

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH  
**MINUTES OF PUBLIC MEETING**  
COMMISSION CHAMBERS, ROOM 1400  
OF THE UTAH COUNTY ADMINISTRATION BUILDING  
**January 8, 2019 – 9:00 A.M.**

**PRESENT:** COMMISSIONER NATHAN IVIE, CHAIR  
COMMISSIONER BILL LEE, VICE-CHAIR  
COMMISSIONER TANNER AINGE

**ALSO PRESENT:**

Robert J. Moore, Utah County Deputy Attorney  
David Shawcroft, Utah County Deputy Attorney  
Josh Daniels, Chief Deputy Clerk/Auditor  
Amelia Powers, Clerk/Auditor  
Neil Peterson, UCIT  
Andrea Allen, Recorder's Office  
Jen Stevens, County Assessor's Office  
Karen Bowman, County Assessor's Office  
Kathy Gordon, County Assessor's Office  
Erik Knetzu, Utah County Sheriff's Office  
Carol Thomsen, County Assessor's Office  
Pat J, County Assessor's Office  
Pam, Utah County Sheriff's Office  
Nicole Wise, Utah County Sheriff's Office  
David M, County Assessor's Office  
Amy O, County Assessor's Office  
Burty Harvey, Clerk/Auditor's Office  
Eric Edwards, County Health Department  
Jeff Smith, County Recorder's Office  
Gary Ratcliffe, County Surveyor's Office  
Katherine Lewis, County Assessor's Office  
Theron Case, County Assessor's Office

Verna B, County Assessor's Office  
Mary W, County Assessor's Office  
R.B., County Assessor's Office  
Rupert Thorton, County Assessor's Office  
Kary Gedge, County Assessor's Office  
Liz Hawkins, County Assessor's Office  
Tamy Lance, County Assessor's Office  
P. Steber, County Assessor's Office  
Danielle Hansen, County Assessor's Office  
Ezra Nair, County Commission Office  
Merlin Ethington, County Assessor's Office  
Peter Jeppsen, County Assessor's Office  
Bryce C. Larsen, Utah County Health Department  
Julie Blaney, County Citizen  
Brian Voeks, Utah County Commission Office  
Richard Nielson, Utah County Public Works Director  
Pat Bird, Drug & Alcohol Prevention & Treatment  
Mike Brower, Utah County Sheriff's Office  
Cody Law, Fairways Media  
Justin Anderson, Clerk/Auditor Admin. Assistant  
Robert Baxter, Clerk/Auditor's Office

Commissioner Nathan Ivie called the meeting to order at 9:01 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** Ralf, County Resident  
**PLEDGE OF ALLEGIANCE:** County Resident

**EMPLOYEE OF THE MONTH**

RECOGNITION OF THE UTAH COUNTY EMPLOYEE OF THE MONTH FOR JANUARY 2019

**CAROL THOMPSON**

**CONSENT AGENDA**

1. RATIFY AN ORDER CALLING FOR A SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH, FOR TUESDAY, DECEMBER 18, 2018 AT 1:00 P.M. IN THE UTAH COUNTY ADMINISTRATION BUILDING, 100 EAST CENTER STREET, ROOM #1400, PROVO, UTAH, 84606, PURSUANT TO UTAH CODE SECTION 17-53-205 (2018)

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2. APPROVE THE MINUTES OF THE NOVEMBER 6, 2018 COMMISSION MEETING  
**APPROVE WITH AN AMENDMENT TO FIX THE NAME OF PEGGY KELSEY IN REGULAR AGENDA NO. 6**
3. APPROVE THE MINUTES OF THE SPECIAL DECEMBER 12, 2018 COMMISSION MEETING
4. APPROVE AND AUTHORIZE RALPH CLEGG TO PROVIDE AN ELECTRONIC SIGNATURE ON AN AGREEMENT WITH AMERICARES FOUNDATION, INC.
5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH HEMOCUE FOR THE PURCHASE OF MICROCUVETTES.
6. ACCEPT AMENDMENT NO. 22 TO AGREEMENT NO. 2015-421 (STATE CONTRACT 160080) WITH THE STATE OF UTAH DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH (DSAMH) TO INCREASE FUNDING IN TREATMENT SERVICES
7. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO ACCEPT THE IMPROVEMENTS FOR THE SUNRIDGE B SUBDIVISION AND AUTHORIZE PARTIAL RELEASE OF CONSTRUCTION BOND #2018-563 FOR \$33,218
8. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER 60393 DATED 01/03/2019
9. APPROVE AND AUTHORIZE AN AGREEMENT TO OPERATE AND MANAGE THE UTAH PAWN AND SECONDHAND MERCHANDISE CENTRAL DATABASE.
10. APPROVE AND AUTHORIZE ROBERT J. MOORE, DEPUTY UTAH COUNTY ATTORNEY, SIGNATURE ON BEHALF OF UTAH COUNTY REGARDING THE STIPULATION, ORDER AND JUDGMENT IN CIVIL NO. 170401860.
11. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY
12. ADOPT A RESOLUTION APPOINTING AMBER STEELE AND BRYSON OPENSHAW AS UTAH COUNTY BAIL COMMISSIONERS
13. ADOPT RESOLUTION OF APPOINTMENTS OF MIKE SMITH, DAVID O. LEAVITT, AND ALYSSA LAMBERT TO THE CHILDREN'S JUSTICE CENTER ADVISORY BOARD
14. RATIFICATION OF PAYROLL FOR PAY PERIOD 26
15. RATIFICATION OF PAYROLL FOR PAY PERIOD 1
16. RATIFICATION OF WARRANT REGISTER SUMMARY FOR DECEMBER 26, 2018, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM
17. RATIFICATION OF WARRANT REGISTER SUMMARY FOR DECEMBER 31, 2018, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM

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18. RATIFICATION OF WARRANT REGISTER SUMMARY FOR JANUARY 8, 2019, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM

**REGULAR AGENDA**

1. APPROVE AND AUTHORIZE THE UTAH COUNTY HUMAN RESOURCES OFFICE TO ISSUE BACK-PAY ON PAY PERIOD 4 OF 2019 FOR PAY PERIODS 1 THROUGH PAY PERIODS 16 OF 2018 TO ALL EMPLOYEES WITH THE \$25,000,000 OF AVAILABLE FUNDS IDENTIFIED BY COMMISSIONER LEE DURING THE DECEMBER 4, 2018 COMMISSION MEETING, TO KEEP THE COMMISSION-APPROVED MOTION AND PROMISE TO COUNTY EMPLOYEES  
- Greg Graves, Utah County Commissioner –

**STRIKED FROM THE REGULAR AGENDA.**

2. APPROVE AND AUTHORIZE THE UTAH COUNTY HUMAN RESOURCES OFFICE TO REDUCE THE SALARY OF THE UTAH COUNTY COMMISSIONERS BY THE RECENTLY ADDED 3.4% COLA, OR \$4,016.10, IN KEEPING WITH THE PREVIOUS COUNTY PRACTICES ESTABLISHED BY THE COMMISSION DURING PREVIOUS IMPLEMENTATIONS  
- GREG GRAVES, UTAH COUNTY COMMISSIONER –

**STRIKED FROM THE REGULAR AGENDA.**

3. AUTHORIZE UTAH COUNTY TO WITHDRAW A PREVIOUS LEGAL AGREEMENT WITH THE LAW FIRM OF GOEBEL ANDERSON PC, BARTON H. KUNZ (ATTORNEY), FOR LACK OF REPRESENTATION AND ACTION ON A LAWSUIT FILED FOR VIOLATION OF THE UTAH COUNTY BUILDING AND SAFETY CODES  
- GREG GRAVES, UTAH COUNTY COMMISSIONER –

**STRIKED FROM THE REGULAR AGENDA.**

4. ELECT A CHAIR AND VICE-CHAIR OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, TO SERVE UNTIL REPLACED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, PURSUANT TO SECTION 17-53-203, UTAH CODE ANNOTATED, 1953 AS AMENDED  
- DAVID H. SHAWCROFT, DEPUTY ATTORNEY –

**COMMISSIONER AINGE MAKES MOTION TO ELECT COMMISSIONER LEE AS CHAIR AND COMMISSIONER AINGE AS VICE-CHAIR. COMMISSIONER LEE SECONDS MOTION.**

**VOTE: 3-0**

5. ADOPT A RESOLUTION ADOPTING THE 2019 MILEAGE REIMBURSEMENT RATE FOR UTAH COUNTY EMPLOYEES FOR COUNTY BUSINESS TRAVEL  
- Bryan E. Thompson, Utah County Clerk/Auditor –

**MOVED TO CONSENT AGENDA**

6. RECEIVE THE RECOMMENDED PROPOSALS FOR FURTHER NEGOTIATION OR AWARD OF A CONTRACT RELATED TO RFP 2018-18 FOR UNDERWRITING SERVICES IN CONNECTION WITH THE ISSUANCE OF TRANSPORTATION SALES TAX REFUNDING BONDS, SERIES 2019.  
- ROBERT BAXTER, PURCHASING MANAGER –

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**ROBERT BAXTER, PURCHASING MANAGER, PRESENTED THE OPTIONS AVAILABLE THROUGH THE RFP PROCESS. COMMISSIONER AINGE POSED QUESTIONS TO MATT DISCUSSING IF THE NEW TAX INCREASE AND UTA CONTRACT WAS TAKEN INTO CONSIDERATION WITH THE UNDERWRITING. MATT INFORMED THE COMMISSION THAT THIS WAS NOT THE CASE BUT THE RFP CAN MOVE FORWARD AND AN ADDITIONAL STUDY CAN BE PERFORMED.**

**COMMISSIONER LEE MADE A MOTION TO RECOMMEND JP MORGAN AS THE UNDERWRITE. COMMISSIONER AINGE SECONDED THE MOTION.**

**VOTE: 3-0**

7. APPROVE AND AUTHORIZE THE INVESTMENT POLICY STATEMENT RECOMMENDED BY THE INVESTMENT BENEFITS COMMITTEE ON 13 NOVEMBER 2018.

- Mark Brady, Assistant Director, Human Resources –

**MOVED TO CONSENT AGENDA**

8. APPROVE AND AUTHORIZE THE FUND CHANGES RECOMMENDED BY THE INVESTMENT/BENEFITS COMMITTEE IN ITS 13 NOVEMBER 2018 MEETING

- Mark Brady, Assistant Director, Human Resources –

**MOVED TO CONSENT AGENDA**

9. APPROVE AND AUTHORIZE MERGING THE 401(A) PLAN INTO THE 401(K) RETIREMENT PLAN IN THE 2019 CALENDAR YEAR

- Mark Brady, Assistant Director, Human Resources –

**MOVED TO CONSENT AGENDA**

10. APPROVE AGREEMENT BETWEEN UTAH COUNTY AND ARROWHEAD FORENSICS

- Doug Squire, Utah County Sheriff's Office –

**TABLED FOR THREE WEEKS TO THE COUNTY COMMISSION MEETING TO BE HELD ON JANUARY 29, 2019.**

11. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER 2018-16 (CONTINUED FROM THE DECEMBER 18, 2018 COMMISSION MEETING)

- Paul Jones, Deputy Attorney –

**PAUL JONES, DEPUTY ATTORNEY, READ SEVERAL CASES AND RECOMMENDED TO DENY REQUESTS FOR ALL CASES.**

**COMMISSIONER LEE REQUESTED TO CONTINUE SEVERAL OF THE CASES OUT OF CONCERN OF PROPER NOTICES BEING DELIVERED IN REGARD TO THE CASES READ.**

**COLE PECK WAS INVITED TO MAKE A COMMENT BY COMMISSIONER IVIE. COLE PECK DETAILS THAT THE TAX NOTICE HE RECEIVED IN 2018 IS DOUBLED TO PRIOR YEARS AND STATES THAT THE REASON HE DID NOT PAY WAS BECAUSE HE DID NOT RECEIVE THE NOTICES.**

**COMMISSIONER AINGE INQUIRES INTO THE NATURE OF THE SIZE OF THE PARCELS OF LAND IN QUESTION FOR COLE PECK.**

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**PAUL JONES RECOMMENDS THE ADOPTION OF A PAYMENT AGREEMENT WITH CIMTECH. PAYMENT AGREEMENT WILL RECOVER ALL OWED MONIES**

**COMMISSIONER LEE MAKES A MOTION TO APPROVE THE RECCOMENDATION LETTER WITH EXCEPTIONS FOR JERRY ROSE FOR FURTHER DISCUSSION FOR ONE WEEK TO JANUARY 15, 2019 AND TO WAIVE INTEREST AND PENALTIES FOR COLE PECK. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

12. APPROVE AND AUTHORIZE AN ADDENDUM NO. 3 TO AGREEMENT NO. 2011-282 (PEOPLE TRAIL, LLC) TO EXTEND THE TERMINATION DATE TO DECEMBER 31, 2021.

- Robert J. Moore, Deputy Attorney –

**MOVED TO CONSENT 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)

**COMMISSIONER LEE MAKES A MOTION TO HOLD CLOSED MEETING IMMEDIATELY FOLLOWING THE COMPLETION OF THE REGULAR AGENDA, COMMISSIONER AINGE SECONDS.**

**VOTE: 3-0**

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 (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)

**COMMISSIONER LEE MAKES A MOTION TO HOLD CLOSED MEETING IMMEDIATELY FOLLOWING THE COMPLETION OF THE REGULAR AGENDA, COMMISSIONER AINGE SECONDS.**

**VOTE: 3-0**

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 LEE MAKES A MOTION TO HOLD CLOSED MEETING IMMEDIATELY FOLLOWING THE COMPLETION OF THE REGULAR AGENDA, COMMISSIONER AINGE SECONDS.**

**VOTE: 3-0**

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

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TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)

**COMMISSIONER LEE MAKES A MOTION TO HOLD CLOSED MEETING IMMEDIATELY FOLLOWING THE COMPLETION OF THE REGULAR AGENDA, COMMISSIONER AINGE SECONDS.**

**VOTE: 3-0**

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

**PAM BERRY – UTAH COUNTY SHERIFFS OFFICE: RAISES QUESTION ON REGULAR AGENDA NO. 9, RAISES CONCERNS OVER FEES THAT EMPLOYEES PAY. DAVE SHAWCROFT ANSWERED BY STATING THAT THE FEES ASSESSED ON EMPLOYEES WILL BE LOWERED. COMMISSIONER LEE INFORMS PAM THAT THE BENEFITS INFORMATION IS PUBLIC.**

**JULIE BLANEY – RESIDENT OF UTAH COUNTY: ASKED WHY REGULAR AGENDA ITEMS 1, 2, AND 3 WERE STRIKEN. COMMISSIONER IVIE RESPONDS STATING THAT COST OF LIVING RAISES WERE GIVEN TO EMPLOYEES BUT NOT ELECTED OFFICIALS.**

PUBLIC COMMENT SESSION ENDED

**RECESSED AT 9:49**

**COMMISSIONER LEE MAKES A MOTION TO ADJOURN. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

**ADJOURNED: 12:07 PM**

  
\_\_\_\_\_  
BILL LEE, COMMISSION CHAIR

ATTEST:  
AMELIA A. POWERS, COUNTY CLERK/AUDITOR

  
\_\_\_\_\_  
DEPUTY CLERK