

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH  
**MINUTES OF PUBLIC MEETING**  
COMMISSION CHAMBERS, ROOM 1400  
OF THE UTAH COUNTY ADMINISTRATION BUILDING  
**April 16, 2019 – 9:00 A.M.**

**PRESENT:** COMMISSIONER BILL LEE, CHAIR  
COMMISSIONER TANNER AINGE, VICE-CHAIR  
COMMISSIONER NATHAN IVIE (VIA CONFERENCE CALL)

**ALSO PRESENT:**

SEE ATTACHED

Commissioner Bill Lee called the meeting to order at 9:04 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** TANNER AINGE  
**PLEDGE OF ALLEGIANCE:** BILL LEE

CONSENT AGENDA

1. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE BOUNDARY LINE AGREEMENT WITH ROSS CARL NELSON FOR A PORTION OF PARCEL 30:051:0002 AND PARCEL 30:051:0009

**CONTINUED FOR TWO WEEKS, APRIL 30, 2019**

2. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO SIGN A BOUNDARY LINE AGREEMENT WITH MARION C. MANWILL AND VIOLET MANWILL FAMILY TRUST FOR A PORTION OF PARCEL 30:055:047.

**CONTINUED FOR TWO WEEKS, APRIL 30, 2019**

3. ADOPT A RESOLUTION APPOINTING BOYD L. WARREN AS A DIRECTOR TO THE BOARD OF DIRECTORS OF THE MT. NEBO WATER AGENCY, REPRESENTING THE STRAWBERRY HIGH LINE CANAL COMPANY

**APPROVED ON CONSENT**

4. RATIFICATION OF WARRANT REGISTER SUMMARY FOR APRIL 15, 2019, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM

**APPROVED ON CONSENT**

5. APPROVE OR DENY THE REQUEST FROM THE PREGNANCY RESOURCE CENTER OF SALT LAKE CITY TO WAIVE THE EVENT PERMIT FEE FOR THE LABOR DAY PUN RUN TO BE HELD ON SEPT 2, 2019

**COMMISSIONER LEE, DOESN'T HAVE ANY PROBLEM WITH IT JUST WANTS IT NOTED THAT EVERYTHING HAS BEEN MET AND THAT THEY ARE A 501-C.**

**BEN VAN NOY, DEPUTY ATTORNEY, I BELIEVE YOU DO NEED TO MAKE FINDINGS.**

**COMMISSIONER AINGE MAKES MOTION TO APPROVE AS STATED THAT FINDINGS ARE WITH THE BEST HUMAN INTEREST. COMMISSIONER IVIE SECONDS MOTION.**

**VOTE: 3-0**

**AYE:**

**COMMISSIONER LEE**

**COMMISSISONER AINGE**

**COMMISSIONER IVIE**

6. APPROVED THE MINUTES OF THE APRIL 2, 2019 COMMISSION MEETING

**APPROVED ON CONSENT**

7. ADOPT A RESOLUTION APPOINTING SCOTT BIRD AS A REPRESENTATIVE AND TRAVIS TAYLOR AS AN ALTERNATE TO THE UTAH LAKE COMMISSION TECHNICAL ADVISORY COMMITTEE

**APPROVED ON CONSENT**

8. APPROVE OR AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO SIGN AN AGREEMENT WITH WELCH EQUIPMENT FOR A PURCHASE OF A 2019 CLARK GTS30 6000LB FORKLIFT FOR \$28,746.61

**APPROVED ON CONSENT**

9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE FY 2019/20 JUSTICE COURT TECHNOLOGY, SECURITY AND TRAINING GRANT APPLICATION.

**APPROVED ON CONSENT**

10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUPPLEMENTAL LAW ENFORCEMENT SERVICE WITH PROVO CITY POLICE DEPARTMENT ON BEHALF OF THE 'PROVO CITY MARATHON' TO HAVE 30 DEPUTIES (LESS IS OKAY, TAKE AS MANY AS POSSIBLE) SECURE VARIOUS AREAS ON UNIVERSITY AVENUE, PROVO, UTAH ON MAY 4, 2019 FROM 06:00 AM TO 10:30 OR 11:00 AM VARIES DEPENDING ON POST LOCATION.

**APPROVED ON CONSENT**

11. APPROVE AND AUTHORIZE THE PURCHASE OF FLEX-RAY KIT AND PLATES FOR EOD USE.

**APPROVED ON CONSENT**

12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE NATIONAL CHILDREN'S ALLIANCE COOPERATIVE AGREEMENT TO CONTINUE FUNDING TRAINING FOR THE UTAH COUNTY CHILDREN'S JUSTICE CENTER

**APPROVED ON CONSENT**

13. ACKNOWLEDGEMENT OF AMENDMENT NO 25 TO CONTRACT 2015-421. BETWEEN UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND THE STATE OF UTAH DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH.

**APPROVED ON CONSENT**

14. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY

**APPROVED ON CONSENT**

15. APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND THE TOWN OF FAIRFIELD FOR A UTAH COUNTY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT

**APPROVED ON CONSENT**

16. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUPPLEMENTAL LAW ENFORCEMENT SERVICE WITH PROVO CITY POLICE DEPARTMENT ON BEHALF OF THE 'UTAH VALLEY MARATHON' TO HAVE 30 DEPUTIES (LESS IS OKAY, WILL TAKE AS MANY AS POSSIBLE) TO SECURE VARIOUS AREAS ON UNIVERSITY AVENUE, PROVO, UTAH ON JUNE 1, 2019 FROM 05:00 AM TO 12:30 OR 13:30 PM DEPENDING ON POST LOCATIONS.

**APPROVED ON CONSENT**

17. RATIFY LETTER APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY

**APPROVED ON CONSENT**

18. ACKNOWLEDGEMENT OF AMENDMENT NO 25B TO CONTRACT 2015-421. BETWEEN UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND THE STATE OF UTAH DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH.

**APPROVED ON CONSENT**

19. APPROVAL OF THE PAYROLL WARRANT SUMMARY FOR PAY PERIOD 8

**APPROVED ON CONSENT**

20. APPROVED THE MINUTES OF THE APRIL 4, 2019 COMMISSION MEETING

**APPROVED ON CONSENT**

21. APPROVE AND AUTHORIZE THE DECLARATION OF ITEMS PURCHASED WITH UTAH DEPARTMENT OF PUBLIC SAFETY GRANT MONIES AS SURPLUS TO BE TRANSFERRED TO SPECIFIED BOMB SQUADS

**APPROVED ON CONSENT**

REGULAR AGENDA

1. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER 2019-7  
- Paul Jones, Deputy Attorney –

**COMMISSIONER LEE HAS JUST TWO ITEMS TO REVIEW. THE FIRST IS FOR GETTO (QUESTION ON HOW TO PRONOUNCE AND SPELL NAME), WHY WAS THE ASSESSMENT SO MUCH HIGHER IN 2015 THAN IN 2016? WHAT CAN WE DO?**

**PAUL JONES, DEPUTY ATTORNEY, ON THIS ITEM THE ASSESSMENT WENT BACK AND FORTH ONE TIME BEING ASSESSED AS AN EQUIPMENT SHED IN 2016 AN AS A DETACHED GARAGE, WHICH IS MORE VALUEBLE IN 2015.**

**COMMISSIONER LEE, ASKED QUESTION, WHICH IS IT, A SHED OR A GARAGE?**

PAUL JONES, IT WAS VALUED AS A GARAGE IN 2015 AND THEN IN 2016 IT WAS CHANGED BACK TO A SHED. WE CAN ASK THE ASSESSORS OFFICE TO LOOK INTO THIS AND GET CLARIFICATION. IN MY OPINION THIS IS A VALUATION ISSUE. IT IS EITHER A VALUATION ISSUE OR A FACTUAL ISSUE AND EITHER WAY WE ARE TOO LATE TO GET INTO THOSE ISSUES. AS A BOARD OF COMMISSIONERS YOU CAN ADJUST THE TAX IF YOU FIND IT IN THE BEST INTEREST TO DO SO.

COMMISSIONER AINGE, I APPRECIATE YOU SPOTTING THIS ONE OUT BECAUSE IT SEEMS THAT THE FACT PATTERN IN THE ASSESSMENT ALREAD STATES THAT THE 2015 VALUE IS INCORRECT.

PAUL JONES, I THINK THAT IS A FAIR INTERPERTATION OF IT.

COMMISSIONER AINGE, IF THAT IS THE CASE, IF IT IS A GLARING FACT PROBLEM THEN I WOULD BE INCLINED TO NOT WORRY ABOUT THE DEADLINE AND WAIVE IT.

COMMISSIONER LEE, I FEEL THAT WE NEED TO ABATE THE \$200.

COMMISSIONER LEE, ON SECOND ITEM, ASKED QUESTION, WHAT IS GOING ON WITH BMC WEST? THEY SAY THEY PROVIDED PROOF OF CERTIFIED MAILING AND WE GOT CHECKS THAT MADE IT THROUGH AND CHECKS THAT DIDN'T. HAVE WE VERIFIED THAT?

PAUL JONES, SUPPOSEDLY THEY SENT TWO CHECKS TOGETHER, WE DON'T DOUBT THAT WE RECEIVED ONE OF THE CHECKS BUT WE DIDN'T RECEIVE THE OTHER CHECK. SO, THEY ARE CLAIMING WE LOST THE SECOND CHECK # 1660. THERE REALLY IS NO WAY TO PROVE TWO CHECKS IN THE ENVELOPE. YOU CAN NOT DETERMINE ANYTHING BY THE CERTIFIED MAIL. WE DO ACKNOWLEDGE WE RECEIVED AND SIGNED FOR THE CERTIFIED MAIL BUT THE CONTENTS OF THE ENVELOPE WAS NOT CERTIFIED, THE RECEIPT OF THE ENVELOPE WAS. ABOUT A MONTH AGO WE HAD A SIMILAR SITUATION WHERE SOMEONE SAID THEY SENT THREE CHECKS AND THE MIDDLE CHECK WAS MISSING. I RECOMMENED TO THE BOARD THAT WE GIVE THEM CREDIT FOR SENDING THAT BECAUSE IT WAS THE MIDDLE OF SEQUENTIAL CHECKS. BUT HERE THERE ARE TWO CHECKS, DID THEY NOT SEND ONE OR DID WE LOSE IT? THERE REALLY IS NO WAY TO KNOW.

COMMISSIONER LEE, THE CHECK NUMBERS ARE 1659 AND 1660.

PAUL JONES, YES, I BELEIVE WE PROCESSED CHECK 1659. THEIR PENALTY AND INTEREST IS \$1417.00 ON THAT OTHER CHECK NOT BEING PROCESSED. THE TREASURES OFFICE COMMENTED THAT THE COUNTY DIDN'T MAKE A MISTAKE, THEY DIDN'T GET THE CHECK.

COMMISSIONER LEE, ASKED QUESTION, SO WHAT IS REMAINING IS THE \$1417.00? IT SAYS THAT 3619 WAS PAID FOR \$36,217.77. SO, THE ONLY THING OUT OF BALANCE IS THE PENALTY?

PAUL JONES, ANSWERRED, YES, \$1417 IN PENALTIES FOR THAT SECOND CHECK.

COMMISSIONER LEE, I AGREE THAT ON A CERTIFED MAIL THE ONLY THING WE ARE CERTIFING IS THAT WE GOT IT MAIL, WE CANNOT CERTIFY WHAT WAS IN IT.

COMMISSIONER AINGE, ASKED QUESTION, DID THEY HAVE THE OPPORTUNITY TO RESPOND? I SEE THE COMMENTS THAT THEY CLAIMED, IS THAT JUST NOTES TO US?

PAUL JONES, ANSWERED, NO, THEY SUBMITTED THIER STATEMENT THAT THEY SUBMITTED TWO CHECKS. THEN WE REVIEWED THAT. THESE COMMENTS ARE FOR ME AND YOU.

COMMISSIONER AINGE, THIS IS A DIFFICULT ONE BUT PERHAPS THEY DO HAVE SOMETHING. WITH THE CURRENT FACT PATTERN IT IS DIFFICULT TO PROVE BUT WE COULD GIVE THEM THE OPPORTUNITY TO PROVIDE SOMETHING.

PAUL JONES, I COULD CONTACT THEM AND ASK THEM TO PROVIDE SOMETHING.

COMMISSIONER LEE, ONE OF THE FACTS THAT IS HARD FOR ME THOUGH, IS THAT WE DID ABATE ONE WHERE WE HAD IT IN THE MIDDLE AND THIS ONE IS ONE RIGHT AFTER.

PAUL JONES, THEY DID PAY THE FULL AMOUNT WITH PENALTIES AND INTEREST. THEY ARE ASKING FOR THE PENALTY AND INTEREST TO BE REFUNDED.

COMMISSIONER LEE, IF YOU WANT TO REACH OUT AGAIN THAT WOULD BE FINE. I AM INCLINED TO ABATE THE PENALTY AND INTEREST UNDER THE CIRCUMSTANCES.

COMMISSIONER AINGE MAKES MOTION TO APPROVE THE GETTO (SPELLING?) \$200 ABATEMENT AND TO CONTINUE BMC WEST FOR TWO WEEKS TO GIVE THEM THE OPPORTUNITY TO RESPOND. COMMISISONER IVIE SECONDS MOTION.

**VOTE: 3-0**

**AYE:**

**COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISISONER IVIE**

2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE 'COMPLIANCE AGREEMENT AND BOND FOR OPEN PIT MINING OPERATIONS' WITH CMC ROCK, LLC AND WESTLAKE MATERIALS, LLC. FOR AN EXISTING MINING OPERATION, APPROXIMATE SITE LOCATION 1169 S SR68 (REDWOOD RD) SECTION 13, T7S, R1W AND SECTION 18 T7S 1E, M&G-1 ZONE, LAKE MOUNTAIN AREA IN UNINCORPORATED UTAH COUNTY. SURETY BOND NO. EACX084000621, IN THE AMOUNT OF \$300,000.00 WITH ENDURANCE ASSURANCE CORPORATION, 10604, 4 MANHATTANVILLE RD., PURCHASE, NY 10577  
- Peggy Kelsey, Community Development -

**APPROVED ON CONSENT**

3. APPROVE THE RELEASE OF THE BOND FOR OPEN PIT MINING OPERATIONS, FOR CMC ROCK, LLC AND WESTLAKE MATERIALS, LLC. , SURETY NO. SUR20000617 IN THE AMOUNT OF \$300,000.00, AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE RELEASE LETTER TO IRONSHORE INDEMNITY INC., 28 LIBERTY ST 4TH FL., NEW YORK, NY 10005.  
- Peggy Kelsey, Community Development -

**APPROVED ON CONSENT**

4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE 'COMPLIANCE AGREEMENT AND BOND FOR OPEN PIT MINING OPERATIONS' WITH CMC ROCK, LLC FOR AN EXISTING MINING OPERATION, APPROXIMATE SITE LOCATION 7605 S LINCOLN BEACH RD. SECTION 29, T8S, R1E, M&G-1 ZONE, WEST SIDE OF WEST MOUNTAIN AREA IN UNINCORPORATED UTAH COUNTY. SURETY BOND NO. EACX084000622, IN THE TOTAL AMOUNT OF \$85,000.00 WITH ENDURANCE ASSURANCE CORPORATION, 10604, 4 MANHATTANVILLE RD., PURCHASE, NY 10577.

- Peggy Kelsey, Community Development -

**APPROVED ON CONSENT**

5. APPROVE THE RELEASE OF THE BOND FOR OPEN PIT MINING OPERATIONS, FOR CMC ROCK, LLC, SURETY NO. SUR20000618 IN THE TOTAL AMOUNT OF \$85,000.00, AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE RELEASE LETTER TO IRONSHORE INDEMNITY INC., 28 LIBERTY ST 4TH FL., NEW YORK, NY 10005.

- Peggy Kelsey, Community Development -

**APPROVED ON CONSENT**

6. 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 -

**APPROVED ON CONSENT**

7. APPROVE A LATE FILED 2018 DISABLED VETERAN ABATEMENT APPLICATION FOR BLAINE TUFT, SERIAL NO. 37:214:0202, WITH A FINDING THAT THE FAILURE OF THE CLAIMANT TO TIMELY FILE THE APPLICATION WAS BEYOND THE CLAIMANT'S REASONABLE CONTROL AND TO NOT EXTEND THE DEADLINE WOULD BE AGAINST EQUITY OR GOOD CONSCIENCE.

- Vicky Westergard, Clerk/Auditor's Office - Tax Administration -

**APPROVED ON CONSENT**

8. APPROVE A LATE FILED APPLICATION FOR 2018 DISABLED VETERAN EXEMPTION FOR SAUL HERRERA, SERIAL NO. 48:277:0002, WITH A FINDING THAT THE FAILURE OF THE CLAIMANT TO TIMELY FILE THE APPLICATION WAS BEYOND THE CLAIMANT'S REASONABLE CONTROL AND TO NOT EXTEND THE DEADLINE WOULD BE AGAINST EQUITY OR GOOD CONSCIENCE

- Vicky Westergard, Clerk/Auditor's Office - Tax Administration -

**APPROVED ON CONSENT**

9. APPROVE A LATE FILED 2018 DISABLED VETERAN ABATEMENT FOR MICHAEL MULLINS, SERIAL NO. 55:555:0011, WITH A FINDING THAT THE FAILURE OF THE CLAIMANT TO TIMELY FILE THE APPLICATION WAS BEYOND THE CLAIMANT'S REASONABLE CONTROL AND TO NOT EXTEND THE DEADLINE WOULD BE AGAINST EQUITY OR GOOD CONSCIENCE.

- Vicky Westergard, Clerk/Auditor's Office - Tax Administration -

**APPROVED ON CONSENT**

10. ADOPT A RESOLUTION REGARDING VINEYARD CITY'S NOTICE OF INTENT TO SUBMIT AN OPINION QUESTION TO ITS VOTERS REGARDING THE IMPOSITION OF A 'RAP' TAX, CONFIRMING THAT UTAH COUNTY IS NOT SEEKING TO IMPOSE A TAX UNDER SECTION 59-12-1402

- David H. Shawcroft, Deputy Attorney -

**COMMISSIONER AINGE, ASKED QUESTION, IT IS MY UNDERSTANDING OF THIS IS THAT THIS DOESN'T REALLY HAVE MUCH TO DO THE COUNTY OR OUR PLANS. IN ORDER FOR THEM TO PLACE SOMETHING ON THE BALLOT FOR THE CITY OF VINEYARD, WE NEED TO CONFIRM THAT WE DO NOT HAVE ANY INTENTION TO PASS A COUNTY WIDE OR PUT A RAP TAX COUNTY WIDE ON THE BALLOT.**

**DAVID SHAWCROFT, DEPUTY ATTORNEY, ANSWERED, THAT IS CORRECT.**

**COMMISSIONER AINGE, ASKED QUESTION, SO WE ARE JUST HELPING WITH PROCEEDURE FOR THE CITY OF VINEYARD.**

**DAVID SHAWCROFT, ANSWERED, YES, AND WE HAVE DONE THIS FOR A NUMBER OF CITIES IN THE COUNTY WHO HAVE MADE THE SAME REQUEST.**

**COMMISSIONER AINGE MAKES MOTION TO ADOPT RESOLUTION. COMMISSIONER IVIE SECONDS MOTION.**

**VOTE: 3-0**

**AYE:**

**COMMISSIONER LEE**

**COMMISSIONER AINGE**

**COMMISSIONER IVIE**

11. APPROVE AND AUTHORIZE COMMISSION CHAIR TO SIGN AN AMENDMENT TO 2016-752 WITH EMI HEALTH.  
- Ralph Clegg, Health Department Executive Director -

**APPROVED ON CONSENT**

12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH MARIELLE P. YOUNG, MD FOR EXPERT WITNESS SERVICES  
- David H. Shawcroft, Deputy Attorney -

**APPROVED ON CONSENT**

13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE 2019 COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING AND FINANCIAL PLAN IN RELATION TO AGREEMENT #15-LE-11041902-017.  
- Lieutenant Yvette M. Rice, Utah County Sheriff's Office -

**APPROVED ON CONSENT**

14. APPROVE AND AUTHORIZE AMENDMENT TO 2019-75 WITH BUSINESS INFORMATION GROUP, INC.  
- Ralph Clegg, Health Department Executive Director -

**APPROVED ON CONSENT**

15. ADOPT A RESOLUTION DECLARING UTAH COUNTY PERSONAL PROPERTY AS SURPLUS AND AWARING SAID SURPLUS PROPERTY AS A GIFT TO DEPUTY DANIEL HERRIN IN RECOGNITION OF MERITORIOUS SERVICE TO UTAH COUNTY  
- Shawn Radmall, Utah County Sheriff's Office -

**APPROVED ON CONSENT**

16. ADOPT A RESOLUTION DECLARING UTAH COUNTY PERSONAL PROPERTY AS SURPLUS AND AWARING SAID SURPLUS PROPERTY AS A GIFT TO DEPUTY DANNY NEZ IN RECOGNITION OF MERITORIOUS SERVICE TO UTAH COUNTY  
- Shawn Radmall, Utah County Sheriff's Office -

**APPROVED ON CONSENT**

17. DECLARE AS SURPLUS A GLOCK MODEL 17, SERIAL NUMBER WBW882, WITH AN ESTIMATED VALUE OF \$300.00 TO BE PRESENTED TO DEPUTY DANNY NEZ FOR SERVING THE UTAH COUNTY SHERIFF'S OFFICE AND THE CITIZENS OF UTAH COUNTY.  
- Shawn Radmall, Utah County Sheriff's Office -

**APPROVED ON CONSENT**

18. DECLARE AS SURPLUS A GLOCK MODEL 17, SERIAL NUMBER WBW821, WITH AN ESTIMATED VALUE OF \$300.00 TO BE PRESENTED TO DEPUTY DANIEL HERRIN FOR SERVING THE UTAH COUNTY SHERIFF'S OFFICE AND THE CITIZENS OF UTAH COUNTY.  
- Shawn Radmall, Utah County Sheriff's Office -

**APPROVED ON CONSENT**

19. ADOPT (OR DENY) AN ORDINANCE AN ORDINANCE AMENDING SECTIONS 3-51-D BUILDINGS AND FACILITIES FOR THE REPAIR OF AGRICULTURAL EQUIPMENT AND AGRICULTURAL VEHICLES AND 3-52-D EQUINE REPRODUCTION AND/OR REHABILITATION FACILITY OF THE UTAH COUNTY LAND USE ORDINANCE TO DELETE THE REQUIREMENT TO OBTAIN A BUSINESS LICENSE  
- Peggy Kelsey, Community Development -

**PEGGY KELSEY, COMMUNITY DEVELOPMENT, AS YOU RECALL LAST YEAR, I WAS ASKED TO TAKE A LOOK AT THE COUNTY CODE TO DO WITH BUSINESS LICENSE EXTENSIONS AND SEE ABOUT ADDING SOME ADDITIONAL EXEMPTIONS WITH THE FOCUS BEING ON AGRICULTURAL USES. WE DID THAT AND PRESENTED AN ORDINACE TO YOU IN JANUARY, WHICH WAS APPROVED. DURING THAT MEETING WE ALSO HAD YOU REFER TO THE PLANNING COMMISSION A TASK TO REVIEW THE LAND USE ORDINACE FOR ANY COMPLEX. WITH THE NEW EXEMPTIONS THERE WERE A COUPLE IN THE LAND USE ORDINANCE THAT REQUIRED THE APPLICANT TO OBTAIN A LICENSE. WE TOOK THAT TO THE PLANNING COMMISSION LAST MONTH AND THOSE TWO YOU TALKE ABOUT, UTAH COUNTY LAND USE ORDINANCE 3-51-D AND 3-52-D. THE PLANNING COMMISSION MADE RECOMMENDATION WITH A 4-0 VOTE TO HAVE THE REQUIREMENT OF OBTAINING A LICENSE REMOVED.**

**COMMISSIONER LEE, THANK YOU, THAT IS WHAT I WANTED TO HEAR.**

**COMMISSIONER AINGE, ASKED QUESTION, THE ACTIONS WE TOOK EARLIER THIS YEAR TO REMOVE THE BUSINESS LICENSE REQUIREMENT BUT AT THAT TIME I UNDERSTOOD THAT THERE ARE STILL SOME LAND USE REQUIREMENTS THAT WOULD GOVERN SOME OF THAT ACTIVITY. NOW WE ARE MODIFYING SOME OF THE LAND USE ORDINANCES BUT ONLY TO REMOVE THAT BUSINESS LICENSE REQUIREMENT NOT TO CHANGE ANY REGULATORY STRUCTURES THAT ARE ALREADY IN PLACE?**

**PEGGY KELSEY, ANSWERED, THAT IS CORRECT. THE APPLICANT WILL STILL HAVE TO GO THROUGH THE PROCEDURES THAT ARE LISTED IN CHAPTER 3 AND ADDITIONAL REQUIREMENTS. BOTH OF THOSE USES WILL STILL REQUIRE FIRE SAFETY INSPECTIONS. OUR OFFICE WILL BE GOING OUT AT LEAST YEARLY TO LOOK AT THOSE. WHERE BUSINESS LICENSE OFFICIAL WOULD NOT BE GOING OUT.**

**COMMISSIONER AINGE MAKES MOTION TO ADOPT ORDINANCE. COMMISSIONER IVIE SECONDS MOTION.**

**VOTE: 3-0**

**AYE:**

**COMMISSIONER LEE**

**COMMISSIONER AINGE  
COMMISSIONER IVIE**

20. **ADOPT AN ORDINANCE AMENDING CHAPTER 9: FIRE PREVENTION AND PROTECTION OF THE UTAH COUNTY CODE**  
- Kirk Bertelsen, Utah County Fire Inspector -

**COMMISSIONER LEE, I DO NOT HAVE A PROBLEM WITH CHANGING THE CHEIF TO THE FIRE MARSHALL. THER ARE OTHERS THAT I WOULD LIKE TO TALK ABOUT ESPECIALLY WHEN WE TALK ABOUT REMODEL AND REMODELING AND HOW THAT APPLIES AND THE 50% MARK THAT YOU PUT IN THERE. IF WE COULD START WITH THAT AND THEN WE CAN TALK ABOUT THE SECTION ABOUT TENTS AND MEMBRANES. IS THAT ALL THAT WAS ON THE REDLINE?**

**COMMISSIONER AINGE WOULD ALSO LIKE TO HAVE A LITTLE INTRODUCTIONS AND WHERE THESE CHANGES WOULD APPLY.**

**KIRK BERTELSEN, FIRE INSPECTOR, WHAT STARTED ALL OF THIS WAS THE CONVERSATIONS ABOUT THE YURTS. SO, I STARTED READING MORE DEEPLY INTO THE CODE. I FOUND THINGS THAT I THOUGHT WERE PROBLEMS. LAST YEAR WE HAD TWO CABINS IN THE SOUTH FORK ARE A THAT WERE REMODLED. BOTH CABINS WERE TAKEN DOWN TO BARE STUDS AND THE ROOF WAS REPLACED. BOTH CABINS WERE BUILT YEARS AGO AND DIDN'T HAVE ANY FIRE SUPPRESSION REQUIRED IN CURRENT CODE. THAT IS WHAT SPARKED THIS. WHEN A CABIN IS HAVING SUCH AN EXTENSIVE REMODLE IS WHEN WE SHOULD BE GETTING THEM UP TO CODE FOR FIRE SUPPRESSION FOR WILD LAND FIRES. THE CODE IS TWO-FOLD, IF THE HOUSE CATCHES ON FIRE, WE DON'T WANT THE FOREST TO BURN DOWN AND IF THE FOREST IS ON FIRE, WE DO NOT WANT THE HOUSE TO BURN DOWN. WHEN THEY ARE DOING A BIG REMODLE WE WOULD LIKE HAVE THAT ADDED SO THE CODE APPLIES. THE CODE ALREADY APPLIES IF YOU ARE ADDING TO THE FOOT PRINT OF THE HOME UP TO 50%. ONCE YOU HIT 50% YOU HAVE TO BRING THE REST OF THE HOME, THE OLD PORTION, UP TO CODE. IT DIDN'T HAVE VERBAGE FOR JUST A REMODLE OF 50% OR GREATER ON THE HOME. WE TALKED THROUGH THIS WITH THE BUILDING DEPARTMENT. STEVE KTICHEN SAID HE WOULD BE THE JUDGE WHEN THE REMODEL IS AT THE 50% THRESHOLD OR GREATER. SO, IT IS NOT ME, TO KEEP THAT BALANCE AND FAIRNESS IN THERE.**

**COMMISSIONER LEE, ASKED QUESTION, I GET IT ON THE 50%, YOU ARE TRYING TO GET A BALANCE TO ACCOMODATE THOSE THAT HAVE JUST WANT TO MOVE A WALL. IF IT APPLIED ALL THE WAY, JUST MOVING THE WALL YOU WOULD HAVE PUT SPRINKLER SYSTEMS IN, WHICH IS VERY EXPENSIVE. AND I GET THAT. BUT THE ONE PART SAYS IF THERE IS A REMODLE THE NEW PART WILL COME UP TO CODE. SO, IF WE JUST REMODLE A BATHROOM AND IT DOESN'T COME CLOSE TO THE 50%, MAYBE 10% OF THE STRUCTURE, ARE YOU WANTING FIRE SUPPRESSION?**

**KIRK BERTELSEN, WHAT IT SAYS IS: "ADDITIONS AND REMODLES TO EXISTING NON-CONFORMING STRUCTURES INVOLVING LESS THAT 50% EXPANSION OR REMODLE". WE ARE TALKING IF YOU REMODEL HALF OF THE HOUSE THAT WOULD BE 50%, JUST A BATHROOM OR BEDROOM WOULD NOT CONSTITUTE 50%.**

**COMMISSIONER LEE, ASKED QUESTION, SO 49% REMODELING IS NOT SAYING THE REST OF IT HAS TO COME UP TO STANDARD WITH IT?**

**KIRK BERTELSEN, ANSWERED, YES. JUST IF YOU EXCEED THAT THEN WE WANT IT ALL TO BE BROUGHT UP TO CODE.**

MOVING ON TO ITEM TWO ON THE RIGHT SIDE, AS I READ THROUGH THIS MULTIPLE TIMES STUDING FOR THE YURT, I REALIZED THAT IF YOU WANT TO GO CAMPING IN ONE OF OUR CANYONS, AND YOU TAKE YOUR BACK-PACKING TENT THIS CODE DOESN'T ALLOW IT. SO, I THOUGHT WE BETTER CHANGE THAT. SO THAT IS WHY THAT WAS ADDED.

COMMISSIONER LEE, I WOULD PREFER THAT THE SENTANCE SAYS THIS CHAPTER SHALL NOT PROHIBIT THE USE OF TENTS OR MEMBRANE STRUCTURES. INSTEAD OF PUTTING IN TEMPORARY AND ONLY USED SOLELY FOR RECREATIONAL CAMPING. THE REASON WHY IS, WHEN WE PUT TEMPORARY OR FOR RECREATIONAL USE OR CAMPING ONLY, THERE ARE PEOPLE WHO WILL THROW A TENT UP FOR WHAT EVER REASON AND MAYBE ON THEIR OWN PROPERTY, THEY ARE IN VIOLATION OF CODE.

KIRK BERTELSEN, THE REASON TEMPORARY IS IN THERE IS BECAUSE IT IN BOTH THE BUILDING AND FIRE CODES, IN THE INTERNATIONAL CODES. THE TEMPORARY WORD MEANS IT CANNOT BE ERRECTED ON THAT LOCATION FOR MORE THAN A SIX-MONTH PERIOD. IF THE COUNTY DOESN'T WANT THE WORD IN THERE, I UNDERSTAND THAT BUT THE INTERNATIONAL AND BUILDING CODE WOULD STILL REGULATE IT.

COMMISSIONER LEE, OK, THEN IT REALLY ISN'T NEEDED TO BE IN THIS IF WE ALREADY HAVE IT REGULATED ELSE WHERE.

KIRK BERTELSEN, OK, SO YOU WANT TO STRIKE TEMPORARY?

COMMISSIONER LEE, I WOULD LIKE TO READ, THIS CHAPTER SHALL NOT PROHIBIT THE USE OF TENTS OR MEMBRANE STRUCTURES, PERIOD.

COMMISSIONER AINGE, I HAVE SOME QUESTIONS AND ALSO SOME FOLLOW UP ON THINGS THAT HAVE BEEN SAID. I SEE THE NUMBER TWO ADDITION. CAN ANYONE POINT ME TO WHERE UNDER THE EXISTING CODE A TENT IS ALLOWED?

KIRK BERTELSEN, IF YOU BACK UP IN THE CODE ONE PAGE, AT THE TOP IS SAYS, ALL OF THESE STRUCTURES WILL MEET THE FOLLOWING; AUTOMATIC FIRE SPRINKLER SYSTEMS. RIGHT NOW, IN THE CURRENT CODE, WHAT THAT MEANS IS, IF YOU SET UP A TENT YOU NOW HAVE TO PUT IN FIRE SPRINKLERS. IT IS DEEMED A STRUCTURE. THE DEFINITION OF A STRUCTURE IS ANYTHING BUILT OR CONSTRUCTED. SO, I AM TRYING TO CLEAN UP THE CODE BECAUSE TENTS OR MEMBRANE STRUCTURES WOULD NEVER BE ABLE TO COMPLY.

COMMISSIONER AINGE ASKED FOR DEFINITION OF WILD URBAN INTERFACE AREAS.

KIRK BERTELSEN, THE WILD URBAN INTERFACE AREAS ARE SET UP BY THE STATE AND IS BASICALLY OUR CANYONS. ANYTHING WITH A HIGH FUEL LOAD THAT IS A HIGHER RISK OF WILD LAND FIRES. ALL OF OUR CANYONS, HOMES AND CABINS THAT ARE BUILT TODAY TO THIS CODE.

COMMISSIONER AINGE, ASKED QUESTION, BUT IT WOULDN'T INCLUDE OBVIOUSLY DESIGNATED CAMPING SITES?

KIRK BERTELSEN, ANSWERED, NO, IT WOULD INCLUDE THAT BUT THATS NOT EXEMPTED FROM OUR CODE. THAT IS WHY I WANT THIS IN THERE. OUR CODE DIDN'T HAVE ANY EXEMPTION FROM THAT, WHICH IT SHOULD. MY LOGIC WAS WE SHOULDN'T HAVE THAT. SINCE THE YURT CONVERSATION HAS BEEN A TOPIC FOR THE LAST SEVERAL MONTHS, THAT IS WHAT GOT ME ON THIS. THE CODE DOESN'T ALLOW SOMEONE TO SET UP THEIR TEMPORAY YURT, EVEN FOR A WEEKEND.

COMMISSIONER AINGE, ASKED QUESTION, IT DOESN'T? THERE ARE TWO ISSUES. ONE IS THE STRUCTURE. BUT THERE IS ANOTHER WAY TO ACCEPT IT, IT IS HAVE IT BE A GEOGRAPHIC EXCEPTION.

KIRK BERTELSEN, I UNDERSTAND WHAT YOU ARE SAYING AND MY THOUGHT WAS AND ONE EXAMPLE WAS SOMEONE WANTED TO SET UP A YURT ON THEIR OWN PROPERTY. ON THE FIRE SIDE OF IT, I DON'T WANT TO PROHIBIT SOMEONE FROM GOING TO THEIR OWN PROPERTY AND CAMPING ON THEIR OWN PROPERTY AND THIS IS WHAT IT DOES IF THEY ARE NOT IN SOMETHING WITH FIRE SPRINKLERS AND OTHER THINGS.

COMMISSIONER AINGE, SO MY FACTUAL QUESTION WAS, CAN YOU EXPLAIN FROM WHERE ON AN ENFORCEMENT PERSPECTIVE THIS HAS BEEN AN ISSUE?

KIRK BERTELSEN, I HAS NEVER BEEN AN ISSUE. WE HAVE NEVER TRIED TO ENFORCE THIS AND HONESTLY, I WOULD HAVE A HARD TIME IF YOU TOLD ME YOU WANTED ME TO INFORCE IT. I AM JUST TRYING TO CLEAN UP LANGUAGE. THIS ISN'T A BIG CHANGE TO OUR LIFE AT ALL.

COMMISSIONER AINGE, YOU DID MENTION THAT THE YURTS KICKED OFF THIS CONVERSATION. EXPLAIN WHAT YOU MEAN BY THAT.

KIRK BERTELSEN, YOU KNOW WHAT YURTS ARE? THEY ARE A WOOD STRUCTURE WITH A MEMBRANE OVER THE TOP OF IT ALL. IN THE BUILDING CODE, IF THAT IS SET UP ON A PLATFORM, DECK WHICH MOST ARE, THAT BECOMES A PERMANENT STRUCTURE. JUST LIKE A CABIN. SO, LET'S SAY YOU AND COMMISSIONER LEE HAVE PROPERTY NEXT TO EACH OTHER. IF COMMISSIONER LEE BUILT A CABIN AND IS REQUIRED TO MEET THE WILD LAND FIRE CODES AND YOU PUT UP A PERMANENT YURT, IS IT RIGHT FOR US TO REQUIRE HIM TO MEED CODES AND NOT YOU?

COMMISSIONER AINGE, THAT IS WHY YOU CAME WITH THE LANGUAGE.

KIRK BERTELSEN, THAT IS WHY I WANT TEMPORARY VERBAGE IN THERE. I WANT PEOPLE TO KNOW THAT YOU CAN'T JUST SET UP YOUR YURT AND JUST LEAVE IT FOREVER. IT HAS TO BE TEMPORARY USE.

COMMISSIONER LEE, TO EXPOSE THE CRAZINESS WITH THIS. IF WE DON'T BUILD UP ON A STRUCTURE AND JUST ON A PAD, THEN IT IS NOT CONSIDERED A STRUCTURE ANY MORE. WE COULD ACTUALLY PULL IT FROM ONE PLACE TO ANOTHER EVERY SIX MONTHS AND STILL CONFORM.

KIRK BERTELSEN, JUST TO CLARIFY, EITHER WAY IT IS STILL CONSIDERED A STRUCTURE. ITS JUST TEMPORARY AND PERMANENT ARE THE KEY WORDS. YOU ARE RIGHT, IF WE PUT ON A PAD OR ON THE DIRT IT IS A TEMPORY STRUCTURE AT THAT POINT. IT CANNOT STAY FOR LONGER THAN SIX MONTHS BUT IT CAN BE TAKEN DOWN AND MOVED SOMEWHERE ELSE AND BE JUST FINE.

COMMISSIONER LEE, SO YOU CAN PUT IT UP FOR SIX MONTHS AND A SKID PLATE, AND THEN SKID IT OVER SOMEWHERE ELSE AND NOW IT IS NOT THE SAME AREA.

KIRK BERTELSEN, THE BUILDING CODE ACTUALLY SAYS IF IT LEAVES THAT PARCEL. AM I WRONG?

COMMISSIONER LEE, WE HAD THIS CONVERSATION WITH BRAD AND OTHERS. TO ME A YURT IS A GLORIFIED TENT.

KIRK BERTELSEN, I AGREE WITH THAT BUT IT IS MORE OF A STRUCTURE THAT CAN BE SETUP AND LEFT PERMANENTLY. IF YOU LOOK AROUND THE STATE WHERE THEY HAVE YURTS SETUP AND THEY LEAVE THEM UP FOR YEARS.

COMMISSIONER LEE, I SEE SOME ARMY TENTS SET UP AND THEY CAN STAY UP FOR A LONG TIME. THEY EVEN HAVE STOVES. BUT ARE STILL JUST A TENT.

COMMISSIONER IVIE, I JUST WANT TO THANK YOU FOR WORKING ON THIS AND TRYING TO CLEAN THIS UP. I KNOW IT CAN GET INTO THE WEEDS PRETTY QUICKLY BUT I THINK THE UNDERLYING SPIRIT OF WHAT WE ARE DOING HERE IS MOVING US IN THE CORRECT DIRECTION. WE ARE TRYING TO BE LESS RESTRICTIVE AND ALLOW PEOPLE MORE FLEXIBILITY. ALLOW THE OPPORTUNITY TO HAVE THESE TEMPORARY YURTS TO USE THEM FOR CAMPING OR OTHER ACTIVITIES THAT IS IN COMPLIANCE WITH OUR ENFORCEMENT AND I THINK THE CLEAN UP IS A GOOD START.

COMMISSIONER AINGE, ASKED QUESTION, IS THE TEMPORARY TERM DEFINED IN THIS CODE WE ARE LOOKING AT?

KIRK BERTELSEN, ANSWERED, I CAN'T ANSWER THAT. IT IS DEFINED IN THE FIRE CODE AS WELL AS THE BUILDING CODE. IN OUR CODE I DO NOT THINK IT IS. IN THE BUILDING CODE AND FIRE CODE BOTH HAVE IT AS 180 DAYS.

PEGGY KELSEY, COMMUNITY DEVELOPMENT, I JUST WANTED TO INTERJECT THAT WE'VE GOT DIFFERENT CODES, BUILDING, FIRE WE ALSO HAVE OUR LAND USE ORDINANCE. LAND USE ORDINANCE RESTRICTS CAMPING FOR 45 DAYS ANUALLY. SO, WE HAVE THAT IN PLAY TOO. BUILDING CODE DOES DEFINE TEMPORARY AS 180 DAYS. THAT IS A STRUCTURE THAT STAYS IN ONE LOCATION FOR 180 DAYS. I THOUGHT IT DID HAVE SOMETHING TO DO WITH THE PARCEL BUT I DO NOT HAVE THAT IN FRONT OF ME. WE DO HAVE A FEW DIFFERENCES BETWEEN BUILDING AND FIRE AND OUR LAND USE ORDINANCE.

DAVID SHAWCROFT, DEPUTY ATTORNEY, I WOULD SUGGEST THAT WE DO ADD THAT DEFINITION SO THAT IT READS THE SAME. UNDER 9-1-3 THEIR DEFINITIONS SECTIONS.

ROBERT MOORE, ATTORNEYS OFFICE, JUST SO YOU KNOW, PART OF THE REASON THEY INCLUDE THE WORD TEMPORARY IS TRYING TO AVOID ANY CONFLICTS. SO THAT THIS CHAPTER OF OUR TENT CODE DOES NOT CONFLICT WITH BUILDING CODES AND FIRE CODES. IF A STRUCTURE IS GOING TO REMAIN LONGER THAN SIX MONTHS, THEN IT HAS TO MEET ALL THE CODES AS IF IT WAS A CABIN. IN SENARIO THAT KIRK GAVE, IF YOU HAVE A CABIN HERE AND A YURT HERE AND IT STAYS LONGER THAN SIX MONTHS IT HAS TO MEET ALL THE FIRE CODES. IF IT IS THERE LESS THAN SIX MONTHS IT SHOULD BE EXEMPT FROM SOME OF THOSE THINGS. AND THAT IS WHAT WE ARE TRYING TO DO HERE. IF YOU WERE TO MODIFY THE LANGUAGE AND TAKE OUT TEMPORARY, NOW YOU ARE CREATING CONFLICT BETWEEN OUR COUNTY CODE WHICH SAYS YOU CAN HAVE IT AND THE FIRE CODES WHICH SAYS YOU CAN'T AFTER SIX MONTHS WITH OUT MEETING FIRE CODE REQUIREMENTS. I THINK IT IS NECESSARY TO KEEP THAT LANGUAGE IN THERE.

COMMISSIONER LEE, ASKED QUESTION, SO YOU ARE SAYING THAT IT WOULD CONFLICT WITH OUR BUILDING CODES OR OUR CAMPING CODES? WHICH CODES?

ROBERT MOORE, ANSWERED, RIGHT NOW FIRE CODE AND BUILDING CODE BOTH SAY AFTER 180 DAYS IT IS A PERMANENT STRUCTURE. IT HAS TO BE TREATED AS A PERMANENT STRUCTURE. AS A PERMANENT STRUCTURE IT HAS TO MEET ALL BUILDING AND FIRE CODES AND A YURT MAY NOT. OBVIOUSLY, WE ARE NOT LOOKING AT EACH YURT INDIVIDUALLY. WE DO NOT KNOW, BUT IN THIS SITUATION, IF YOU

WERE TO PULL THE WORD TEMPORARY HERE, YOU WOULD BE SUGGESTING THAT YURTS WOULD NOT HAVE TO MEET ANY REQUIREMENTS OF THIS CHAPTER.

COMMISSIONER LEE, BUT YOU STILL HAVE THEM UNDER THE OTHERS.

ROBERT MOORE, THAT IS MY POINT. YOU DON'T NEED THEM FOR THE YURT BUT THE HOUSE NEXT DOOR DOES, AND THEY STILL HAVE TO MEET FIRE AND BUILDING CODES.

COMMISSIONER LEE, AFTER A TIME PERIOD. SO WHY DON'T WE PUT THE TIME IN THERE THEN?

ROBERT MOORE, THAT IT IS WHAT DAVID SUGGESTED AND I AGREE WE OUGHT TO INCLUDE THAT IN THE DEFINITION.

COMMISSIONER LEE, THE STATE IS GOING TO BE LOOKING AT THIS ON THE BUILDING CODE SIDE.

ROBERT MOORE, THEY ARE. YURTS ARE KIND OF A NEWER THING. WE ARE NOT SURE HOW TO HANDLE THEM YET.

COMMISSIONER LEE, AND THERE IS CONFLICT IN THE STATE. ALL OVER AND IN DIFFERENT PARTS OF THE STATE. THE PROBLEM IS WE HAVE A BLEND BETWEEN THE TENTS, WHICH EVERYONE IGNORES, AND THEN WE HAVE THIS OTHER STRUCTURE CALLED A YURT NOW WHICH IS A GO-BETWEEN AND THAT IS WHERE WE ARE HAVING THE CONFLICT.

KIRK BERTLESEN, THAT IS AN UNDUE CONFLICT. IN THE BUILDING CODE A YURT IS DEFINED AS A TENT SO, IT IS STILL A TENT.

KIRK BERTLESEN, THIS IS WHERE IT IS SO CONFUSING AND SO HARD BECAUSE IT BOUNCES YOU IN SO MANY PLACES. BUILDING CODE AND FIRE CODE BOTH HAVE A THREE SEPARATE CHAPTERS ON TENTS AND MEMBRANE STRUCTURES. AND AT THE END OF THAT IT SAYS A YURT IS A TENT. MEMBRANE STRUCTURES ARE THE BIG BLOW UP THINGS THAT ARE AIR SUPPORTED. ANYTHING THAT HAS A STRUCTURE AND CLOTH OVER THE TOP OF IT IS A TENT.

COMMISSIONER LEE, I AGREE WITH YOU. THAT IS WHY I WANT TO MAKE SURE WE ARE KEEPING IT STRAIT ALL THE WAY THROUGH. I KNOW THE STATE IS GOING TO LOOK AT IT AND IF THEY CHANGE, THEY WILL COME BACK. IF WE DEFINE IT AS DAVID SAYS INSTEAD OF PUTTING TEMPORARY. TEMPORARY COULD BE FIVE DAYS.

ROBERT MOORE, WE CAN ADD THAT. IF YOU WANT TO CONTINUE THIS AND THEN WE COULD BRING IT BACK.

COMMISSIONER LEE, KIRK HAS BEEN WORKING ON THIS FOR SO LONG.

KIRK BERTLESEN, THAT IS OK.

COMMISSIONER ANINGS MAKES MOTION TO CONTINUE FOR TWO WEEKS, APRIL 30, 2019. COMMISSIONER IVIE SECONDS MOTION.

VOTE: 3-0

AYE:

COMMISSIONER LEE

COMMISSIONER AINGE

COMMISSIONER IVIE

21. APPROVE AND AUTHORIZE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH SOUTH UTAH VALLEY SOLID WASTE SPECIAL SERVICE DISTRICT FOR WASTE DISPOSAL REIMBURSEMENT.  
-Ben VanNoy

**APPROVED ON CONSENT**

22. APPROVE AND RATIFY THE COMMISSION TO SIGN AN AGREEMENT WITH ATTORNEYS TO REPRESENT MATT HOOVER IN DISTRICT COURT.  
- Paul Jones, Deputy Attorney -

**APPROVED ON CONSENT**

23. ACCEPT THE ANNUAL PAYMENT IN LIEU OF TAXES (PILT) AND RECEIVE AN UPDATE ON LAND MANAGEMENT ACTIVITIES IN THE COUNTY FROM THE DIVISION OF WILDLIFE RESOURCES.  
- Brian Voeks, Commission Office -

**CONTINUED FOR TWO WEEKS, APRIL 30, 2019**

24. 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 IVIE MAKES MOTION TO SET AGENDA ITEMS 24, 26, AND 27 FOR TODAY'S DATE AT THIS LOCATION AFTER REGULAR SESSION. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

**AYE:**

**COMMISSIONER LEE**

**COMMISSIONER AINGE**

**COMMISSIONER IVIE**

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

**VOTE: 3-0**

**AYE:**

**COMMISSIONER LEE**

**COMMISSIONER AINGE**

**COMMISSIONER IVIE**

26. 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 IVIE MAKES MOTION TO SET AGENDA ITEMS 24, 26, AND 27 FOR TODAY'S DATE AT THIS LOCATION AFTER REGULAR SESSION. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

**AYE:**

**COMMISSIONER LEE**

**COMMISSIONER AINGE**

**COMMISSIONER IVIE**

27. 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 IVIE MAKES MOTION TO SET AGENDA ITEMS 24, 26, AND 27 FOR TODAY'S DATE AT THIS LOCATION AFTER REGULAR SESSION. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

**AYE:**

**COMMISSIONER LEE**

**COMMISSIONER AINGE**

**COMMISSIONER IVIE**

#### **WORK SESSION**

NO WORK SESSION ITEMS WERE SUBMITTED

#### **PUBLIC COMMENTS**

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

NO PUBLIC COMMENTS

REGULAR SESSION ENDED AT 9:51 A.M.

#### **CLOSED SESSION**

BEGAN AT 9:55 A.M. AND ENDED AT 12:14 P.M.

COMMISSIONER AINGE WAS EXCUSED FROM COMMISSION MEETING AT 11:28 A.M. CONTINUED WITH TWO MEMBER BOARD.

COMMISSIONER LEE MAKES MOTION TO ADJOURN SESSION AT 12:14 P.M.  
COMMISSIONER IVIE SECONDS MOTION.

VOTE: 2-0

AYE:

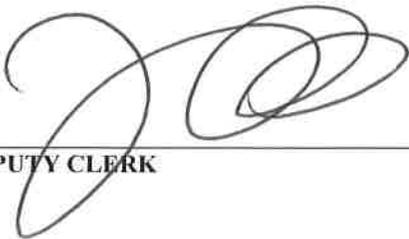
COMMISSIONER LEE

COMMISSIONER IVIE



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BILL LEE, COMMISSION CHAIR



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DEPUTY CLERK

BOARD OF COMMISSIONERS FOR UTAH COUNTY  
ATTENDANCE SHEET  
APRIL 16, 2019 at 9:00 a.m.

PRINT CLEARLY

NAME	AGENCY
Robert Johnson	a DAAPT
Peggy Kekey	Com. Dev
Dalene Higgins	UCSO
Ralph Glynn	Health
Andrea Allen	Recorder's
Rebecca Mastell	CJC
Richard Nielsen	UCPW
Jeff Smith	Recorder's
Kirk Bensen	FM's OFFICE
Kris Poulson	Assessor
Burt Garfield	Assessor
Yvette Rie	UCSO
Robert Buxter	Purchasing
Brian Volkes	Commission
John Colvin	Gas Line Program
Seth Ferrin	SFC