BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
March 12, 2019 – 9:00 A.M.

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

ALSO PRESENT:
SEE ATTACHED

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: Paul Warner, America Freedom Festival
PLEDGE OF ALLEGIANCE: Unknown

PUBLIC HEARING

RECOGNITION OF THE UTAH COUNTY EMPLOYEE OF THE MONTH MARCH 2019

COMISSIONER IVIE, INTRODUCED VIC JONES FROM MOTOR POOL STATING THAT HE HAS A POSTIVIE ATTITUDE, IS A HARD WORKER, GOOD LISTENER, TRUST WORTHY WITH GREAT INTIGRETY AND THE FIRS TO VOLUNTEER. VIC WAS AWARDED EMPLOYEE OF THE MONTH CERTIFICATE.

CONSENT AGENDA

1. APPROVAL OF THE PAYROLL WARRANT SUMMARY FOR PAY PERIOD 5

   APPROVED ON CONSENT

2. APPROVE THE MINUTES OF THE FEBRUARY 12, 2019 COMMISSION MEETING

   CONTINUED FOR 1 WEEK NEED TO REVIEW DOCUMENTS.

3. APPROVE THE MINUTES OF THE FEBRUARY 26, 2019 COMMISSION MEETING

   CONTINUED FOR 1 WEEK NEED TO REVIEW DOCUMENTS.

4. RATIFICATION OF WARRANT REGISTER SUMMARY FOR MARCH 4, 2019, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM

   RATIFIED ON CONSENT

5. RATIFICATION OF WARRANT REGISTER SUMMARY FOR MARCH 11, 2019, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM

RATIFIED ON CONSENT

6. ADOPT A RESOLUTION APPROVING THE UTAH COUNTY PURCHASING MANAGER'S DELEGATION OF AUTHORITY TO THE NEW PURCHASING AGENT.

ADOPTED ON CONSENT

7. ABATE PERSONAL PROPERTY ACCOUNTS ATTACHED FOR THE YEARS INDICATED, HAVING BEEN IDENTIFIED AS UNCOLLECTABLE

APPROVED ON CONSENT

8. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT #2018-310 TO EXTEND THE COMPLETION DEADLINE TO DECEMBER 31, 2019 AT THE SAME PRICES AS OFFERED IN 2018.

APPROVED ON CONSENT

9. APPROVE AND AUTHORIZE AGREEMENT WITH UTAH VALLEY POWERSPORTS TO PURCHASE A CAN-AM SIDE BY SIDE.

APPROVED ON CONSENT

10. RATIFICATION OF NOTICE OF TERMINATION OF CONTRACT WITH FAIRWAYS MEDIA

RATIFIED ON CONSENT

11. DECLARE SPECIFIED PHOTOCOPIER FROM THE CLERK/AUDITOR OFFICE AS SURPLUS, TO BE DISPOSED OF AS JUNK.

DECLARED ON CONSENT

12. ADOPT A RESOLUTION APPOINTING CODY SORENSEN AS A UTAH COUNTY BAIL COMMISSIONER

ADOPTED ON CONSENT

13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH WMD TECH TO PROVIDE EXPLOSIVE ORDINANCE DISPOSAL (EOD) TRAINING SERVICES

APPROVED ON CONSENT

14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF CORRIDOR PRESERVATION FUNDS FOR 1600 NORTH IN OREM.

COMMISSIONER LEE ASKED QUESTION, WHO IS RESPONSIBLE FOR TRACKING THESE PROPERTIES AND GETTING THE REIMBURSEMENT FROM UDOT?

RICHARD NIELSON, OREM CITY WILL BE DOING THE PROPERTY PURCHASES. THIS AGREEMENT WILL NOT TAKE EFFECT UNLESS UDOT TAKES JURISDICTIONAL OWNERSHIP OF THE ROAD AND MAKES 1600 NORTH A STATE ROUTE. AT THAT POINT WE WOULD TAKE THE PROPERTIES PURCHASED THROUGH THE CORIDOR PRESERVATION FUND AND PUT IN REQUEST TO UDOT FOR REIMBURSEMENT. IF IT NEVER BECOMES A STATE ROAD THIS AGREEMENT IS NULL AND VOID.

COMMISSIONER LEE, SO THIS AGREEMENT IN ONLY IN CASE THIS BECOMES A STATE ROAD IN THE FUTURE. IF IT NEVER BECOMES A STATE ROAD, WE ARE STILL GOING TO GO THROUGH THE OTHER PROCESS FOR ALOCATION THROUGH THE MAG PROCESS.

RICHARD NIELSON, YES, IT WOULD GO THROUGH THE MAG PROCESS FOR THE CORIDOR PRESERVATION.

COMMISSIONER LEE, WE WENT THROUGH THE MAG PROCESS FOR 3 MILLION DOLLARS TO USE FOR 3 YEARS, IT HAS TO BE USED IN 3 YEARS.

RICHARD NIELSON, THERE ARE 10 TO 12 PROPERTIES THAT ARE READY TO SELL RIGHT NOW, THAT IS WHERE THE 3 MILLION COMES INTO PLAY. IF THEY ADDITIONAL PROPERTIES, THEY WILL BE MADE TRHOUGH THE MAG PROCESS. IF IT DOES BECOME A UDOT ROAD, UDOT WILL THEN PAY BACK CORIDOR PRESERVATION FUND FOR THESE PURCHASES.

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

VOTE: 3-0

AYE:

COMMISSIONER LEE
COMMISSIONER AINGE
COMMISISONER IVIE

15. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO SIGN AN AGREEMENT WITH TOP-IT TOPPERS FOR CAMPER SHELLS WITH INSTALLATION AND OTHER CAMPER OR TRAILER RELATED PARTS AND ACCESSORIES.

COMMISSIONER LEE ASKED QUESTION, WILL THE RETAIL PRICE BE PROVIDED IN THE INVOICES SO THAT THE DISCOUNT PRICE CAN BE VERIFIED? OTHERWISE WE WOULDN'T KNOW WHAT THE DISCOUNT WAS.

RICHARD NIELSON, YES, THEY WILL DO THAT. AND THAT CAN CHANGE FROM TIME TO TIME DEPENDING ON THE TYPE OF TOP-IT WE BUY.

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

VOTE: 3-0

AYE:

COMMISSIONER LEE
COMMISSIONER AINGE
COMMISSSIONER IVIE

16. ADOPT A RESOLUTION APPOINTING DOCTOR REX FACER AS THE VICE CHAIR OF THE GOOD GOVERNMENT ADVISORY BOARD

AGENDA ITEM WAS TABLED

REGULAR AGENDA

1. TO APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT AGREEMENT WITH THE UTAH VALLEY CONVENTION AND VISITORS BUREAU.
   - Paul Jones, Deputy Attorney –

APPROVED ON CONSENT

2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH PROVO CITY FOR TRCC TAX FUNDS TO ASSIST IN THE CONSTRUCTION OF A NEW TERMINAL AT THE PROVO AIRPORT.
   - Paul Jones, Deputy Attorney –

COMMISSIONER LEE, RECOGNIZED PROVO CITY MAYOR, MICHELLE KAUFUSI AND ISACC PAXMAN, PROVO CITY DEPUTY MAYOR.

MICHELLE KAUFSI, PROVO CITY MAYOR, THIS IS VERY EXCITING. EVERYTIME WE GET TOGETHER GREAT THINGS HAPPEN. THIS IS ANOTHER EXAMPLE OF HOW WORKING TOGETHER WE CAN ACCOMPLISH HUGE THINGS THAT WILL IMPACT THE COMMUNITY FOR THE BETTER. WANTED TO PERSONALLY THANK THE COMMISSION FOR THERE SUPPORT. THIS IS GOING TO BE AN AMAZING THING TO HAVE A REGIONAL AIRPORT IN PROVO. SHE HAS BEEN TELLING THE OTHER MAYORS THAT THIS NOT THE PROVO AIRPORT, IT IS THE REGIONAL AIRPORT FOR THEM AND THE COMMUNITY.

ISACC PAXMAN, PROVO CITY DEPUTY MAYOR, THEY DID HEAR LAST NIGHT THAT THE SENATE BILL DO PASS THROUGH WITH THE FULL 9 MILLION THEY ASKED FOR. NOW IT WILL BE GOING TO THE HOUSE. IT WAS THE HOUSE MAJORITY LEADER, FRANCIS GIBSON AND VAL PETERSON WHO IS ALSO IN LEADERSHIP THAT SPONSORED THIS. EVERYTHING IS LOOKING GOOD. WE APPRECIATE ALL THE ACCOMODATION FOR THE EXPITED REQUEST. WITH THIS FUNDING WE COULD BE BREAKING GROUND THIS YEAR WITH A RIBBON CUTTING NEXT YEAR. THIS IS REALLY EXCITING. THANK YOU.

COMMISSIONER LEE, THIS IS REALLY EXCITING PROJECT AND WHAT IT CAN DO FOR THE COUNTY. HE ASKED QUESTION FOR LEAGAL, ON THE METHOD OF PAYMENT IT SAYS, NO FUND SHOULD BE PAID BY COUNTY UNTIL CITY HAS COMPLETED THE CONSTRUCTION OF PROJECT AS PROVIDED BY THE COUNTY FINAL CERTIFICATION COMPLETION DOCUMENT DOCUMENTING THE PROJECT HAS BEEN COMPLETED. IT IS A FAIR STATEMENT, THE ONLY THING IS THAT, IT IS NOT DEFINED WHAT COMPLETION MEANS. FOR THE PURPOSES OF THE COUNTY AND ALSO TO PROTECT THE CITY, IF WE ARE SAYING COMPLETION IS IT 10 GATES OR FOR 4? IT WOULD BE WISE TO PUT SOMETHING IN THERE FOR PROTECTION TO SAY WHAT COMPLETION MEANS.

PAUL JONES, DEPUTY ATTORNEY, THE PROJECT IS DEFINED WITH A 4 GATE TERMINAL BUT WE COULD ADD SOME LANGUAGE IN THERE TO CLARIFY THAT THE COMPLETION OF THE 4 GATE TERMINAL MEANING THAT IS READY TO BE OCCUPIED AS A REGIONAL AIRPORT OR SOMETHING ALONG THOSE LINES.

COMMISSIONER LEE WOULD LIKE TO SEE IT JUST TO DEFINE IT SO THAT WE KNOW WHAT IT MEANS.

PAUL JONES, YOU CAN MAKE THAT AS PART OF YOUR MOTION. HE ALSO SPOKE WITH COMMISISONER AINGE ABOUT EXPERATION DATE OF 2023 AND THAT THEY COULD TRIM THAT UP IF THE COMMISSION WANTED TO.

COMMISSIONER LEE ASKED IF THERE WAS A NEED FOR IT.

COMMISSIONER AINGE REPLIED, THERE ISN'T BUT THE CITIES EXPECTATION WAS THAT IT WOULD GET DONE SOONER. THIS IS AN AMAZING OPPORTUNITY FOR THE COUNTY TO PROMOTE TOURISM AND ECCONOMIC DEVELOPMENT. WANTS TO NOTE: WE OFTEN TALK ABOUT HOW TIGHT OUR BUDGET IS SO THERE MIGHT BE QUESTIONS ARRISE OF HOW THE COUNTY IS PAYING FOR THIS PROJECT. THIS IS NOT IN OUR GENERAL FUND BUDGET. THIS IS NOT DOLLARS USED FOR ELECTIONS, SHERIFFS OR PROSICUTION OR ANYTHING ELSE. IT IS COMING FROM A FUND SPECIFICALLY THERE TO INVEST IN PROJECTS FOR TOURISM IN OUR COUNTY. THERE IS PROBABLY NOTHING THAT WOULD HAVE MORE OF A DIRECT IMPACT TOWARDS THAT GOAL THAN THIS AIRPORT PROJECT.

COMMISISONER IVIE, AGREES WITH COMMISSIONER AINGE, THE PURPOSE OF THIS TAX IS TO PROMOTE TOURISM, CULTURE AND CONVENTIONS AND THE AIRPORT COVERS ALL OF THOSE. IT BRINGS PEOPLE TO OUR CONVENTION CENTERS. IT BRINGS PEOPLE TO EXPERENCE THE RICH CULTURE OF UTAH COUNTY. AND HOPEFULLY THEY WILL BRING MONEY IN AND REPLENISH THE FUND AS THEY CONTRIBUTE TO THE TAX DOLLAR USED TO PAY FOR THIS. THIS ALLOWS US TO INCREASE THE MONEY IN THIS FUND. THIS IS A VERY NOTEABLE AND WORTH WHILE PROJECT WITH FAR REACHING BENEFITS BEYOND THE TOURISM ASPECT. IT WILL HELP ECONOMIC DEVELOPMENT BRINGING BUSINESS AND BUSINESS LEADERS INTO UTAH COUNTY.

COMMISSIONER LEE, ECHOS THAT, ALL IN AGREEMENT TO GO FORWARD. WANTS TO NOTE THAT THIS DID GO TO THE TAB BOARD AS WELL AND YOU RARELY SEE A BUNCH OF BUSINESS LEADERS SO EXCITED ABOUT A PROJECT. THIS PROJECT HAS COME AT A GOOD TIME ESPECIALLY LOOKING AT THE FUNDING SORCES WE HAVE BEEN PUTTING SOME MONEY AWAY SO THAT WE CAN DO PROJECTS JUST LIKE THIS. IT HAS MAJOR IMPACT ON NOT JUST THE FUND BUT THE COUNTY. THIS IS A GREAT OPPORTUNITY AND EXCITED TO SEE WHERE IT GOES AND HOPE TO SEE IT GO ALL THE WAY OUT TO THE 10 AND NOT JUST THE 4 GATES IN TIME. THE COUNTY, CITY AND STATE AND AS MORE COMES IN HOPEFULLY THE AIRLINES WILL START TO FUND IT TOO. LOOK AT ALL OF THE POSITIVES, NOT JUST ECONOMIC DEVELOPMENT, BUT TIME SAVED NOT TRAVELING BACK AND FORTH TO SALT LAKE COUNTY. IT WILL GET CARS OFF THE ROAD AND HELP WITH AIR QUALITY.

COMMISSIONER AINGE MAKES MOTION TO APPROVE WITH DEFINED LANGUAGE ON WHAT COMPLETION MEANS. COMMSISIONER IVIE SECONDS MOTION.

VOTE: 3-0

AYE:

COMMISISONER LEE
COMMISSIONER AINGE
COMMISSIONER IVIE

3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH VALLEY CONVENTION AND VISITORS BUREAU FOR THE UTAH COUNTY FAIR.
- Paul Jones, Deputy Attorney –

COMMISSIONER LEE ASKED JOEL RIKER TO INTRODUCE KALEY.

JOEL RIKER, PRESIDENT OF EXPLORE UTAH VALLEY OR THE UTAH VALLEY CONVENTION AND VISITOR BURUAL, THIS IS KALEY NELSON, WE WERE GIVEN THE OPPORTUNITY TO PRODUCE AND WORK WITH THE COUNTY TO DO THIS YEARS UTAH COUNTY FAIR. ONE OF THE FIRST THINGS THE DID WAS TO HIRE AN EXCEPTIONAL COUNTY FAIR DIRECTOR AND THIS IS KALEY NELSON. KALEY CAME TO US FROM HENDERSON NEVADA. SHE IS A GRADUATE OF BYU AND HAS A MASTERS IN EVENTS AND FESTIVLE MANAGEMENT FROM EDINBOROGH SCOTTLAND. SHE HAS GREAT EXPERIENCE ACADEMICALLY AND WORK EXPERIENCE FROM THE SUNDANCE FILM FESTIVAL. EXCITED TO HAVE HER AS THE COUNTY FAIR DIRECTOR.

THEY ARE EXCITED THAT THE COUNTY IS ALLOWING THEM TO GET THIS DONE. TO WORK WITH THE FUNDS WILL ALLOW THEM TO USE THE FAIR AS A TOURISM ITEM AS WELL AS PRODUCE IT WITH THE RIGHT LEADERSHIP THAT WE KNOW NEEDS TO HAPPEN FOR THIS FAIR.

KALEY NELSON, COUNTY FAIR DIRECTOR, VERY HAPPY AND EXCITED TO BE HERE. THIS IS THE FIRST TIME I HAVE BEEN TO A COMMISSION MEETING, IT IS JUST LIKE "PARKS AND REC"!

JOEL RIKER, EXCITED TO HIRE AND HAVE NO DOUBT THAT WE ARE GOING TO HAVE A SUCCESSFUL FAIR THIS YEAR EVEN THOUGH THEY HAVE ONLY 5 TO 6 MONTHS TO GET IT DONE. BEGINING THE DAY AFTER THE FAIR THEY WILL START LOOKING AT YEAR TWO. THEY WILL DO EVERYTHING THEY CAN TO BRING IN MORE SPONSORSHIP TO TAKE BURDEN OFF THE COUNTY TO HAVE A MORE SUCCESSFUL FAIR THAT ENGAGES MORE PEOPLE FROM THE COMMUNITY AND KALEY HAS THE VISION AND THE VITALITY TO GET THAT DONE.

COMMISSIONER LEE, ASKED QUESTION, IT WAS BROUGHT TO HIS ATTENTION THAT THERE ARE SOME REMAINING FUNDS FROM PAST YEARS. THOSE FUNDS WERE GENERAL FUNDS AND SO WE DO NOT WANT TO MIX THE GENERAL FUNDS WITH THE TRCC FUNDS. IT HAS BEEN RECCOMMENDED THAT WE TAKE GENERAL FUNDS AND SEND THEM BACK TO THE COUNTY.

JOEL RIKER, YES, IT IS ABOUT $22,000 - $24,000 IN THE CHECK BOOK BALANCE. WE ARE JUST GOING TO HOLD THAT IN RESERVE. IF THE COUNTY WOULD LIKE US TO RETURN IT, WE CAN. ONE OF THE GOALS WITH THE FAIR WOULD BE TO HAVE A RESERVE FUND. AND WE WERE GOING TO HOLD THOSE FUNDS AND THEN IF WE HAVE ANY SAVINGS THIS YEAR, WE WERE GOING TO HOLD THE FUNDS SO THAT IF THERE IS A CONSERT OR SOMETHING IN FUTURE YEARS WE HAVE MONEYS THERE SO THAT WE DONT HAVE TO KEEP COMING BACK TO THE COUNTY FOR MONEY. THE FAIR PLAN BUDGET WAS GOING TO ACKNOWLEGE THOSE DOLLARS AND UNEXPENDED FUNDS FROM PRIOR YEAR. WE WILL KEEP THE GENERAL FUND MONEY SEPARATE FROM THE TRCC MONEY. JOEL ASKED QUESTION, IS IT ALL TRCC?

COMMISSIONER LEE, ANSWERED YES, THAT IS WHY WE WANT TO KEEP THE FUNDS SEPARATE. THE TRCC IS A MORE RESTRICTED ACCOUNT FOR US AND IT WOULD BE EASIER FOR THE COUNTY TO TAKE THAT GENERAL FUND MONEY BACK INTO THE FUND. THEY WILL USE THE TRCC FUNDS FOR FUTURE NEEDS.

JOEL RIKER, THEY WILL DO WHAT EVER THE COUNTY WANTS THEM TO DO. WE WILL MAKE SURE THAT IS RETURNED OR IF THE CONTRACT IS WRITTEN WE CAN GET THE EXACT AMOUNT AND HAVE THE MONEYS TRANSFERED.

COMMISSIONER LEE, IF WE DO THAT, WE ARE MIXING THE FUNDS.

JOEL RIKER, WE WILL MAKE SURE WE RETURN THE FUND BALANCE FROM THE COUNTY RUN FAIR IN 2018 AND KEEP THE 2019 SEPERATE.

COMMISSIONER IVIE MAKES MOTION TO APPROVE WITH NOTE OF GENERAL FUNDS FROM 2018 BEING RETURNED. COMMISSIONER ANIGE SECONDS MOTION.

VOTE: 3-0

AYE:

COMMISSIONER LEE
COMMISSIONER AINGE
COMMISSIONER IVIE

4. APPROVE PROPERTY TAX ISSUES CONTAINED IN RECOMMENDATION LETTER 2019-5
- Paul Jones, Deputy Attorney –

COMMISSIONER LEE, THERE IS A LOT ON THIS RECOMMEND LETTER BUT THERE ARE TWO OF THEM THAT HE WANTS TO LOOK AT FOR CONSIDERATION. ONE OF THEM HE WANTS TO MAKE SURE THAT ALL OPTIONS WERE GIVEN AND THE SECOND ONE, WANTS TO GIVE CONSIDERATION FOR DOING SOMETHING DIFFERENT.

THE FIRST ONE IS ON SCOTT OLDROYD. WE COMMISSIONERS UNDERSTAND WHAT BUSINESS ARE LIKE. THAT IS WHAT AMERICA IS ABOUT, IT IS DOING SOMETHING AND TAKING A CHANCE. THIS INDIVIDUAL IS TRYING HIS BEST TO COME OUT OF A BAD SITUATION. HE HAS A MILLION DOLLAR PAY OFF THAT HE HAS TO GO THROUGH. IT ISN'T THEIR RESPONSIBILITY TO LIGHTEN THAT. THERE ARE SOME RECOMMENDATIONS THAT MAY OFFER OPTION OTHER THAN LOOSING HOUSE IN A TAX SALE. WE NEED TO MAKE SURE THAT HE UNDERSTANDS THAT HE CAN APPLY FOR A PAYMENT PLAN.

PAUL JONES, DEPUTY ATTORNEY, IF YOU WANT TO PULL THAT ONE OFF, I CAN JUST MAKE SURE THAT OPTION WAS AVAILABLE TO HIM, NOT SURE IT WAS OFFERED.

COMMISSIONER AINGE ASKED IF THERE IS A PENDING TAX SALE. AND IF THERE IS IMMEDIATE ACTION PAYMENT PLAN IT WOULD FORSTALL THE SALE.

COMMISSIONER LEE, FIVE YEARS IS UP SO MAY WILL BE SUBJECT TO TAX SALE. ONE OF THE PROBLEMS IS, PER OLDROYDS EXPLAINATION, HE WOULD JUST SELL THE HOUSE BUT IT IS CONNECTED TO PAST BUSINESS.

AMELIA POWERS, COUNTY CLERK/AUDITOR, SHE HAS NOT SEEN A REQUEST FOR A PAYMENT PLAN FROM HIM SO HE MAY NOT HAVE BEEN GIVEN THE OPTION.

COMMISSIONER AINGE, THE OTHER ONE IS FOR BLUTH. THERE WAS A MEDICAL REASON THIS ONE WAS LATE, I WOULD BE OK TO FORGIVE PENALTIES AND FEES, TO ABATE IT.

COMMISSIONER LEE IS OK WITH THAT. AND ASKED IF THERE WERE ANY OTHERS ON LIST.

COMMISSIONER IVIE MAKES MOTION TO HOLD ON SCOTT OLDROYD TO MAKE SURE HE IS NOTIFIED OF PAYMENT OPTIONS AND MOTION TO REMOVE PENALTY AND FINES FROM BLUTH PROPERTY. COMMISSIONER AINGE SECONDS MOTION.

VOTE: 3-0

AYE:

COMMISSIONER LEE
COMMISSIONER AINGE
COMMISSIONER IVIE

5. CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS (09) AGRICULTURE PROTECTION AREA 20 YEAR INITIAL REVIEW, APPROXIMATELY 160 ACRES. COUNTY COMMISSION TO TAKE ACTION TO CONTINUE FOR AN ADDITIONAL 20 YEARS OR TO REFER TO THE PLANNING COMMISSION AND AGRICULTURE PROTECTION AREA ADVISORY BOARD TO REVIEW AND SUBMIT RECOMMENDATIONS TO CONTINUE, MODIFY OR TERMINATE THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS (09) AGRICULTURE PROTECTION AREA.
   - Peggy Kelsey, Community Development –

COMMISSIONER IVIE, ASKED QUESTION, CAN WE MOVE THIS TO CONSENT APPROVED WITHOUT COMMENT?

PEGGY KELSEY, COMMUNITY DEVELOPMENT, ANSWERED, NOT TODAY, WOULD LIKE A CONTINUANCE OF 2 TO 3 WEEKS. SHE WILL BE FOLLOWING UP WITH DOCUMENTS ASKING FOR CONTINUATION. THEY HAVE VERIFIED WITH THE SHERIFF DEPARTMENT, ENVIRONMENTAL HEALTH AND COMMUNITY RECORDS THAT THERE HAVE BEEN NO WRITTEN COMPLAINTS IN THE PAST THREE YEARS. THERE ARE THREE OR FOUR ITEMS FOR THIS 20 YEAR INITIAL REVIEW.

CONTINUED AGENDA ITEMS 5, 6 AND 7 TWO TO THREE WEEKS

6. CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS (10) AGRICULTURE PROTECTION AREA 20 YEAR INITIAL REVIEW, APPROXIMATELY 162 ACRES. COUNTY COMMISSION TO TAKE ACTION TO CONTINUE FOR AN ADDITIONAL 20 YEARS OR TO REFER TO THE PLANNING COMMISSION AND AGRICULTURE PROTECTION AREA ADVISORY BOARD TO REVIEW AND SUBMIT RECOMMENDATIONS TO CONTINUE, MODIFY OR TERMINATE THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS (10) AGRICULTURE PROTECTION AREA.
   - Peggy Kelsey, Community Development –

SEE COMMENTS ON AGENDA ITEM 5: CONTINUED AGENDA ITEMS 5, 6 AND 7 TWO TO THREE WEEKS

7. CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS (08) AGRICULTURE PROTECTION AREA 20 YEAR INITIAL REVIEW, APPROXIMATELY 480 ACRES. COUNTY COMMISSION TO TAKE ACTION TO CONTINUE FOR AN ADDITIONAL 20 YEARS OR TO REFER TO THE PLANNING COMMISSION AND AGRICULTURE PROTECTION AREA ADVISORY BOARD TO REVIEW AND SUBMIT RECOMMENDATIONS TO CONTINUE, MODIFY OR TERMINATE THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS (08) AGRICULTURE PROTECTION AREA.
   - Peggy Kelsey, Community Development –

SEE COMMENTS ON AGENDA ITEM 5: CONTINUED AGENDA ITEMS 5, 6 AND 7 TWO TO THREE WEEKS

8. APPROVE AND AUTHORIZE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UTAH DEPARTMENT OF HEALTH FOR PUBLIC HEALTH CRISIS RESPONSE - 2018 OPIOID OVERDOSE CRISIS COOPERATIVE AMENDMENT 1
   - Ralph Clegg, Health Department Executive Director –

APPROVED ON CONSENT

9. APPROVE RELEASE OF LIEN RECORDED AGAINST PARCEL SERIAL NO. 52:802:0001 (AGREEMENT NO. 2018-95A)
   -Terri Eisel, Utah County Attorney's Office –

APPROVED ON CONSENT

10. APPROVE AND AUTHORIZE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH PLEASANT GROVE CITY FOR TRCC TAX FUNDS TO ASSIST IN THE CONSTRUCTION AND RENOVATION OF PLEASANT GROVE DISCOVERY PARK IN AN AMOUNT BETWEEN $87,500 AND $200,000.
   - Paul Jones, Deputy Attorney –

MAYOR GUY FUGAL, PLEASANT GROVE CITY, GREATFUL TO COME THIS MORNING AND TO ASK FOR SOME ADDITIONAL FUNDS FOR THE REDO OF THE DISCOVERY PARK IN PLEASANT GROVE. THE PARK HAS BEEN FOR OVER 25 YEARS A GREAT SERVICE TO OUR COMMUNITY. HOW IT WAS CONTRUCTED IN THE PAST IS HOW WE ARE GOING TO DO IT NOW. IT IS A JEWELL OF UTAH COUNTY AND AMOUNG THE PARKS. A LOT OF PEOPLE COME TO THE COMMUNITY FROM ALL OVER TO ENJOY THIS PARK WITH THEIR FAMILIES. WE KNOW THERE ARE OTHER PARKS BUILT SIMILAR TO THIS IN THE PAST, BUT NOW IT IS TIME TO REDO. THIS IS THE FIRST FUNDINDG WE ASKED FOR FROM THE COUNTY FOR THIS OR ANYTHING IN OUR COMMUNITY AND ASK THAT YOU APPROVE THIS FOR WHAT THE FUNDING RECCOMENDATION WAS.

SCOTT DARRINGTON, CITY ADMINISTRATOR PLEASANT GROVE CITY, THIS PARK IS ABOUT A MILLION DOLLAR PARK. WE NEED ABOUT $600,000 IN CASH TO PAY FOR THE MATERIALS BUT THE BUILDING OF THE PARK IS ALL GOING TO BE VOLUNTEER LABOR FROM THE COMMUNITY, WHICH WILL SAVE US ABOUT $400,000. WE ARE ASKING FOR THE TRCC FUNDING GRANT FOR UP TO $200,000. WE DO HAVE SOME DONATIONS OF ABOUT $50,000 FROM OUR SPONSORS AND PRIVATE DONORS. WE HAVE A FUND RAISER WHERE YOU CAN BUY A PICKET AND HAVE YOUR NAME ON THE PICKET AND WE HAVE HAD QUITE A FEW OF THOSE COMING IN. THE REMAINDER OF THE FUNDING WILL BE COMING FROM PLEASANT GROVE CITY IN THE NEWLY PASSED CARE TAX TO BRIDGE GAPS FROM WHAT EVER IS LEFT FROM THE TRCC FUND AND DONATIONS.

COMMISSIONER LEE, IN REVIEWING THIS IT IS RECOMMENED FROM THE TAB BOARD FOR THE $87,500. THE ORIGINAL ASK WAS FOR $300,000. I HAVE SPOKEN TO THE MAYOR AND SCOTT ON SERVERAL OCCASIONS TRYING TO FIND BALANCE. LOOKING AT THE FUNDING FOR OREM

CITY JUST RECENTLY, WE GAVE THEM APPROXIMATELY 50% OF THEIR ORIGINAL ASK. I FEEL COMFORTABLE WITH A $150,000 DOLLAR RANGE BASED UPON DISCUSSION.

COMMISSIONER IVIE, WHEN I LOOK AT THESE, I LOOK AT OUR TOTAL CONTRIBUTION TO THE PROJECT AS A WHOLE AND IN KEEPING OUR PERCENTAGES CONSISTANT AND TRYING OUR BEST TO EVELY DISTRIBUTE THE FUNDS. I AM FINE WITH THE $200,000 FUND AMOUNT, IN PART BECAUSE IT IS THE FIRST TIME PLEASANT GROVE HAS ASKED FOR FUNDS. IN OREM'S SITUATION THEY HAVE COME IN FOR A PARK AND LIBRARY. THEY HAVE RECEIVED A GOOD CHUNK SO FAR. I AM FINE WITH THE FUNDS TO PLEASANT GROVE FOR THIS AND IT KEEPS US AT THE 20% ASKING OF THE TOTAL PROJECT.

COMMISSIONER AINGE, SUPPORTIVE OF THE PROJECT AND APPRECIATES THAT NOT EVERY CITY KNOWS ABOUT THESE FUNDS AND THIS IS THE FIRST ASK FROM THIS BOARD. IT IS A GREAT PROJECT. I LOOKED AT THE DESIGNS AND IT IS GOING TO BE A GREAT FAMILY ORIENTED PARK AND INVOLVES THE COMMUNITY. I AM SUPPORTIVE OF IT AND SUPPORT THE $200,000 AMOUNT.

COMMISSIONER AINGE, ASKED CHAIR TO MAKE COMMENT. THERE IS A DISTINCTION TO BE MADE. IN THAT SOME OF THE PROJETS WE ARE APPROVING NOW WERE PRESENTED TO THE TAB BOARD LAST YEAR. AND I THINK THAT MAKING THE SIGNIFICANT INVESTMENT THAT WE JUST DID IN THE PROVO AIRPORT, THERE IS LIMITED RESOURCES. WE ALL FEEL PRETTY STRONGLY ABOUT THE IMPACT OF THAT. THE ONE CONSEQUENSE IS THAT THERE IS LESS FUNDING IN THE FUND FOR ADDITIONAL PROJECTS THAT MAY COME IN THIS YEAR. BUT THE ONE WE APPROVED THIS WEEK THE ONE WE APPROVED LAST WEEK HAVE BEEN THROUGH THE PROCESS LAST YEAR AND I THINK ITS FAIR TO CONTINUE AND LET THOSE THROUGH.

COMMISSIONER LEE, WE HAD THE CONVERSATION WITH THE TAB BOARD THAT WHEN WE FUND AT HIGHER LEVELS, WE ARE GOING TO HAVE TO FUND AT LOWER LEVELS IN THE FUTURE. SO, I THINK THEY ARE ON BOARD.

COMMISSIONER AINGE MAKES MOTION TO APROVE AT MAXIMUM AMOUNT OF $200,000. COMMISSIONER IVIE SECONDS MOTION.

VOTE: 3-0

AYE:

COMMISSIONER LEE
COMMISSIONER AINGE
COMMISSIONER IVIE

11. APPROVE AND AUTHORIZE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH NORTH POINTE SOLID WASTE SPECIAL SERVICE DISTRICT FOR WASTE DISPOSAL REIMBURSEMENT.

- Ralph Clegg, Health Department Executive Director –

CONTINUE FOR THREE WEEKS, APRIL 2, 2019

12. ADOPT (OR DENY) AN ORDINANCE TO AMEND THE UTAH COUNTY ZONE MAP FROM THE CRITICAL ENVIRONMENTAL (CE-1) ZONE TO THE RESIDENTIAL AGRICULTURAL (RA-5) ZONE; PROPERTY IS APPROXIMATELY 120.00 ACRES IN SECTION 21, T9S R2E, PAYSON CANYON AREA OF UTAH COUNTY
- Brandon Larsen, Community Development –

BRANDON LARSEN, COMMUNITY DEVELOPEMENT STAFF, THIS IS AN APPLICATION FOR USE SEE BEFORE. THE APPLICANT IS ASKING TO REZONE 120 ACRES IN THE PAYSON CANYON AREA. THIS PROPERTY IS 3/4 MILES FROM THE MOUTH OF THE CANYON. PROPERTY IS CURRENTLY ZONED CE1, THAT IS OUR MOST RESTRICTIVE ZONE. HAVE TO HAVE 50 ACRES TO BUILD ONE HOME. THEY ARE PROPOSING THAT THE PROPERTY BE REZONED TO THE RA5 ZONE THAT ALLOWS ONE HOME FOR FIVE ACRES. IT IS IMPORTANT TO LOOK AT THE INTENT OF THE CE1 ZONE VERSES THE RA5 ZONE. THE CE1 ZONE COVERS THE CANYON MOUNTAIN IN NATIVE PASTURE AND WILD LIFE HABITAT. THE RA5 ZONE COVERS LAND THAT HAS BEEN HISTORICLY IRRIGATED AND USED FOR GROWING CROPS AND RAISING LIVESTOCK. STAFF READ THIS PROPOSAL AND STAFF FELT IT WAS APPROPRIATELY ZONED IN CE1 ZONE.

STAFF HAS WORKED IN THE PAST WITH THE APPLICANTS ON A 40 ACRE PIECE OF LAND TO BUILD ONE HOME. BUT BECAUSE OF A ROAD LOCATION, THEY WERE ACTUALLY ABLE TO BUILD TWO HOMES. THE COUNTIES POSITION BACK IN 2008 WAS THAT THE ROAD WAS DIDICATED IT WOULD EFFECTIVELY CREATE TWO BUILDING LOTS.

COMMISSIONER AINGE, ASKED QUESTION, WHAT IS THE MECHINISM BY WHICH THAT IS ALLOWED? IT THAT A PERMITTED CONDITIONAL USE?

BRANDON LARSEN, IT WAS THE POSITION OF THE COUNTY THE ROAD EFFECTIVELY CREATED A DIVISION OF THE LAND AND THE DIFINITIONS OF THE ORDINANCE WERE SUCH THAT IT ALLOWED FOR TWO DWELLING SITES RATHER THAN ONE. HE THINKS THAT HAS BEEN TIGHTENED UP AND NOT SURE THAT WOULD WORK TODAY. BUT IT DID WORK AT THAT TIME IN 2008.

THIS WENT TO THE PLANNING COMMISSION, THEY VOTED 4 - 2 RECOMENEDED DENIAL. THEY (PLANNING COMMISSION AS WELL AS STAFF) FOUND THAT THIS DOES NOT CONFORM WITH THE GENERAL PLAN AND IS NOT IN THE BEST INTEREST OF THE HEALTH SAFETY AND WEALFARE OF THE PUBLIC AND IS NOT IN HARMONY WITH THE INTENT AND PURPOSE OF THE LAND USE ORDINANCE.

AS FAR AS THE GENERAL PLAN IS CONCERNED WITH THIS APPLICATION, THE PLANNING COMMISSION AND STAFF HAVE FELT THEY FAILED TO DEMONSTRATE HOW THIS APPLICATION WONT IMPACT THE WATERSHED. IT MAY NOT IMPACT THE WATER SHED BUT NO PROOF HAS

BEEN PUT FORTH BY THEM TO DEMONSTRATE THAT IT WONT. SOME OF THE CONCERNS WITH THE WATER SHED AREA IS IF YOU ADD MORE HOUSES IT COULD POTENTOLY INCREASE POLUTION SOURCES. THE GENERAL PLAN SAYS WHEN YOU REZONE PROPERTY TO THE RA5 ZONE, YOU ARE SUPPOSED TO SHOW HISTORIC IRRIGATION TO THE PROPERTY AND THAT HASN'T BEEN DEMONSTRATED. AS FAR AS IT RELATES TO THE HEALTH SAFETY AND WELFARE AGAIN, WE POINT TO THE WATER SHED PROTECTION. THERE A WHOLE IN THE APPLICATION AS TO WHERE IT RELATES TO THE WATER SHED. WHETER OR NOT IT IS A WATER SHED AREA. IS IT GOING TO BE PROTECED? IS IT GOING TO BE IMPACTED?

A COUPLE OF OTHER RELATIVE TO THE HEALTH SAFETY AND WELFARE IS AN AREA WITH INCREASED FIRE REQUIREMENTS. IT IS IN URBAN WILD LAND INTERFACE SO IT IS AN AREA THAT HAS ADDITIONAL FIRE REQUIREMENTS FOR WHEN YOU BUILD HOMES. ADDITIONALLY, IT IS IN THE NATURAL HAZARDS OVER LAY ZONE, THERE ARE INCREASED REQUIREMENTS FOR CONSTRUCTING IN THAT AREA. IT ALSO SUGGESTS THAT THERE IS A SUSEPTABILITY TO NATURAL HAZARDS IN THE AREA. THE FOUR WE LOOK AT ARE SURFACE FAULT RUPTURE, DEBREE FLOW, LAND SLIDES, AND ROCK FALL. THERE IS A FAULT LINE, I BELEIVE IN THE NORTH PORTION OF THE PROPERTY.

STAFF BELIEVES AS FAR AS IT RELATES TO THE LAND USE ORDINANCE. THE LAND USE ORDINACE SAYS THAT ONE OF IT INTENTS IS TO ENCOURAGE AND FACILITATE ORDERLY GROWTH IN THE COUNTY. STAFF IS CONCERNED THAT IF YOU INCREASE RESIDENTIAL DENSITIES OR THE POTENTIAL FOR SUCH IN AN AREA MAY BE PRONE TO WILD FIRE AND OTHER NATURAL HAZARDS.

COMMUNITY DEVELOPEMENT STAFF RECCOMEND AGAINST APPLICATION.

COMMISSIONER LEE, ASKED QUESTION, IT WAS A 4 -2 VOTE IN THE PLANNING COMMISSION YOU ARTICULATED THE 4 SIDE, WHAT ABOUT THE 2 SIDE? WHY DID THEY VOTE DIFFERENTLY?

BRANDON NELSEN, ANSWERED, I DONT RECALL A STRONG SENCE AS TO WHY, I KNOW THAT THAT ONE OF THE PEOPLE VOTING AGAINST IT, DON'T RECALL MAKING MUCH OF AN ARGUMENT FOR OR AGAINST IT, DO NOT RECALL WHY HE VOTED AGAINST IT. THE MINUTES MAY HELP.

ROBERT MOORE, DEPUTY ATTORNEY, HIS RECOLLECTION IS THAT IT RELATED TO PROPERTY RIGHTS. JUST FOR YOUR INFORMATION, THE PLANNING COMMISSION IN JANUARY, DID A SITE VISIT ON THIS PROPERTY AND THEY WALKED UP IN THE CANYON.

BRANDON LARSEN, ANSWERED, YES, THE PROPERTY RIGHTS WOULD BE ACCURATE. ALSO, TWO OTHER POINTS I NEED TO MAKE ON THIS THAT YOU WILL WANT TO KNOW ABOUT. I RECENTLY LEARNED THAT A PORTION OF THIS PROPERTY, PARTICULARLY THE PORTION OWNED BY THE MOWERS, ABOUT 20 ACRES, IS IN AN ANNEXATION PROPOSAL WITH PAYSON CITY. PAYSON CITIES PLANNING COMMISSION MET ON THIS PROPOSAL ON FEBRUARY 27TH AND

RECCOMMENDED APPROVAL OF ANNEXATION PROPOSAL. THAT IS JUST 20 ACRES OF THE PROPOSAL IT IS ACTUALLY A LARGE NUMBER OF ACRES MAINLY TO THE WEST OF THIS PROPERTY. RUNNING FROM THE NEBO LOOP ROAD UP ACROSS THE TOP OF THE MOUNTAINS THERE OVER TO THE HOMES THAT ARE OVER ON THE BENCH ON THE SOUTH SIDE OF THE TOWN.

COMMISSIONER LEE, BRINGS UP A QUESTIONS, BECAUSE THIS PROPERTY TOUCHES TR5, RA5, AND ALSO PAYSONS R112, AND IF THAT 20 ACRES WE ARE TALKING ABOUT IS ANNEXED INTO THE CITY, WOULD THEY KEEP IT AS CE1 OR WOULD THEY CHANGE IT TO RA5 OR THEIR R112?

BRANSON LARSEN, ANSWERED, NOT SURE. HE HASN'T SEEN THEIR PROPOSAL. IN AN EMAIL FROM THERE PLANNER TO HIM, IT SAID THAT PLANNING COMMISSION RECCOMENDED APPROVAL APPLICATION CONTINGENT ON AN PLAN MANAGEMENT PLAN FOR A 146 ACRES OF THE ANNEXATION AREA BE DEDICATED TO PAYSON CITY FOR A PUBLIC PROPERTY. THAT IS ALL THE INFORMATION HE HAS ON THE PROPOSAL.

COMMISSIONER LEE, ASKED QUESTION, WHAT IS THE LIKILIHOOD THAT THAT IS CE1?

BRANDON NELSEN, ANSWERED, I AM NOT AWARE THAT PAYSON CITY HAS A CE1 ZONE. I KNOW THEY HAVE SOMETHING SIMILAR TO A RA5 ZONE. I THINK THEY HAVE PRUPOSELY LEFT THIS LAND OUT OF THE ANNEX TO KEEP WITH THE COUNTY BECAUSE THEY FEEL THE CE1 ZONE IS APPROPRIATE.

ROBERT MOORE, DEPUTY ATTORNEY, LET ME ADDRESS THAT QUESTION. THE PLANNING COMMISSION CONCERN ON THIS ONE IS THAT THEY WANT TO FIGURE OUT WHERE THE CANYON STARTED. BECAUSE IF YOU LOOK AT THE CURRENT ZONING FOR WATER SHED. THE CURRENT ZONING IS FOR WATER SHED UP THE CANYON. THEY QUESTION THEY WERE TRYING TO RESLOVE IN THEIR MIND WAS WHAT IS THE CANYON VERSES WHAT IS NOT CANYON. THERE DETERMINATION WAS THAT THIS WAS CLEARLY UP THE CANYON AS OPPOSED TO BEING DOWN. I DON'T KNOW ABOUT THE CURRENT 20 ACRES BUT YOUR QUESTIONS RAISES THE ZONING AREAS IN THE CAYON. WHEREAS WHERE IS IT APPROPRIATE FOR CE1 AND THAT IS WHAT THEY WERE LOOKING AT WHEN THEY DECIDED THIS.

BRANDON LARSEN, THE OTHER THING I WAS GOING TO NOTE I THINK IS ALREADY BEEN ESTABLISHED IN THE STAFF PLAN AND THAT IS THERE IS ONE PROPERTY OWNER WHO HAS HAD THEIR LAND INCLUDED IN THE APPLICATION AND THEY ARE OPPOSED TO THE APPLICATION. THAT IS A VERY SMALL PORTION OF THE PROPOSAL.

COMMISSIONEER LEE ASKED IF THE APPLICANTS WERE AT THE MEETING AND INVITED THEM UP TO SPEAK.

ARCH WITTIER, PROPERTY OWNER, APPRICIATES COMMISSIONERS TIME AND STATED THAT THIS HAS BEEN A LEARNING PROCESS FOR THEM. GAVE A LITTLE HISTORY, THEY PURCHASED A

PROPERTY OF 35 ACRES AND THE COUNTY ASKED THEM TO DEED THE ROAD TO THE COUNTY STATING IT WOULD BE HEALTHIER FOR THE ENVIRONMENT. WE DONATED THE LAND AND SO THE ROAD IS NOW COUNTY PROPERTY. WHEN PAYSON CITY BUILT THEIR HOLDING TANK, THEY HAD TAKEN A QUARTER ACRE, NOT SURE WHY, OF LAND THAT BORDERD THE HOLDING POND. THIS MADE EVERYTHING ILLEAGLE. THEY WENT TO THE COUNTY AND HE COUNTY SAID THAT IF THEY SPLIT THIS UP IT WILL MAKE THE PARCEL ON THE MOUNTAIN SIDE LEAGLE SO THEY WOULD GIVE A BUILING PERMIT FOR THAT. THEN THEY SAID THAT IF HE COULD GO TO PAYSON CITY AND GET THEM TO PUT THAT 1/4 ACER BACK THEN IT WOULD MAKE IT LEAGAL AGAIN. THEY DID GO BACK TO PAYSON CITY AND DID GET THE LAND DEEDED BACK AND HAVE TRIED TO STAY LEAGLE IN EVERYTHING WE HAVE DONE AND DONE EVERYTHING THE COUNTY HAS ASKED US TO DO.

STATED A COUPLE OF CONCERNS OF THE PLANNING COMMISSION IN REGARD TO THE HEALTH, SAFETY AND WELLFARE OF THE COUNTY. WHEN WE BOUGHT THE PROPERTY, IT WAS A DUMP GROUND. PURCHASED FROM THE PAYSON LIVESTOCK ASSOCIATION. IT WAS USED FOR THEIR HOLDING PONDS FOR HOLDING LIVESTOCK WHEN THEY BROUGHT THEM DOWN FROM THE MOUNTAIN AS A HOLDING CORAL. WHEN WE BOUGHT IT FROM PAYSON LIVESTOCK, WE TOOK WEEKS AND TRUCKS LOADS OF COUCHES, CHAIRS, REFRIDGERATORS, AND STOVES. THERE WERE DRUG DEALS GOING ON. WE WANTED TO LEAVE IT OPEN FOR THE PUBLIC BUT THERE WAS SO MUCH TRAFFIC GOING UP THERE WE FELT WE HAD TO CLOSE IT. THE DAY WE PUT UP THE FENCE WE ARE PRETTY SURE WE SAW A DRUG DEAL. WE FOUND A LOT OF DRUG PARAFANELIA UP THERE WHEN WE CLEANDED IT UP. WE BELEIVE A FEELING OF PRECENCE PROTECTS THE PROPERTY AND THE COUNTY. BETTER FOR THE COUNTY AND WELFARE OF THE COUNTY TO HAVE PROPERTY OWNERS ON THAT PROPERTY.

OUR BIGGIST CONCERN, WHICH WE SHARED WITH THE COMMISSION, IS WHEN PAYSON CITY BUILT THE HOLDING POND, THEY PIPED ALL THE WATER FROM THE HOLDING POND DOWN TO THEIR OTHER HOLDING POND IN TOWN. I'M NOT AN ATTORNEY BUT CODE SAYS, WATER SHED SAYS AN AREA OR RIDGE OR AREA OF LAND THAT SEPERATES WATER FROM RIVERS, LAKES OR SEAS. RIGHT NOW, THAT AREA BELOW THE HOLDING POND, THERE IS NO WATER SHED. THERE IS NO RIVER. THEY SHUT THE RIVER OFF FOR THE 6 MONTHS OF THE HOTTEST TIMES OF THE YEAR FOR IRRIGATION PURPOSES FOR THE GOLF COURSE AND STRAWBERRY WATER USES SOME OF THAT. IF YOU SHUT OFF WATER DURING THE 6 MONTHS OF THE HOTTES TIMES OF THE YEAR, IT IS GOING TO KILL ALL THE VEGITATION. THERE ARE DEER AND OTHER ANIMALS DRINKING OUT OF OUR WATER TANKS. WE HAVE OUR HORSES UP THERE. THE DEER ARE DRINKING OUT OF WATER TANKS BECAUSE THE CREEKS ARE DRY FROM THE HOLING POND DOWN. I'M GOING TO HAVE TO PUT DRIP LINES OFF OF MY WELL TO EVERY TREE I WANT TO KEEP ALIVE AND BUY MORE UNDERGROUND WATER SHARES BECAUSE WE CANNOT GET ABOVE GROUND WELLS SINCE PAYSON CITY HAS BOUGHT ALL THOSE UP. THEY ARE PLANNING ON PUTTING IN A RESEVOR. SO THAT IS OUR CHALLENGE, THEY KEEP BRINGING UP WATER SHED BUT WE DONT HAVE THE WATER SHED BECAUSE THE RIVER IS DRIED UP 6 MONTHS OF THE

YEAR. OUR CONCERN IS AND THAT OF THE COUNTY IS THE SAME, WE WANT TO PROTECT AND BEAUTIFY THE CANYON. RIGHT NOW, IF WE GO WITH WHATS HAPPENED IN THE PAST 14 YEARS WE HAVE OWNED THE PROPERTY, IT IS NOT GOING TO PROTECT OR BEAUTIFY THE CANYON. IT IS GOING TO MAKE IT MORE PRONE TO FIRES AND OTHER THINGS.

WE HAVE 6 TO 8 BUILDING PERMITS IS ALL WE WOULD GET ON ALL OF THE PROPERTIES. PAYSONS CITY NOW WANTS TO BRING HIGH DENSITY HOUSING INTO THE MOWERS PLACE AND THIS IS THE SAME AREA. I DO NOT UNDERSTAND WHY PAYSON CITY CONCERN WAS THAT WE WERE GOING TO BRING MORE TRAFFIC ON OUR STREETS WHEN IN REALITY THEY HAVE JUST GIVEN APPROVAL TO HIGH DENSITY HOUSING VERSUS RA5. I'M NOT SURE IF THE MAYOR SIGNED THAT LETTE. I DO NOT KNOW WHY HE WOULD SIGN A LETTER AFTER TELLING US WE CANNOT HAVE INCREASE TRAFFIC DUE TO A FEW HOMES AND THEN APPROVE A HIGH-DENSITY PROJECT.

COMMISSIONER AINGE, ASKED QUESTION, MY UNDERSTANDING WAS THAT ALSO CAME WITH A DEDICATION TO HAVE A PUBLIC PARK FOR SOMETHING OF A SIGNIFICANT AMOUNT OF ACERAGE.

ARCH WITTIER, ANSWERED, I AM NOT SURE OF THAT.

AARON DROYER, FIRE FIGHTER AND RESIDENT OF PROPERTY, ANSWERED, THAT HIS WIFE ATTENDED THAT MEETING. SHE SAID IT WAS A GOOD MEETING WITH A LOT OF PEOPLE WITH GOOD VALID QUESTIONS AS TO WHAT WAS GOING ON. PAYSON DOES STILL HAVE SOME CONCERNS ON IT. THE FACT THAT THEY ARE GOING TO GET A LOT OF LAND DONATED TO THEM AND THEY ALREADY STRUGGLE WITH THE LAND THEY CURRENTLY HAVE TO MAINTAIN, HOW ARE THEY GOING TO MAINTAIN MORE. THE MEETING DIFFINATELY SHOWED THAT IF YOU HAVE DEEP POCKETS YOU CAN TURN HEADS. THE DEVELOPER, PATTERSON HOMES, HAS ABOUT 200 ACRES HE IS ATTEMPTING TO OBTAIN FROM JIM MOWER. HE IS WILLING TO GIFT HALF OF THE PROPERTY BACK TO PAYSON CITY TO MAINTAIN. SIX YEARS AGO, HE SOLD HOLMES FOR HIGH DENISITY DEVELOPEMENT AT MOUTH OF PAYSON CANYON WHERE THE CITY RECEIVED A DONATED TWO ACRES OF LAND. IT WAS A STRUGGLE TO CONVENCE PAYSON CITY THAT IT WOULD BE BENNIFICIAL FOR THEM AT THAT TIME BECAUSE THEY WANTED THE DEVELOPER TO MAINTIAN IT. NOW THE CITY IS STRUGGLING TO MAINTAIN THIS AREA. HE DOESN'T KNOW HOW THE CITY WILL MAINTAIN 100 ACRES. IT IS A CLOSE TO THE AREA THAT IS NOW BEING BUILT UP THE MOUNTAIN AND IS IN A HAZARD OVER FLOW ZONE. THEY DID EVERYTHING THAT HE DID FOR THE PREVIOUSLY MENTIONED DEVELOPMENT TO SATISFY THE REQUIREMENTS SUCH AS FIRE SUPPRESSION, CLEARING AREA AROUND THE HOME, AND REDUCING FUELS.

HIS BIGGIST CONCERN WAS, AND VOICED TO HIS NEIGHBOR, BECKY WHO HAS TWO ACRES OF LAND, THAT DID NOT SIGN THE AGREEMENT (NOT SURE IF SHE IS ACTIVLY OPPOSING) THAT HE WANTS TO MAINTAIN HOME WITH 5 ACRES. SHE ONLY OWNS TWO ACRES, THE CE1 ZONE DOEN'T REALLY APPLY TO HER. WE ARE SEEKING TO BRING THE ZONING CLOSER TO WHAT HER

HOME IS WICH IS A RA5 ZONE. THEY HAVE TRIED TO ANNEX TO PAYSON CITY BEFORE BUT THEY HAVE NO PLAN TO ANNEX, AND WE DO NOT HAVE A 100 ACRES TO DONATE TO TRY TO CONVINCE THEM TO ANNEX US. WE ARE STUCK IN A HARD POSITION WHERE WE ARE LOSING THE WATER IN THE CANYON. THE CE1 ZONE WAS ASSIGNED BY THE NATIONAL GOVERNMENT AND WE SAW HOW WELL THEY DID WITH THE FOREST MANAGEMENT UP PAYSON CANYON. I THINK WE CAN THROTTLE BACK THE OVERHEAD CONTROL AND THE NATIONAL GOVENRMENT AND FOCUS MORE ON LOCAL CONTROL. WE ARE NOT SEEKING LARGE DEVELOPMENT. WE ARE JUST TRYING TO SECURE A SMALL STATKE THAT WE HAVE UP THE CANYON. WE SPEND WEEKS IN THE SPRING TIME CUTTING BACK FUELS AND CLEANING UP THE LAND TO REDUSE THE FIRE HAZARDS. HE ACTUALLY FOUGHT SOME OF THE FIRES LAST AUGUST IN ELK RIDGE. HAD FIRST HAND EXPERIENCE THAT LOCAL EXPERIENCE CAN MAKE A BIG DIFFERENCE IN TREATMENT OF LAND FOR FIRE HAZARD.

LASTLY, WE DID BRING JED INTO THE AGREEMENT BECUASE THAY HAVE A LARGE PORTION OF THIS. THEIR PROPERTY DOES HAVE A SMALL 4 ACRE PORTION. JED SAID HIS INTENT IS NOT TO IMMEDIATELY DEVELOPE AREA AND PUT ONE HOME PER 5 ACRES. HE DOES KNOW THAT IN THE LONG SCEME OF THINGS THAT IT IS GOING TO HELP KEEP HIM IN A GREEN BELT OPPORTUNITY THAT HE WANTS TO BE IN LIKE BEING IN BECAUSE HE HAS HORSES. THEY WANT TO KEEP USING THE PROPERTY FOR LIVESTOCK. THEY ARE NOT CHANGING THE WATER SHED. THEY ARE KEEPING IN WITH THE SAME ZONING FOR CRITICAL ENVIRONMENT AND BEING AN AGRICULTURAL ZONE. THEY ARE NOT SEEKING A CHANGE THEY JUST WANT AMEND WHAT THEY FEEL IS A HAZARD UP THE CANYON WHERE THEY LIVE AND ALSO TO STAY CLOSER TO THEIR FAMILY.

ARCH WITTIER, ONE MORE THING, WHEN YOU MENTIONED ABOUT THE PLANNING COMMISSION MEETING THE TWO THAT VOTED NO, THEY SAID THE COMMISSION HAS APPROVED OTHER REQUEST WITH AREAS AND CANYONS, WHY WOULDN'T THEY APPROVE THIS ONE. AGAIN, I THINK IT GOES BACK TO WE DON'T HAVE DEEP POCKETS. ANOTHER THING, WE HAVE PAID THOUSANDS OF DOLLARS TO HAVE TWO SOIL TESTS DONE FOR BOTH HOMES. WE HAVE SOIL TESTS FOR THE MOUNTAIN SIDE AND WE HAVE SOILD TEST ON THE CREEK SIDE SAYING THE SOIL IS STABLE AND THAT IS ON COUNTY RECORD. THE COUNTY REQUIRED US TO DO THAT TO GET OUR BUILDING PERMITS FOR THOSE TWO HOMES. WE HAVE DONE PERT TEST ON BOTH SIDES AND THEY BOTH WERE FINE. THE PERT AND SOILD TEST WERE ALL FINE.

COMMISISONER LEE, ON LOOKING AT THIS WE HAVE MULLED THIS OVER BACK AND FORTH WE SEE THAT THERE IS RA5 ON THE SIDE OF IT AND A R112, I AM IN SUPPORT OF ADDOPTING THE ORDER TO AMMEND THAT SO THAT THEY CAN MOVE FORWARD. I THINK THAT SOME OF THE POINTS THEY BRING OUT ARE VALID. WITH INDIVIDUALS UP THERE IT DOES CREATE MORE EYES ON WHAT IS GOING ON IN THE CANYON. AND THE WATER IS AN INTERESTING ONE IF THEY ARE PIPING ALL THAT WATER UNDERNEATH THE WATER SHED AND COLLECTION IS UP ABOVE AND THEY ARE GOING TO HAVE TO RUN DRIP LINES TO ALL THEIR TREES TO KEEP THEM ALIVE, THAT