commissioner Graves made the motion to approve the notice of cancellation for the April 5, 2016 Commission meeting; and to change the time for the April 12, 2016 Commission meeting to 10:00 AM and that this meeting be held as an electronic meeting. The motion was seconded by Commissioner Lee and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE STATEMENT OF WORK (SOW) WITH EN POINTE TECHNOLOGIES FOR MICROSOFT IMPLEMENTATION SERVICES

Commissioner Ellertson asked if this matter required further discussion. Neil Peterson explained this is a Statement of Work implementation services via Microsoft. This is part of the Microsoft Office implementation project. Microsoft has funding that the county can use and there is no cost to the county. Commissioner Ellertson asked if this included everything needed from En Pointe for the implementation and Mr. Peterson answered in the affirmative.

Commissioner Lee made the motion to approve and authorize the Commission Chair to sign the Statement of Work (SOW) with En Pointe Technologies for Microsoft Implementation Services. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

AGREEMENT NO. 2016-214

6. APPROVE OR DENY A REQUEST FROM WASATCH MENTAL HEALTH TO WAIVE THE \$300 EVENT PERMIT FEE FOR USE OF A PORTION OF THE PROVO RIVER PARKWAY IN PROVO CANYON FOR THE "WASATCH WELLNESS RUN AND FAMILY FUN RUN" ON AUGUST 6, 2016

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Commissioner Lee asked if it was correct that the group sponsoring the Wasatch Wellness Run and Family Fun is friends of Wasatch Mental Health and they are a not-for-profit entity. Carl Hollan said the group is actually Wasatch Mental Health and Friends of Wasatch Mental Health and is a governmental entity which qualifies it as a non-profit organization under the 501-C-3 statute. He said this could be approved with the finding that it contributes to the betterment of the community and the benefit is equal or exceeds the amount of the fee being waived. Commissioner Ellertson asked where Mount Timpanogos Park was located and Commissioner Graves explained this is "Story Telling" Park and Bridal Veil Falls..

Commissioner Graves made the motion to approve a request from Wasatch Mental Health to waive the \$300 Event Permit fee for use of a portion of the Provo River Parkway in Provo Canyon for the "Wasatch Wellness Run and Family Fun Run" on August 6, 2016, with the finding that the benefit to the County equal or exceeds the amount of the fee being waived. The motion was seconded by Commissioner Lee and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

8. APPROVE AND AUTHORIZE LEASE AGREEMENT WITH THE UNIVERSITY OF UTAH DEPARTMENT OF PEDIATRICS TO USE UTAH COUNTY HEALTH DEPARTMENT WELLNESS CLINIC SUITE 1709 FOR SCHEDULED CLINIC DATES OUTLINED IN AGREEMENT FOR 2016.

Commissioner Lee asked if the University of Utah was a not-for-profit organization, and if the \$100 was based on square footage. Carl Hollan said the lease is for one room in the Health Building and the \$100 is based on other areas as outlined by the Public Works Department. He indicated this is a non-profit organization for neonatal. Ralph Clegg said the organization helps the parents of children who are not developing properly. Commissioner Graves asked why the fee wasn't being waived for this clinic and Mr. Hollan indicated they would have to apply for a waiver of the fee. Mr. Clegg said the University is willing to pay the fee. Commissioner Lee asked about Insurance and Mr. Hollan explained the agreement includes an indemnification of liability. Commissioner Lee asked about keys and key cards and Mr. Hollan explained they have a key card that only opens the door to their clinic.

Commissioner Lee made a motion to approve a lease agreement with the University of Utah Department of Pediatrics to use Utah County Health Department Wellness Clinic Suite 170 for scheduled clinics dates outlined in an agreement for 2016. The motion was seconded by Commissioner Graves and carried with the following vote:

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AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

AGREEMENT NO. 2016-215

14. APPROVE AND AUTHORIZE AGREEMENT BETWEEN UTAH COUNTY AND DR. KENNON TUBBS, M.D. FOR PHYSICIAN SERVICES AT THE UTAH COUNTY JAIL

Commissioner Ellertson asked if this agreement was included in the 2016 budget and the reply was that it had been.

Commissioner Graves made the motion to approve the agreement with Dr. Kennon Tubbs, M.D. for physician services at the Utah County Jail. The motion was seconded by Commissioner Lee and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

AGREEMENT NO. 2016-216

15. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUPPLEMENTAL LAW ENFORCEMENT SERVICE AGREEMENT WITH CARU DAS ON BEHALF OF THE "FESTIVAL OF COLORS" TO HAVE DEPUTIES SECURE THE KRISHNA TEMPLE LOCATED AT 8500 S. 300 W. SPANISH FORK, UT 84660.

Commissioner Ellertson noted the IRS rate for gas mileage has decreased from 57 cents per mile to 54 cents per mile. The amount will be changed on the Agreement. Bryan Thompson said this agreement was planned in the budget.

Commissioner Lee made the motion to approve the supplement law enforcement service agreement with CARU DAS on behalf of the "Festival of Colors" to have deputies secure the Krishna Temple located at 8500 S 300 W, Spanish Fork Utah and to decrease the amount of mileage in the agreement from 57 cents to 54 cents. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

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NAY: None

AGREEMENT NO. 2016-217

18. PRESENTATION OF 2015 TRUST ACCOUNTABILITY PROGRAM AWARD OF \$9,357.25 FROM UTAH LOCAL GOVERNMENTS TRUST

Ryan Hatch and Brent Oakeson were present to make the presentation. Mr. Hatch said they are excited to bring this award and the Utah Local Governments Trust has enjoyed the relationship with Utah County which started in 1974. Under state statute different governmental entities are allowed to pool their resources. Mr. Oakeson discussed the award which provides risk management for the county. Mr. Hatch said along with the ward, the county will receive a check in the amount of \$9,357.25. Commissioner Lee read the letter received from the Utah Local Governments Trust into the record.

Commissioner Graves made the motion to accept the 2015 Trust Accountability Program award of \$9,358.25 as presented. The motion was seconded by Commissioner Lee and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

22. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER 2016-7

Kim Jackson said they had looked into this matter and found the check from the mortgage company had been stopped and instead of sending the check to the county, the mortgage company sent it to the taxpayer.

Commissioner Lee made the motion to approve property tax actions contained in Recommendation Letter No. 2016-7. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

AGREEMENT NO. 220

23. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION FOLLOWING THE

COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS)

Commissioner Lee 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 for today's date at this location. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

24. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) -

Commissioner Lee 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 for today's date at this location. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

25. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES, PREVIOUSLY PUBLICALLY NOTICED FOR SALE (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS)

Commissioner Lee made the motion to strike Agenda Item No. 25 to set a date, time and location for a closed meeting for a strategy session to discuss the sale of real property, water rights, or water shares, previously publically noticed for sale. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

26. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS)

Commissioner Lee made the motion to strike Agenda Item No. 26 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, water rights, or water shares. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

There were no public comments.

Commissioner Graves made the motion to adjourn the March 15, 2016 Commission Meeting. The motion was seconded by Commissioner Lee and carried with the following vote:

AYE: Larry A. Ellertson

William E. Lee

Greg Graves

NAY: None

The meeting adjourned at 10:10 AM.

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ATTEST:

LARRY A. ELLERTSON

BRYAN E. THOMPSON

Copies available on the Utah County website at www.utahcounty.gov

Recorded and transcribed by Linda Strickland, Clerk/Auditor Administrative Assistant