

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH  
**MINUTES OF PUBLIC MEETING**  
COMMISSION CHAMBERS, ROOM 1400  
OF THE UTAH COUNTY ADMINISTRATION BUILDING  
January 29, 2019 – 9:00 A.M.

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

**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  
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  
Jason Allen, State Parks  
Justin Knecht, Wildwood Resort  
Vicky Westergard, Clerk/Auditor's Office  
Kyle Palmer, Utah County Commissioner's Office  
See attached document for more present

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

**PRAYER/READING/THOUGHT:**  
**PLEDGE OF ALLEGIANCE:**

**CONSENT AGENDA**

1. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO EXECUTE THE FRANCHISE AGREEMENT WITH PRESTIGE BROADBAND TO INSTALL, OPERATE, AND MAINTAIN A TELECOMMUNICATIONS SYSTEM IN, ON, OVER, UPON, UNDER, ALONG AND ACROSS APPROVED PUBLIC RIGHTS-OF-WAY OF THE COUNTY.

**MOVED TO REGULAR AGENDA.**

**COMMISSIONER LEE ASKS ABOUT 3.5% OF ANNUAL GROSS REVENUES WOULD COME TO THE COUNTY. ANTHONY LOUBET, COUNTY ATTORNEY'S OFFICE, STATES THAT THEY DO NOT HAVE ANY PROJECTIONS OF WHAT THE 3.5% LOOKS LIKE.**

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**COMMISSIONER LEE EXPRESSES CONCERNS ABOUT ROAD CONSTRUCTION TO BURY LINES INTO THE GROUND. ASKS WHETHER OR NOT THERE IS ANY COMMUNICATION BETWEEN INTERESTED COMPANIES IN BURYING LINES SO ROAD CONSTRUCTION CAN BE MINIMIZED.**

**COMMISSIONER AINGE MAKES A MOTION TO APPROVE THE AGREEMENT. COMMISSIONER IVIE SECONDS MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

2. APPROVE AND AUTHORIZE A MEMORANDUM OF UNDERSTANDING BETWEEN UTAH COUNTY GOVERNMENT AND SELECTHEALTH INC. TO PROVIDES SERVICES SUCH AS EMPLOYEE ASSISTANCE, SELECTHEALTH HEALTHY LIVING, AND TO PROMOTE HEALTHY LIVING, BY COMPLETING THE COUNTY WILL BE PROVIDED REPORTING AND GUARANTEED SELECTHEALTH SHARE RATE.
3. DECLARE OFFICE FURNITURE AND OTHER VARIOUS ELECTRONIC ITEMS AS SURPLUS TO BE SOLD THROUGH PUBLIC AUCTION, DISPOSED OF AS JUNK, OR TRADED IN FOR CREDIT.
4. RATIFICATION OF WARRANT REGISTER SUMMARY FOR JANUARY 22, 2019, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM
5. RATIFICATION OF WARRANT REGISTER SUMMARY FOR JANUARY 29, 2019, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM
6. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION TO ACCEPT DONATION OF \$2800 FROM UTAH LAKE COMMISSION TO HELP COVER EXPENSES FOR WORK ON UTAH LAKE DUE TO GAP CREATED BY ISM GRANT CHANGE OF FISCAL YEAR FROM JANUARY 1, 2019 TO JULY 1, 2019.
7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH INTELLIVEX FOR MAINTENANCE OF THE UNINTERRUPTIBLE POWER SUPPLY SYSTEMS IN VARIOUS COUNTY FACILITIES.
8. APPROVE AND AUTHORIZE THE UTAH COUNTY CLERK/AUDITOR TO SIGN A QUIT CLAIM DEED TO ROBERT J. AND SUZANNE B. STEVENS FOR A PARCEL OF LAND IN THE BENJAMIN AREA OF UTAH COUNTY
9. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UNIVAR TO PURCHASE A 2019 LONDON FOG MODEL 18-20 ULV FOGGER FOR \$11,178
10. ADOPT A RESOLUTION APPOINTING TANNER AINGE TO THE UTAH COUNTY CHILDREN'S JUSTICE CENTER
11. APPROVE THE MINUTES OF THE JANUARY 8, 2019 COMMISSION MEETING

**STRIKED FROM AGENDA**

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12. APPROVE AND AUTHROIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH MACEY'S ASSOCIATED FOOD STORES TO PURCHASE DIAPER VOUCHERS.
13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE UTAH MICROGRAPHIC SERVICE SOLUTIONS MAINTENANCE AGREEMENT FOR THE MINOLTA MS6000MKII MICROFILM READER IN THE RECORDER'S OFFICE FOR THE PERIOD 2/1/2019-1/31/2020..
14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO 2016-56 FOR DAVID C. FLINDERS, MD FOR PHYSICIAN SERVICES.
15. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT BETWEEN UTAH COUNTY AND COMMUNITY HEALTH CONNECT.
16. AUTHORIZE COMMISSION CHAIR TO EXECUTE MEMORANDUM OF UNDERSTANDING BETWEEN THE UTAH DEPARTMENT OF CORRECTIONS AND UTAH COUNTY FOR ELECTRONIC ACCESS TO THE CHILD ABUSE OFFENDER REGISTRY OFFENDER WATCH DATABASE.
17. ADOPT A RESOLUTION APPOINTING RICHARD NIELSON AS AN ALTERNATE DIRECTOR TO THE BOARD OF DIRECTORS OF THE MT. NEBO WATER AGENCY REPRESENTING UTAH COUNTY
18. DECLARE AS SURPLUS A GLOCK MODEL 17, SERIAL NUMBER WBW908, WITH AN ESTIMATED VALUE OF \$300.00 TO BE PRESENTED TO DEPUTY WADE BERRY FOR SERVING THE UTAH COUNTY SHERIFF'S OFFICE AND THE CITIZENS OF UTAH COUNTY
19. ADOPT A RESOLUTION DECLARING UTAH COUNTY PERSONAL PROPERTY AS SURPLUS AND AWARDING SAID SURPLUS PROPERTY AS A GIFT TO DEPUTY WADE BERRY IN RECOGNITION OF MERITORIOUS SERVICE TO UTAH COUNTY

**REGULAR AGENDA**

1. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER 2019-1 (ABATEMENTS)  
- Vicky Westergard, Clerk/Auditor's Office - Tax Administration –

**MOVED TO CONSENT**

2. APPROVE PROPERTY TAX ACTIONS INCLUDED IN RECOMMENDATION LETTER 2019-2  
- Paul Jones, Deputy Attorney –

**FRANKLIN SCHOOLS: POSTPONE DISCUSSION TO FEBRUARY 12, 2019.**

**BECKSTROM: ASSESSOR'S RECOMMEND TO APPROVE, ATTORNEY'S OFFICE RECOMMENDS TO DENY. PAUL JONES RECOMMENDS TO DENY BECAUSE THE PROPER PROCESS TO ADDRESS FACTUAL ERROR'S WERE NOT HANDLED THROUGH THE PROPER PROCEDURES. OFFICIAL ACTION TAKEN BY THE COMMISSION IS TO GRANT THE REQUEST.**

**GOODRICH: PURCHASED HOME IN AUGUST AND DID NOT PAY THE TAXES AT CLOSING. WHEN THE COUNTY SENT OUT THE TAX NOTICE, IT WAS SENT TO THE PREVIOUS OWNER. RECORDER AND TREASURER BOTH SUPPORT THE REQUEST TO BE GRANTED. OFFICIAL ACTION TAKEN BY THE COMMISSION IS TO GRANT THE REQUEST.**

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**PLATT: TRIED TO PAY PROPERTY TAX THROUGH THE ONLINE WEBSITE, THE WEBSITE NEVER DEDUCTED THE FUNDS FROM THE ACCOUNT. THERE IS NO DISPUTE HE ATTEMPTED TO PAY HIS PROPERTY TAXES. OFFICIAL ACTION TAKEN BY THE COMMISSION IS TO GRANT THE REQUEST.**

**EATON: TREASURER AND RECORDER BOTH SUPPORT GRANTING THE REQUEST. NAME/ADDRESS CHANGE IN THE END OF 2018 WHICH RESULTED IN NOT RECEIVING THE NOTICE. OFFICIAL ACTION TAKEN BY THE COMMISSION IS TO GRANT THE REQUEST.**

**UTAH HODGE PROPERTIES: THE CHECKS SUBMITTED FOR PAYMENT WERE RETURNED FOR LACK OF SUFFICIENT FUNDS. THE CHECK WAS SUBMITTED ONTIME. OFFICAL ACTION TAKEN BY THE COMMISSION IS TO DENY THE REQUEST.**

**COMMISSIONER IVIE MAKES MOTION TO APPROVE AS AMENDED. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

3. ABATE PERSONAL PROPERTY ACCOUNTS ATTACHED FOR THE YEARS INDICATED, HAVING BEEN IDENTIFIED AS UNCOLLECTIBLE; THERE ARE NO ASSETS AVAILABLE  
- Troy Worthen, Utah County Treasurer's Office –

**MOVED TO CONSENT**

4. TO APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER #20420  
- Randilyn Warner, Utah County Treasurer's Office –

**MOVED TO CONSENT**

5. APPROVE AGREEMENT BETWEEN UTAH COUNTY AND ARROWHEAD FORENSICS (CONTINUED FROM THE JANUARY 8, 2019 COMMISSION MEETING)  
- Doug Squire, Utah County Sheriff's Office –

**STRIKED FROM AGENDA**

6. RATIFY COMMISSION CHAIR'S SIGNATURE ON AGREEMENT BETWEEN UTAH COUNTY AND ARROWHEAD FORENSICS  
- Doug Squire, Utah County Sheriff's Office –

**MOVED TO CONSENT**

7. APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE UTAH PEACE OFFICER STANDARDS AND TRAINING PORTAL AUTHORIZATION FORM TO GRANT ACCESS TO UTAH COUNTY CONSTABLES  
- Bill Lee, Utah County Commissioner -

**MOVED TO CONSENT**

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8. RATIFY APPROVAL OF S&P GLOBAL RATINGS REALTED TO UTAH COUNTY, UTAH, TAX & REVENUE ANTICIPATION NOTES SALES TAX GENERAL OBLIGATION REFUNDING BONDS, SERIES 2019

- David H. Shawcroft, Deputy Attorney –

**MOVED TO CONSENT**

9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE ADDENDUM NUMBER 1 TO REAL ESTATE PURCHASE AGREEMENT NO. 2018-846 BETWEEN UTAH COUNTY, UTAH, AND AXLEY-WAY INVESTMENTS, LLC. (THIS WILL REPLACE AGREEMENT NO. 2018-847.)

- Robert J. Moore, Deputy Attorney –

**COMMISSIONER AINGE MAKES MOTION TO APPROVE. COMMISSIONER IVIE SECONDS MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH NATHANIEL W. SECHREST TO REPRESENT UTAH COUNTY DURING THE 2019 UTAH GENERAL LEGISLATIVE SESSION

- David H. Shawcroft, Deputy Attorney –

**MOTION TO CONTINUE TO FEBRUARY 5, 2019 BY COMMISSION IVE. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

11. APPROVE A RESOLUTION TO CONTRIBUTE \$25,000 CASH AND \$25,000 IN-KIND SERVICES FOR THE CONSTRUCTION OF A MULTI-USE TRAILHEAD ON THE WEST END OF THE PROVO RIVER PARKWAY

- Richard Nielson, Public Works Director –

**COMMISSIONER AINGE MADE MOTION TO CONTINUE TO 02/05/2019. COMMISSIONER IVIE SECONDED MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

12. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO SIGN AN AGREEMENT WITH MOUNTAIN WEST TRUCK TO PURCHASE A MY2010 P164T PINNACLE SEMI-TRUCK FOR \$124,689.14

- Richard Nielson, Public Works Director –

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**COMMISSIONER AINGE MAKES MOTION TO APPROVE. COMMISSIONER IVIE SECONDS MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

13. ADOPT (OR DENY) AN ORDINANCE TO AMEND SECTION 6-3-D-14 OF THE UTAH COUNTY LAND USE ORDINANCE RELATED TO A PROPOSED EXCEPTION TO COMMON AREA REQUIREMENTS FOR PLANNED SUBDIVISIONS

- Bryce Armstrong, Community Development –

**BRYCE ARMSTRONG, COMMUNITY DEVELOPMENT: CLARIFICATIONS WERE PROVIDED FOR INTERSECTION OF FEDERAL LANDS AND OTHER LAND OWNERSHIP. ADDRESSING CONCERNS OF PROPERTY NEIGHBORS, INCLUDING CITY PARKS.**

**COMMISSIONER AINGE EXPRESSES CONCERNS OVER EXCEPTIONS AND POSSIBLE ADVERSARIAL ISSUES BETWEEN THE COUNTY AND CITIES.**

**COMMISSIONER IVIE MAKES MOTION TO APPROVE. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 2-1**

**AYE: COMMISSIONER LEE  
COMMISSIONER IVIE  
NAY: COMMISSIONER AINGE**

14. ADOPT (OR DENY) AN ORDINANCE TO AMEND THE UTAH COUNTY CODE CHAPTER 11 'LICENSING AND BUSINESS REGULATIONS' RELATED TO SECTION 11-1-3 EXEMPTIONS FROM BUSINESS LICENSE REQUIREMENTS AND SECTION 11-1-6 ISSUANCE OF A BUSINESS LICENSE

- Peggy Kelsey, Community Development –

**COMMISSIONER IVIE MAKES MOTION TO APPROVE. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

15. TAKE ACTION TO REFER TO THE UTAH COUNTY PLANNING COMMISSION A PROPOSED UTAH COUNTY LAND USES ORDINANCE TEXT AMENDMENT TO SECTIONS 3-51, 3-52 AND ANY OTHER APPLICABLE SECTION, RELATED TO THE EXEMPTIONS OF REQUIRING A BUSINESS LICENSE FOUND IN CHAPTER 11-1-3 OF THE UTAH COUNTY CODE

- Peggy Kelsey, Community Development –

**COMMISSIONER IVIE MAKES MOTION TO APPROVE. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

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**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

16. APPROVE AND AUTHORIZE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UTAH DEPARTMENT OF HEALTH FOR PUBLIC HEALTH CRISIS RESPONSE 2018 OPIOD OVERDOSE CRISIS COOPERATIVE.

- Ralph Clegg, Health Department Executive Director –

**MOVED TO CONSENT**

17. AUTHORIZE A CHANGE TO THE STAFFING PLAN IN THE NURSING DIVISION OF THE HEALTH DEPARTMENT TO UPGRADE ONE (1) FULL-TIME, CAREER SERVICE, PUBLIC HEALTH NURSE II POSITION TO ONE (1) FULL-TIME, GRANT-FUNDED, CAREER SERVICE, NURSE SUPERVISOR POSITION. THE POSITION WILL REVERT BACK TO A CAREER SERVICE (NON GRANT-FUNDED) PUBLIC HEALTH NURSE II POSITION WHEN THE GRANT ENDS. [ACCOUNT NUMBER 230-43120; ADD JOB CODE 2025 AND DELETE JOB CODE 2022.]

- Merritt Fullmer, Human Resource Management –

**MOVED TO CONSENT**

18. AUTHORIZE A CHANGE TO THE STAFFING PLAN IN THE NURSING DIVISION OF THE HEALTH DEPARTMENT TO UPGRADE TWO (2) FULL-TIME, CAREER SERVICE, PUBLIC HEALTH NURSE II POSITIONS TO TWO (2) FULL-TIME, CAREER SERVICE, NURSE SUPERVISOR POSITIONS. [ACCOUNT NUMBER 230-43120; ADD 2 POSITIONS OF JOB CODE 2025 AND DELETE 2 POSITIONS OF JOB CODE 2022.]

- Merritt Fullmer, Human Resource Management –

**MOVED TO CONSENT**

19. AUTHORIZE AN ADDITION TO THE STAFFING PLAN IN THE CLERK/AUDITOR'S OFFICE OF ONE (1) FULL-TIME, CAREER SERVICE, ELECTIONS DIRECTOR POSITION. [ADD JOB CODE (TBD) TO ACCOUNT NUMBER 100-4170; SUPORG: AMELIA POWERS.]

- Merritt Fullmer, Human Resource Management –

**MOVED TO CONSENT**

20. 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)

- Justin Anderson, Utah County Clerk/Auditor's Office –

**COMMISSIONER AINGE MAKES MOTION TO STRIKE. COMMISSION IVIE SECONDS MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

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21. 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)

- Justin Anderson, Utah County Clerk/Auditor's Office –

**COMMISSIONER AINGE MAKES MOTION TO STRIKE. COMMISSION IVIE SECONDS MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

22. 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)

- Justin Anderson, Utah County Clerk/Auditor's Office –

**COMMISSIONER AINGE MAKES MOTION TO APPROVE. COMMISSIONER IVIE SECONDS MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

23. 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)

- Justin Anderson, Utah County Clerk/Auditor's Office –

**COMMISSIONER AINGE MAKES MOTION TO APPROVE. COMMISSIONER IVIE SECONDS MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

**WORK SESSION**

1. DISCUSS A PROPOSED ORDINANCE AMENDING UTAH COUNTY CODE 10-8 REGARDING UTAH COUNTY DRINKING WATER SOURCE PROTECTION PROVISIONS.

- BENJAMIN C. VAN NOY, DEPUTY ATTORNEY –

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BENJAMIN VAN NOY, DEPUTY ATTORNEY, INFORMS THE COMMISSION THAT IN 2010 THERE HAS BEEN A REQUIREMENT FOR WATER SOURCE PROTECTIONS. SINCE 2010, UTAH COUNTY HAS NEEDED TO MAKE IMPROVEMENTS. BEN EXPLAINS THAT THIS ORDINANCE CLARIFIES DEFINITIONS, REMOVED REQUIREMENTS FROM THE COUNTY TO COLLECT AND MAINTAIN SOURCE PROTECTION MAPS BECAUSE THE STATE KEEPS A METICULOUS UPDATED MAP THAT THE COUNTY HAS ACCESS TO. CITIES ARE REQUIRED TO GIVE THE COUNTY NOTICE FOR ANY WATER SOURCE PROTECTION UPDATES.

COMMISSIONER LEE EXPRESSES CONCERNS ABOUT RENOVATIONS THAT RESIDENTS WISHED TO MAKE, THE CURRENT ORDINANCES PREVENTED CITIZENS FROM UPDATING THEIR SYSTEMS.

COMMISSIONER IVIE EXPRESSES HIS CONCERNS OVER THE STATE'S MAPPING IF THE COUNTY DISAGREES WITH THE STATE MAP. HE WANTS TO KNOW WHAT MECHANISMS EXIST TO ALTER THE STATE MAP IF IT IS INCORRECT. BEN VAN NOY STATES THAT THE ORDINANCE ALLOWS CITIZENS TO APPEAL THE STATE IF THE MAP IS INCORRECTLY DRAWN. COMMISSIONER IVIE ASKS WHAT MECHANISMS ARE IN PLACE THAT DICTATE WHAT ZONES ARE DESIGNATED THE WAY THEY ARE. BEN VAN NOY STATES THAT THE CONVENTIONAL SYSTEM CURRENTLY USED IS SCIENTIFIC BUT CAN HOLD ERRORS. JASON GARRETT, COUNTY HEALTH DEPARTMENT, ANSWERS COMMISSIONER'S IVIE QUESTION BY STATING THAT THE CONTROL SYSTEM ALLOWS PROTECTIONS AGAINST WATER POLLUTANTS.

DAVE JACKSON: EXPRESSES CONCERN OVER FISCAL IMPACT WITH THE INSTALLATION OF THE NEW REQUIRED SYSTEM. THE COST WOULD BE PASSED ONTO THE NEW HOME OWNER WHICH WOULD BE APPX \$70,000.

JOEL TAYLOR: RETIRED ATTORNEY WHO HAS SERVED ON THE PLANNING COMMISSION OF UTAH COUNTY WHEN GOVERNOR GARY HERBERT WAS A COMMISSIONER. SHE STATES THEAT THE PROBLEM IS NOT THE ORDINANCE RATHER IS THE CURRENT INTERPRETATION OF THE ORDINANCE.

COMMISSIONER LEE ASKS CIVIL ATTORNEY BEN VAN NOY WHETHER OR NOT THE INTERPRETATION IS CORRECT THAT THE COUNTY IS TAKING. BEN VAN NOY STATES THAT THE INTERPRETATION IS CORRECT ON THE DEFINITION OF "NEW USE". THE INTERPRETATION OF THE STATUTE HAS REMAINED THE SAME FOR THE LAST 5 YEARS.

TRACEY TANNER: EXPRESSES CONCERNS THAT THE NEW PROPOSED ORDINANCE WILL IMPOSE MORE RESTRICTIONS ON HOME OWNERS WHO LIVE WITHIN ZONE 2.

UTAH COUNTY RESIDENT: CONCERNS OVER PAYING TAXES FOR YEARS AND BEING UNABLE TO USE THEIR OWN PROPERTY. PROPOSED ORDINANCE WOULD PREVENT IMPACTED HOME OWNERS FROM UTILIZING A TRADITIONAL WATER SYSTEM WHICH RESIDENTS OUTSIDE OF ZONE 2 CAN UTILIZE.

ROBERT BEERS, UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER QUALITY: MENTIONS THAT NO REFERENCE TO THE DIVISION OF WATER QUALITY IS IN THE PROPOSED ORDINANCE. BELIEVES THAT THE DIVISION OF WATER QUALITY SHOULD BE INCLUDED IN THE ORDINANCE.

DIEDRE BECK, DIVISION OF DRINKING WATER, LICENSED GEOLOGIST: STATES THAT THE ORDINANCES WILL STILL NEED APPROVAL FROM APPLICABLE COUNTY AND STATE GOVERNING AUTHORITIES.

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2. DISCUSS THE FORMATION OF THE GOOD GOVERNANCE ADVISORY BOARD. THIS INDEPENDENT BOARD COULD BE TASKED WITH CONDUCTING A THOROUGH RESEARCH AND REVIEW PROCESS, ULTIMATELY RESULTING IN A FINAL RECOMMENDATION TO THE COUNTY OF THE OPTIMAL FORM OF GOVERNMENT FOR UTAH COUNTY'S LONG-TERM FUTURE.

- Tanner Ainge, Utah County Commissioner –

COMMISSIONER AINGE INTRODUCES THE REASON FOR THIS WORK SESSION. UNDER STATE STATUTE, COUNTIES ARE CAPABLE OF RESEARCHING FORMS OF GOVERNMENT TO CHANGE INTO. IN JANUARY, A GROUP OF PETITIONS ARE GOING TO BEGIN CIRCULATING A PETITION TO CHANGE THE FORM OF GOVERNMENT. COMMISSIONER AINGE PREFERS TO RESEARCH THE OPTIONS OF A NEW FORM OF GOVERNMENT OPPOSED TO CIRCULATING A PETITION WITHOUT THE PROPER RESEARCH.

COMMISSIONER AINGE WANTS TO CREATE A COMMITTEE/INDEPENDENT BOARD TO PERFORM THE RESEARCH AND PRODUCE AN ANALYSIS TO SUBMIT TO THE BOARD OF COMMISSIONERS. STATES THAT THE BOARD OF COMMISSIONERS HAVE A CONFLICT OF INTEREST WITH CHANGING THE FORM OF GOVERNMENT AND BELIEVES THAT AN INDEPENDENT BOARD WILL ADDRESS ANY POTENTIAL CONFLICTS OF INTEREST.

COMMISSIONER IVIE ACKNOWLEDGES THAT HE IS A SIGNER ON THE PETITION AND BELIEVES THAT THE PETITION THAT IS BEING CIRCULATED HAS BEEN THOROUGHLY STUDIED AND FALLS IN LINE WITH THE INTENT OF THE FOUNDERS OF THE UNITED STATES.

COMMISSIONER LEE EXPRESSES SUPPORT OF CHANGING THE FORM OF GOVERNMENT. STATES THAT THE STUDY PROCESS IS NECESSARY BECAUSE WE NEED TO BETTER UNDERSTAND THE PRO'S AND CON'S OF EACH FORM OF GOVERNMENT.

PAUL JONES, COUNTY ATTORNEY'S OFFICE: STATES THE RECOMMENDATION BY THE COMMISSION COULD BE SOUGHT AFTER IF THE PETITION THAT IS BEING CIRCULATED FAILS TO BE PLACED ON THE BALLOT DUE TO LACK OF NECESSARY SIGNATURES. PAUL INFORMS THE COMMISSION THAT AN AMENDMENT TO THE PLAN SUBMITTED WITH THE PETITIONS CAN BE SUBMITTED. BUT THERE ARE QUESTIONS AS TO WHETHER OR NOT THE DEPTH OF ANY POTENTIAL AMENDMENTS.

COMMISSIONER AINGE ASKS WHETHER OR NOT A COMMITTEE CAN BE FORMED WHILE THE PETITION IS BEING CIRCULATED. PAUL JONES, CONFIRMS THAT NO COMMITTEE CAN BE FORMED WHILE THE PETITION IS BEING CIRCULATED.

AMELIA POWERS, UTAH COUNTY CLERK/AUDITOR: STATES THAT THE PETITION PACKETS HAVE NOT BEEN DISTRIBUTED TO THE PETITION GATHERERS AS OF TODAY DUE TO INCONSISTENCIES SUBMITTED TO THE CLERK/AUDITOR'S OFFICE ON THE PETITION PLAN.

BRIAN CHAPMAN, CONTACT FOR PETITION SPONSORS: INFORMS THE COMMISSION THAT THEY HAVE BEEN WAITING FOR DIRECTION FROM THE CLERK/AUDITOR BEFORE COLLECTING SIGNATURES. AMELIA POWERS RESPONDS STATING THAT THE CLERK/AUDITOR'S OFFICE IS WAITING FOR LEGAL REVIEW FROM THE ATTORNEY'S OFFICE. BRIAN CHAPMAN EXPRESSES CONCERNS OVER MEETING 180 DAY REQUIREMENT DUE TO LACK OF DELAY OF RECEIVING CONFIRMATION FROM THE CLERK/AUDITOR'S OFFICE. PAUL JONES STATES THAT THE PETITION SPONSORS DO

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**NOT NEED A LEGAL OPINION FROM THE ATTORNEY'S OFFICE AND CAN MOVE FORWARD COLLECT SIGNATURES AS A LEGAL OPINION IS NOT NECESSARY.**

**AMELIA POWERS CLARIFIES THAT THE ROUTE FOR A PETITION TO CHANGE THE FORM OF GOVERNMENT IS DIFFERENT THAN OTHER PETITIONS. AMELIA INFORMS BRIAN CHAPMAN THAT HE CAN BEGIN GATHERING SIGNATURES IMMEDIATELY.**

**PUBLIC COMMENTS**

**END OF PUBLIC COMMENT**

**ENTERED CLOSED SESSION AT 12:15PM**

**RESUMED OPEN SESSION AT 1:05PM**

**COMMISSIONER IVIE MADE MOTION TO ADJOURN. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

**AYE: COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

**ADJOURNED: 1:06PM**

A handwritten signature in black ink, appearing to read "Bill Lee", written over a horizontal line.

BILL LEE, Commission Chair

ATTEST:

A handwritten signature in blue ink, written over a horizontal line. The signature is stylized and appears to be initials followed by a surname.

DEPUTY CLERK

In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Justin Anderson at (801) 851-8111 at least three days prior to the meeting.