Commissioner Lee called the meeting to order at 9:00 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** Paul Jones, Deputy Attorney  
**PLEDGE OF ALLEGIANCE:** Scott C. Hogensen, Chief Deputy Clerk/Auditor

Commissioner Lee announced for the general public that anyone wishing to comment on an agenda item is welcome to approach the microphone at any time to speak to the issue. He also explained Board procedures for addressing the Consent Agenda and Regular Agenda.

**CONSENT AGENDA**  
*(Track A, 03:00)*

1. DECLARE THE SPECIFIED ITEMS PURCHASED WITH UTAH DEPARTMENT OF PUBLIC SAFETY GRANT MONIES AS SURPLUS TO BE TRANSFERRED TO OTHER ENTITIES UTAH DEPARTMENT OF PUBLIC SAFETY  
The Board requested Consent Agenda Item No. 1 be moved to the Regular Agenda for discussion.  
PULLED TO REGULAR

2. APPROVE THE WILLOW GROVE SOUTH SUBDIVISION, PLAT “D,” BEING AN AMENDMENT AND VACATION OF A PORTION OF LOT 1, WILLOW GROVE SOUTH, PLAT “C,” SUBJECT TO THE CONDITIONS IN THE STAFF REPORT (CONTINUED FROM THE FEBRUARY 14, 2017 COMMISSION MEETING)  
The Board requested Consent Agenda Item No. 2 be moved to the Regular Agenda for discussion.  
PULLED TO REGULAR
3. ACCEPT AMENDMENT NO. 7 TO UTAH COUNTY AGREEMENT NO. 2015-421 WITH THE STATE OF UTAH DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH, AMENDING THE ALLOCATION FOR SFY 2017 TO $4,940,551.00; COUNTY MATCH WILL BE $376,018.00) AGREEMENT NO. 2017-87

4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH INTELLIVEX FOR MAINTENANCE OF THE UNINTERRUPTIBLE POWER SUPPLY SYSTEMS IN VARIOUS COUNTY FACILITIES AGREEMENT NO. 2017-88

5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A DISTRICT OFFICE LEASE AMENDMENT WITH U.S. CONGRESSMAN JASON CHAFFETZ FOR LEASE OF OFFICE SPACE IN THE HISTORIC COURTHOUSE AGREEMENT NO. 2017-89

6. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE COOPERATIVE AGREEMENT WITH UTAH STATE UNIVERSITY EXTENSION EDUCATIONAL WORK FOR THE YEAR 2017 AGREEMENT NO. 2017-90

7. APPROVE AND AUTHORIZE AN EVENT AGREEMENT WITH PROVO TOWNE CENTRE FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION DAY

The Board requested Consent Agenda Item No. 7 be moved to the Regular Agenda for discussion. PULLED TO REGULAR

8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A LICENSE AGREEMENT WITH UTAH VALLEY CONVENTION CENTER FOR THE ANNUAL SHERIFF'S OFFICE AWARDS BANQUET AGREEMENT NO. 2017-92

9. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60355, DATED FEBRUARY 17, 2017 AGREEMENT NO. 2017-93

10. ADOPT A RESOLUTION REAPPOINTING GREG GRAVES AS A MEMBER AND WILLIAM C. LEE AS AN ALTERNATE MEMBER TO THE UTAH VALLEY DISPATCH SPECIAL SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD RESOLUTION NO. 2017-44

11. ADOPT RESOLUTION OF APPOINTMENT OF CHAD LINEBAUGH TO THE UTAH COUNTY TOURISM TAX ADVISORY BOARD RESOLUTION NO. 2017-45

12. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY CHILDREN'S JUSTICE CENTER RESOLUTION NO. 2017-46

13. RATIFICATION OF PAYROLL FOR PAY PERIOD 3

14. RATIFICATION OF WARRANT REGISTER SUMMARY FOR FEBRUARY 21, 2017

Consent Agenda Item Nos. 3 through 6, and 8 through 14, were approved as written. Commissioner Lee recommended the following Regular Agenda items be moved to Consent:
1. APPROVE THE MINUTES OF THE OCTOBER 25, 2016 HEARING TO DETERMINE VALIDITY OF CIVIL FINE ISSUED UNDER THE POLITICAL ACTIVITIES OF PUBLIC ENTITIES ACT (LETTER FROM PROVO DATED JUNE 29, 2016)

3. APPROVE THE MINUTES OF THE FEBRUARY 14, 2017 COMMISSION MEETING

8. ADOPT AN ORDINANCE AMENDING THE UTAH COUNTY CODE, CHAPTER 11: LICENSES AND BUSINESS REGULATIONS, ARTICLE 11-1 “IN GENERAL” AND ARTICLE 11-2 “SEXUALLY ORIENTED BUSINESSES” WITH VARIOUS TECHNICAL AMENDMENTS; AMENDING SECTION 11-1-3 TO EXEMPT REASONABLE ACCOMMODATIONS FACILITIES FROM BUSINESS LICENSURE REQUIREMENTS; AMENDING SECTION 11-1-17 IDENTIFYING A LARGE PUBLIC ASSEMBLY PERMIT AS CONSTITUTING A BUSINESS LICENSE; AND DELETING SECTION 11-1-18

ORDINANCE NO. 2017-3

ACTIONS TAKEN
Consent Agenda Item Nos. 3 through 6, and 8 through 14, were approved as detailed; Nos. 1, 2, and 7 were tabled for further discussion. Regular Agenda Item Nos. 1, 3, and 8 were approved as detailed.

REGULAR AGENDA

(PULLED FROM CONSENT)
1. DECLARE THE SPECIFIED ITEMS PURCHASED WITH UTAH DEPARTMENT OF PUBLIC SAFETY GRANT MONIES AS SURPLUS TO BE TRANSFERRED TO OTHER ENTITIES UTAH DEPARTMENT OF PUBLIC SAFETY

(Track A, 05:40)
Robert Baxter, Utah County Purchasing Manager came to the podium to provide information about the Public Safety Grant.

Commissioner Graves made the motion to approve item No. 1 on the Consent Agenda. The motion was seconded by Commissioner Ivie and carried with the following vote:

AYE: William C. Lee
Greg Graves
Nathan Ivie

NAY: None

AGREEMENT NO. 2017-86

2. APPROVE THE WILLOW GROVE SOUTH SUBDIVISION, PLAT “D,” BEING AN AMENDMENT AND VACATION OF A PORTION OF LOT 1, WILLOW GROVE SOUTH, PLAT “C,” SUBJECT TO THE CONDITIONS IN THE STAFF REPORT (CONTINUED FROM THE FEBRUARY 14, 2017 COMMISSION MEETING)

(Track A, 07:45)
Brandon Larsen, Utah County Public Works came to the podium and requested this item be continued indefinitely until the matter of who will be the personal representative for one of the owners who passed away is settled.

Commissioner Ivie made the motion to strike Consent Agenda Item No. 2. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: William C. Lee
Greg Graves
Nathan Ivie

NAY: None

STRICKEN
7. **APPROVE AND AUTHORIZE AN EVENT AGREEMENT WITH PROVO TOWNE CENTRE FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION DAY**

*(Track A, 09:22:07)*

Carl Hollan, Utah County Deputy Attorney, provided information about the annual Household Hazardous Collection Day scheduled for April 8, 2017. This is a contract to use the Provo Towne Centre parking lot for the event. In Exhibit A of the terms, No. 6, Sub. L, it states, that the lessee of the property cannot bring hazardous, flammable, or other types of waste to the site. Provo Towne Centre is willing to remove that or create an addendum which will circumvent that term. Hollan suggests the Commission approve it subject to the removal to that term otherwise the County won’t be able to hold the Household Hazardous Waste Day as anticipated and comply with the terms of the contract.

Commissioner Graves made the motion to approve and authorize Consent Agenda Items No. 7 with the change to the contract removing 6L, the hazardous waste component of the contract. The motion was seconded by Commissioner Ivie and carried with the following vote:

**AYE:** William C. Lee  
Greg Graves  
Nathan Ivie  

**NAY:** None

APPROVED WITH AMENDMENT  
AGREEMENT NO. 2017-91

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**REGULAR AGENDA**


*(Track A, 12:25)*

Commissioner Lee requested a change to page 3, fifth paragraph (Audio 59:30), second sentence. It should read, “Commissioner Graves stated he will be recusing himself from this process, and Commissioner Lee felt inclined to do the same.” For the record, the decision on this is done in writing, and that was done later, this was just for a discussion purpose.

Commissioner Graves made the motion to approve the minutes as amended in Regular Agenda Item No. 2. The motion was seconded by Commissioner Ivie and carried with the following vote:

**AYE:** William C. Lee  
Greg Graves  
Nathan Ivie  

**NAY:** None

APPROVED AS AMENDED

4. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER 2017-2**

*(Track A, 0:14:27)*

Paul Jones, Utah County Deputy Attorney, came forward to the podium to speak about the Property Tax Actions contained in Recommendation Letter 2017-2. Commissioner Lee has a question on the Dee Broadhead (Parcel No.: 51:213:0008) request for a $27.93 penalty waiver. Paul Jones explained that Dee Broadhead stated the check was sent in October but it wasn’t received by the County.

Paul Jones requested to Strike the Gearhead Oil Analysis, LLC (Parcel No.: 72476) request as they didn’t get the back up in time for today’s meeting.
Commissioner Lee also wanted to discuss the request from Michele Haley (Parcel No.: 48:273:0003) for a $14.64 penalty waiver. Paul Jones explained that Michele Haley stated she had her bill pay was set up through her financial institution to pay the bill on time but the funds weren’t received on time.

Commissioner Graves made the motion approve the property tax actions contained in letter 2017-2 with the following changes: On Parcel No. 51:213:0008, that we waive the penalty of $27.93. On Parcel No. 48:273:0003, that we waive the interest of $14.64 and that we also strike Parcel No. 72476. The motion was seconded by Commissioner Ivie and carried with the following vote:

AYE:  William C. Lee
     Greg Graves
     Nathan Ivie
NAY:  None

APPROVED WITH STIPULATIONS
AGREEMENT NO. 2017-94

5.  APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER 2017-2 (ABATEMENTS) (Track A, 0:22:20)
Commissioner Lee stated that there needs to be findings on this for the late applications which need to be included in the motion. There is the one that came in after December 31, 2016 that statutorily we can’t receive.

Commissioner Graves made the motion to approve the property tax actions contained in Recommendation Letter 2017-2 (Abatements) on Regular Agenda Item No. 5 with the findings with the first and the third listed for Good Cause. The motion was seconded by Commissioner Ivie and carried with the following vote:

AYE:  William C. Lee
     Greg Graves
     Nathan Ivie
NAY:  None

AGREEMENT NO. 2017-95

6.  GRANT ADDITIONAL FUNDS IN THE AMOUNT OF $1,700 TO THE OFFICE OF HUMAN RESOURCES TO COVER ADA ACCOMMODATIONS FOR DESK AND CHAIR MODIFICATIONS FOR TWO EMPLOYEES (Track A, 0:01:50)
The commissioners requested Regular Agenda Item No. 6 be tabled for discussion later in the agenda.
TABLED
*Please refer to the final page of these minutes for additional notations.

7.  APPROVE THE FOLLOWING CHANGE TO THE ENVIRONMENTAL HEALTH STAFFING PLAN: ADD ONE (1) FULL-TIME CAREER SERVICE ENVIRONMENTAL HEALTH SCIENTIST I POSITION [ADDING JOB CODE 3610 TO HLTH-ENVIRONMEN TL] (Track A, 0:23:32)
Ralph Clegg and Jason Garrett, Utah County Health Department came to the podium to discuss Regular Agenda Item No. 7. Commissioner Lee provided some background about how an Environmental Health Inspector was added to the budget last year to see how it impacted the workload. Then it would be determined if a second inspector was needed. Commissioner Lee requested that Bryce Larsen, Utah County Health Department come to the meeting prepared to talk about what the workload is and what it was. Bryce Larsen provided a chart ahead of time that included the increases of the inspections going on.

Jason Garrett explained that they have 11 full-time inspectors, 10 of which are inspecting food establishments. If this position is approved they can get the number of food establishments to 165 establishments per inspector. With the current staffing plan it is 180. The FDA recommendation is 125 establishments per inspector. That coupled with
what has gone on with wastewater growth, last year they had 175 applications, which is up about 100 from what they were a couple years before that. Since January 1, 2017, they already have 28 new food establishments. By the end of this year it is projected it will be more than a full food area that is implemented. That coupled with some other hiring circumstances and a strong register and competing, is the reason for them wanting to move forward right now. The other things that are hard to account for is the Utah Lake algae bloom, e-coli, and other things that take away the inspectors from their normal roles. The requirements from the FDA with the type of inspection that goes on has a standardized procedure that the Health Department is trying to adopt which in most cases doubles the time of inspections. Those are the two factors in play.

Commissioner Lee and Graves are trying to understand their workloads. Commissioner Ivie said he researched this and found the pool of candidates is really strong right now in this career field. Commissioner Lee asked Ralph Clegg and Jason Garrett to break down the workload that they supplied into greater detail.

Commissioner Ivie made the motion to approve the following changes to the Environmental Health Staffing Plan as outlined in Regular Agenda Item No. 7. The motion was seconded by Commissioner Graves and carried with the following vote:

**AYE:** William C. Lee
Greg Graves
Nathan Ivie

**NAY:** None

**APPROVED**

9. **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) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

(Track A, 0:35:30)

CLOSED SESSION

Commissioner Ivie made the motion to 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 for today’s date at this location following the completion of the Regular Agenda. The motion was seconded by Commissioner Graves and carried with the following vote:

**AYE:** William C. Lee
Greg Graves
Nathan Ivie

**NAY:** None

**SET**

10. **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 PUBLICLY NOTICED FOR SALE (SUGGESTED FOR TODAY’S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

(Track A, 0:36:20)

CLOSED SESSION

Commissioner Ivie made the motion to strike Regular Agenda Item No. 10. The motion was seconded by Commissioner Graves and carried with the following vote:

**AYE:** William C. Lee
Greg Graves
Nathan Ivie

**NAY:** None
11. 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) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)

(Track A, 0:36:30)
CLOSED SESSION

Commissioner Ivie made the motion to approve and 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 following the completion of the Regular Agenda. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: William C. Lee
Greg Graves
Nathan Ivie

NAY: None

12. 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) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)

(Track A, 0:36:55)
CLOSED SESSION

Commissioner Ivie made the motion to set a date, time, and location for a closed meeting for a strategy session to discuss the pending or reasonably imminent litigation for today’s date at this location following the completion of the Regular Agenda. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: William C. Lee
Greg Graves
Nathan Ivie

NAY: None

REGULAR AGENDA

6. GRANT ADDITIONAL FUNDS IN THE AMOUNT OF $1,700 TO THE OFFICE OF HUMAN RESOURCES TO COVER ADA ACCOMMODATIONS FOR DESK AND CHAIR MODIFICATIONS FOR TWO EMPLOYEES

(Track D, 0:00:01)
CLOSED SESSION

Commissioner Graves made the motion to bring Regular Agenda Item No. 6 back to the table for discussion. The motion was seconded by Commissioner Ivie.

Commissioner Graves made the motion to Strike Item No. 6 on the Regular Agenda. The motion was seconded by Commissioner Ivie and carried with the following vote:
WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

There were no public comments and the meeting recessed at 9:38 A.M. to go into closed meetings. The public meeting reconvened at 10:43 A.M.

Commissioner Graves made the motion to adjourn the February 21, 2017 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Ivie and carried with the following vote:

AYE: William C. Lee
     Greg Graves
     Nathan Ivie

NAY: None

There being no further business nor public comment, the meeting adjourned at 10:45 A.M. The minutes of the February 21, 2017 Commission meeting were approved as transcribed on March 7, 2017.

___________________________________________
WILLIAM C. LEE, Commission Chair

ATTEST:

___________________________________________
BRYAN E. THOMPSON
Utah County Clerk/Auditor

*Regular Agenda Item No. 6:
The Board returned to discussion of Regular Agenda Item No. 6 immediately following their closed meeting, and voted 3-0 to Strike Agenda Item No. 6

Copies available on the Utah County website at www.utahcounty.gov
Recorded by Emily Gillingwater, Clerk/Auditor’s Office