Commissioner Lee called the meeting to order at 9:25 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** Commissioner Nathan Ivie

**PLEDGE OF ALLEGIANCE:** Commissioner Bill Lee

**PUBLIC HEARING**

*(Track A, 2:04)*

PUBLIC HEARING FOR THE PROPOSAL OF AMBER RENTSCHLER AND JUDY A. HUMPHRIES, TRUSTEE, FOR THE FRENCH COUNTRY ESTATES PLANNED UNIT DEVELOPMENT, PLAT “B” INCLUDES AN AMENDMENT OF LOT 6, FRENCH COUNTRY ESTATES PLANNED UNIT DEVELOPMENT, PLAT “A” 2ND AMENDMENT, RURAL RESIDENTIAL (RR-5) ZONE, SECTION 30,
T9S R2E, LOCATED AT 4031 WEST 12350 SOUTH, SPRING LAKE AREA OF UTAH COUNTY
(PUBLIC HEARING SET ON OCTOBER 24, 2017)

Brandon Larsen, Community Development, discussed the difficulty in setting the septic tank on
this property and what the owner would like to do to rectify the problem he is encountering.

Commissioner Lee invited all who wanted to comment to come forward. No one came forward
to comment publicly.

Commissioner Graves made the motion to close the public hearing. The motion was seconded
by Commissioner Ivie and carried with the following vote:

Aye: William C. Lee
    Greg Graves
    Nathan Ivie

Nay: None

CONSENT AGENDA
(Track A, 5:00)

1. RATIFY SIGNATURES OF THE UTAH COUNTY COMMISSION ON A LETTER TO UTAH COUNTY
   CITIES REGARDING NOXIOUS AND INVASIVE WEED CONTROL

2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN CHANGE ORDER NO. 5 TO
   AGREEMENT NO. 2014-452 WITH RAASS BROTHERS INC. FOR THE HISTORIC COURTHOUSE
   ROOF/PARAPET/WEST STEPS PROJECT
   The Board requested Consent Agenda Item No. 2 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH CA
   JOHNSON ROCK PROCESSING TO MILL/RECYCLE HOMANSVILLE PASS ROAD AS REIMBURSED
   BACK TO UTAH COUNTY BY AGREEMENT NO. 2016-120

4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE ‘OPEN PIT EXTRAXTION
   TRAVEL ROUTE ROADS CONSTRUCTION AND RESTORATION AGREEMENT’ WITH CALCITE
   EXPLORATION LLC, LOCATED NEAR PELICAN POINT ALONG LONG RIDGE ROAD, FOR A CASH
   BOND OF $10,500

5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MULTIPLE-AWARD
   AGREEMENT WITH KILGORE COMPANIES TO PROVIDE UNTREATED BASE COURSE MATERIAL

6. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MULTIPLE-AWARD
   AGREEMENT WITH STAKER PARSON COMPANIES TO PROVIDE UNTREATED BASE COURSE
   MATERIAL
7. ACCEPT AND APPROVE AMENDMENT NO. 15 TO AGREEMENT NO. 2015-412 WITH THE STATE OF UTAH DEVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH, TO INCREASE FUNDING FOR PREVENTION SERVICES

8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A BUSINESS ASSOCIATE AGREEMENT BETWEEN THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT, AND ZOOM VIDEO COMMUNICATIONS INC., TO ESTABLISH AND IMPLEMENT APPROPRIATE SAFEGUARDS FOR THE PROTECTION OF PROTECTED HEALTH INFORMATION

9. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER’S OFFICE IN CANCELLATION LETTER NO. 20395, DATED OCTOBER 25, 2017

10. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR’S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60367, DATED OCTOBER 26, 2017

11. RATIFICATION OF PAYROLL FOR PAY PERIOD 22

12. RATIFICATION OF WARRANT REGISTER SUMMARY FOR OCTOBER 31, 2017, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM

Consent Agenda Items Nos. 1, 3 through 12 were approved as written. Commissioner Lee recommended the following Regular Agenda Items be moved to consent:

3. APPROVE THE MINUTES OF THE AUGUST 22, 2017 COMMISSION MEETING

4. APPROVE THE MINUTES OF THE AUGUST 29, 2017 COMMISSION MEETING

9. APPROVE AND AUTHORIZE THE COMMITTEE CHAIR TO SIGN AN AGREEMENT WITH MUTUAL OF OMAHA FOR BENEFIT ADMINISTRATION OF GROUP LIFE, AD&D, LONG TERM DISABILITY, AND VOLUNTARY LIFE BENEFITS FOR UTAH COUNTY EMPLOYEES

10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 1 TO AGREEMENT NO. 2016-527 WITH THE UTAH DEPARTMENT OF HEALTH FOR TARGETED CASE MANAGEMENT (TCM)

12. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON A LETTER OF ACCESS IN FAVOR OF GALLAGHER BENEFITS SERVICES, INC.

ACTIONS TAKEN

Consent Agenda Items Nos. 1, 3 through 12 were ratified, approved and authorized, accepted and authorized, and approved; and No. 2 was tabled for further discussion. Regular Agenda Item Nos. 3, 4, 9, 10 and 12 were approved, approved and authorized and ratified.

AGREEMENT NOS: 2017-705 through 2017-715; AND 2017-757.
REGULAR AGENDA

(PULLED FROM CONSENT)

2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN CHANGE ORDER NO. 5 TO AGREEMENT NO. 2014-452 WITH RAASS BROTHERS INC. FOR THE HISTORIC COURTHOUSE ROOF/PARAPET/WEST STEPS PROJECT

(TRACK A, 07:41)

Richard Nance, Public Works, and Commissioner Graves discussed how this change order would be paid for. Richard said it has been paid for out of the #400 account instead directly from the TRCC. Bryan Thompson explained there was $53,000 available to cover this change order.

Commissioner Graves made the motion to approve and authorize the Commission Chair to sign the Change Order No. 5 as stated in Item No. 2. Commissioner Ivie seconded the motion and carried with the following vote:

AYE:   William C. Lee
       Greg Graves
       Nathan Ivie

NAY: none

AGREEMENT NO. 2017-716

1. REVIEW, CONSIDER, AND TENTATIVELY ADOPT THE 2018 TENTATIVE BUDGET FOR THE GENERAL FUND AND OTHER BUDGETARY FUNDS OF UTAH COUNTY, UTAH

(TRACK A, 09:06)

Brian Thompson, Utah County Clerk/Auditor summarized the revenue and expenses listed in the 2018 Tentative Budget. He explained $78,769,229 in revenue and expenses are in the #100 general fund. He described this budget is $5,000,000 less than last years approved budget. He said there would be some uncertainties that will be addressed at the final budget hearing in December. He gave examples of the possible changes that could occur such as there have been no adjustments for the upcoming market study results. He described how estimates on benefits once elections made were less than previously budgeted.

Commissioner Graves asked about significant outliers in the internal service fund. After mentioning how the Sheriff Department amount usually goes up, he wanted to know why H.R. went up $130,000. He said he didn’t understand why the rent and IT expenses were more in this budget. Bryan Thompson said he would look at why there is a difference.

Commissioner Lee asked about the one-time HRIS purchase and what it covered and the Congressional election costs. Bryan, Commissioner Graves and Commissioner Lee discussed the different HRIS purchase costs and fees charged by Mercer and what they will charge in 2018.

Bryan emphasized to the department heads that budgetary letters had been sent out with the tentative budget figures. He said should they wish to have items re-looked at, they would need to email the commissioners those concerns and copy himself and Danene Jackson within 10 days, so the budget can
be finalized for the December 5th Public Hearing. Commissioner Lee asked the department heads to contact their portfolio commissioner first.

Sherriff Tracey asked if they wanted everything presented again due to the $5000 in changes from what was asked for previously as nothing had changed. Commissioner Lee said he did want discussion on that. Commissioner Graves described how he told those he was over to review their budget and see what was needed to meet statutory obligation, and present those requests again.

**Commissioner Graves made the motion to tentatively adopt the 2018 Tentative Budget for the General fund and other funds as is stated in Item No. 1. The motion was seconded by Commissioner Ivie and carried with the following vote:**

AYE: William C. Lee  
Greg Graves  
Nathan Ivie  

NAY: None

**RESOLUTION NO. 2017-151**

2. SET A DATE, TIME AND LOCATION FOR A PUBLIC HEARING TO DISCUSS THE 2018 BUDGET FOR THE GENERAL FUND AND OTHER BUDGETARY FUNDS OF UTAH COUNTY AND TO CONSIDER A CHANGE IN THE EXISTING SALARIES OF THE COUNTY OFFICERS OF UTAH COUNTY, UTAH; SUGGESTED DATE: TUESDAY, DECEMBER 5, 2017 AT 9:00 A.M. IN ROOM #1400 OF THE COUNTY ADMINISTRATION BUILDING AT 100 EAST CENTER STREET IN PROVO, UTAH

(Track A, 18:57)

Commissioner Lee suggested “To consider a change in the existing salaries of the county offices of Utah County” be stricken from the agenda item. Commissioner Graves recommended the meeting be moved to Tuesday, December 12th. Commissioners Lee and Ivie said they had no problems with that change.

**Commissioner Graves made the motion to set a date, time and location for a public hearing to discuss the 2018 budget for the general fund and other budgetary funds of Utah County; suggested date: Tuesday, December 12, 2017 at 9:00 A.M. in room #1400 of the County Administration Building at 100 East Center Street in Provo, Utah. 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. 2017-717**

5. APPROVE FRENCH COUNTY ESTATES PLANNED UNIT DEVELOPMENT, PLAT “B” WHICH INCLUDES AN AMENDMENT OF LOT 6, FRENCH COUNTRY ESTATES PLANNED UNIT DEVELOPMENT, PLAT “A” 2ND AMENDMENT, SUBJECT TO THE CONDITION IN THE STAFF REPORT

(Track A, 21:01)

Brandon Larsen said he had no further comments. Commissioner Graves suggested since Brandon said in the Public Hearing that he recommended the approval of this item, it should be noted in this section.

**Commissioner Ivie made the motion to approve the item in No. 5. The motion was seconded by Commissioner Graves and carried with the following vote:**
6. DENY (OR ADOPT) AN ORDINANCE TO AMEND THE UTAH COUNTY LAND USE ORDINANCE, SUBSECTION 6-3-D-2, RELATED TO THE MINIMUM ACREAGE REQUIRED FOR A PLANNED SUBDIVISION IN THE RURAL RESIDENTIAL (RR-5) ZONE; AND ADOPT (OR DENY) AN ORDINANCE TO AMEND THE UTAH COUNTY LAND USE ORDINANCE, SUBSECTION 5-3-D-1, RELATED TO MINIMUM ACREAGE REQUIRED FOR A PLANNED SUBDIVISION IN THE RURAL RESIDENTIAL (RR-5) ZONE

(TRACK A, 21:46)

Brandon Larsen explained the applicant is working on a subdivision application. The owner realized he didn’t have enough acreage for a subdivision. The found section 6-3-D-2 of the land use ordinance that said you to have a minimum of 5 acres didn’t say that. After looking at language, he found it said you had to start with 5 acres. He started with 9 acres and ended with 1.38 acres. He also found another section (subsection 5-3-D-1) needed to be changed as it conflicted with the other section. He said they recommended deny the applicants proposal, then came up with another proposal to clear up the discrepancies. Commissioner Graves asked if we fixed the problem, couldn't this application be “grandfathered” in. A discussion continued where Commissioner Graves commented he thought the application should be approved.

Rob Moore, County Attorney’s Office, discussed how the applicant’s proposal would not work due to the RR-5 zone requirements. He explained how they are trying to facilitate the subdivision application’s approval. During a discussion on water usage, Rob described how previous commissioners encouraged development in the cities compared to what other counties advocated.

Brandon Larsen said the applicant has not requested any other changes to code. He explained how in order for the applicant’s wishes to be granted, the ordinance had to be changed. Commissioner Graves explained he thought the applicant’s $300 application fee be refunded. Commissioner Lee asked if the applicant was okay with what had been worked out with the County. Both Rob and Brandon answered they were okay with the changes. Commissioner Lee commented if he requests a refund, then, they should take that into consideration. Rob explained other applications were denied in the past and no refunds were given. Commissioner Ivie explained he thought this was a nice “clean-up” on a land-use ordinance that came to the county “muddied”. Commissioner Graves explained he thought it should be adopted and they could still go back and fix it. Dave Shawcroft interjected that if the first part of the item was denied and the second part approved, the applicant could get the permit.

Commissioner Graves made the motion to deny the ordinance in subsection 6-3-D-2 and adopt the ordinance in 5-3-D-1 related to the minimum acres requirement as stated in Item No. 6. The motion was seconded by Commissioner Ivie and carried with the following vote:

AYE: William C. Lee
     Greg Graves
     Nathan Ivie

NAY: None
ORDINANCE NO.:  2017-23

7.  AUTHORIZE UPGRADING FOUR (4) FULL-TIME, CAREER SERVICE CASE MANAGER I POSITIONS IN THE DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT TO FULL-TIME, CAREER SERVICE CASE MANAGER II POSITIONS

(TRACK A, 37:09)

Commissioner Lee recommended Item Nos. 7 and 8 be held until the budget process is completed. Commissioner Graves commented he would like to continue No. 7 and strike No. 8. Commissioner Ivie asked if either of the two items were time pertinent.

Cammie Taylor said she was okay with striking Item No. 8. She explained when people are eligible for career ladder advancement, once they meet the minimum requirements, they are moved up as part of the budget process. This department requesting the change received grant funding in July they didn’t know they would receive. They have the money to fund it until July of 2018. Commissioner Lee asked these type of agenda items not be put on for the rest of the year as the budget process and market study are concluding. Commissioner Ivie said he would hate to hold up something that was not affected by the budget or the market study. Commissioner Ivie agreed that Item No. 7 should be granted and No. 8 be stricken.

Pat Bird, Dept. of Drug and Alcohol, stated their funding comes in July each year. This year was the first time they have received extra funding. Due to having 7 case manager positions open, they are looking to retain current employees. These individuals have met the requirements.

Commissioner Ivie made the motion authorize the upgrade for four full-time career service case management 1 positions as stated in Regular Item No. 7. The motion was seconded by Commissioner Ivie and carried with the following vote:

AYE:  William C. Lee  
       Greg Graves  
       Nathan Ivie

NAY:  none

AUTHORIZED

8.  AUTHORIZE THE FOLLOWING THREE (3) STAFFING PLAN CHANGES TO THE ENGINEERING DIVISION OF THE PUBLIC WORKS DEPARTMENT: 1. DELETE ONE FULL-TIME, CAREER SERVICE ENGINEERING SPECIALIST/RIGHT OF WAY AGENT POSITION (ENGINEERING 003) 2. ADD ONE FULL-TIME, CAREER SERVICE ENGINEERING TECHNICIAN II POSITION (CLASS CODE 3043) 3. ADD ONE FULL-TIME, CAREER SERVICE ENGINEERING TECHNICIAN I POSITION (CLASS CODE 7005)

(TRACK A, 41:38)

Commissioner Graves made the motion to strike Item No. 8 from the agenda. The motion was seconded by Commissioner Ivie and carried with the following vote:

AYE:  William C. Lee  
       Greg Graves  
       Nathan Ivie

NAY:  none
11. APPROVE UPDATED UTAH COUNTY ROAD CROSS SECTION DETAIL STANDARDS

Commissioner Lee questioned what was being updated in the diagrams. Richard Nance, Public Works Director, explained the changes being made to the arterial and collector cross-sections for roads to bring them up to what the practice has been in the past. Changes to the arterials and collectors where they pass through cities and the county, road right-a-ways, and classes of road changes were discussed to show why the changes are being requested.

Commissioner Graves mentioned his confusion on pages 4 and 5, where swales are mentioned. Richard Nance explained it was hard to show on the swale in a cross-section of the standard. He said it could be clarified on No. 8 to show grade is along the roadway.

Commissioner Lee suggested this be continued for one week to get it updated, and what the purpose of the change is. He asked what is the overall change to these sections means. Richard explained when development happens along a county road (ie. Box Elder South up in Alpine) when it is expected to be added to the city, the road was built according to the Alpine City standards. This standard would be used along County roads that the city subdivision would be bordering.

Bryce Armstrong, Community Development, explained how this would affect the land-use ordinance by affecting the set-back. He discussed the effect the changes would have on set-back distances. Richard Nance explained they were trying to preserve the right-a-way while the land was not developed so they wouldn’t have to purchase homes in the future to widen the roadway.

Commissioner Graves made the motion to continue Item No. 11 for one week. The motion was seconded by Commissioner Ivie and carried with the following vote:

AYE: William C. Lee
Greg Graves
Nathan Ivie

NAY: None

Richard Nance asked for clarification of what needed to be changed.
CONTINUED FOR ONE WEEK

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

13. 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)

STRIKED

14. 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
15. 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)

Commissioner Ivie made the motion to strike Regular Agenda Item Nos. 13, 14 and 15 from the calendar. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: William C. Lee
     Greg Graves
     Nathan Ivie

NAY: None

16. 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)

Commissioner Ivie made the motion to set a date, time and location for strategy session to discuss pending or reasonably imminent litigation today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: William C. Lee
     Greg Graves
     Nathan Ivie

NAY: None

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS
(TRACK A, 49:21)

Robert Stevens, Provo resident, discussed his thoughts on the role of county government.

There were no further public comments and the meeting recessed at 10:19 A.M. The meeting reconvened at 11:47.

(TRACK B, 0:07)
Commissioner Lee suspended the Roberts Rules of Order due to the absence of Commissioner Graves. Commissioner Ivie made the motion to adjourn the October 31, 2017 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Lee and carried with the following vote:

AYE:  William C. Lee
      Nathan Ivie

NAY:  None

There being no further business nor public comment, the meeting adjourned at 11:48 A.M. The minutes of the October 31, 2107 Commission meeting were approved as transcribed on December 19, 2017.

____________________________________
WILLIAM C. LEE, Commission Chair

ATTEST:

____________________________________
BRYAN E. THOMPSON
Utah County Clerk/Auditor

Copies available on the Utah County website at www.utahcounty.gov
Recorded by Vicky Westergard, Tax Administration Clerk II