

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH  
**MINUTES OF PUBLIC MEETING**  
COMMISSION CHAMBERS, ROOM 1400  
OF THE UTAH COUNTY ADMINISTRATION BUILDING  
April 30, 2019 – 9:00 A.M.

**PRESENT:** COMMISSIONER BILL LEE, CHAIR  
COMMISSIONER TANNER AINGE, VICE-CHAIR (VIA PHONE)  
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: LEAH WHITE, COUNTY RESIDENT**  
**PLEDGE OF ALLEGIANCE: CAROL FERGUSON, COUNTY RESIDENT**

**CONSENT AGENDA**

1. APPROVAL OF THE PAYROLL WARRANT SUMMARY FOR PAY PERIOD 9

**APPROVED ON CONSENT**

2. RATIFICATION OF WARRANT REGISTER SUMMARY FOR APRIL 22, 2019, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM

**APPROVED ON CONSENT**

3. RATIFICATION OF WARRANT REGISTER SUMMARY FOR APRIL 29, 2019, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM

**APPROVED ON CONSENT**

4. APPROVE THE MINUTES FROM THE APRIL 09, 2019 COMMISSION BOARD MEETING

**APPROVED ON CONSENT**

5. APPROVAL OF THE MINUTES FOR THE APRIL 16, 2019 BOARD OF COMMISSIONERS MEETING

**APPROVED ON CONSENT**

6. 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 1 WEEK, MAY 7, 2019**

7. 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.

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 2

**APPROVED ON CONSENT**

8. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO SIGN AN AGREEMENT WITH PROVIDIA MANAGEMENT GROUP FOR MOWING AND SMASHING OF PHRAGMITES ALONG SPRING CREEK AT \$10 PER LINEAR FOOT AS PER INTERLOCAL AGREEMENT WITH SPRINGVILLE CITY #2019-225

**APPROVED ON CONSENT**

9. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO SIGN AN AGREEMENT WITH QUICK QUACK CAR WASH FOR MONTHLY CAR WASH PASSES FOR \$10 A MONTH PER VEHICLE FOR UNLIMITED MONTHLY WASHES.

COMMISSIONER LEE, AKSED QUESTION, WHAT ARE WE DOING CURRENTLY?

BRENT NIESEN, PUBLIC WORKS, WE HAVE A WAND UNIT AT PUBLIC WORKS AND ONE AT SPANISH FOR FACILITY. EACH VEHICLE GETS CHARGED FOR THAT WASH. WE HAVE REQUESTS FROM DEPARTMENTS TO HAVE ACCESS TO AUTOMATIC WASH THROUGHOUT THE COUNTY AREA. QUICK QUACK CAR WASH APPROCHED US AND THIER CHEEPEST RATE IS MONTLY OF \$10.00 PER VEHICLE.

COMMISSIONER LEE, WE HAVE 119 VEHICLES.

BRENT NIELSEN, WE DO HAVE MORE THAN THAT BUT SEVERAL VEHICLES WOULDN'T FIT IN AN AUTMATIC CAR WASH.

COMMISSIONER LEE, ASKED QUESTION, THEY ALL GO DOWN TO YOUR FACILITY NOW FOR A CAR WASH?

BRENT NIELSEN, ANSWERED, YES, OR THE INDIVIDUAL GOES TO A LOCATION LIKE QUICK QUACK AND COVERS THE COST OUT OF THEIR OWN POCKET.

COMMISSIONER LEE, ASKED QUESTION, HOW MUCH DOES IT COST US? WHAT IS THE YEARLY COST? HOW DID YOU PICK THE NUMBER OF CARS?

BRENT NIELSEN, A TYPICAL CARWASH COSTS US \$4.00. FOR MUDDY OR EXTRA DIRTY VEHICLES THAT NEED SECOND WASH IT IS \$8.00. HE DOESN'T KNOW THE ANNUAL COST RIGHT NOW; HE WOULD HAVE TO FIGURE IT OUT. THE FIGURE IS BASED ON THE CARS THAT WOULD BE ABLE TO GO THROUGH AN AUTOMATIC CAR WASH. SOME VEHICLES WILL NOT FIT. THE SHERIFFS OFFICE IS THE BIGGEST USER OF THIS.

COMMISSIONER IVIE, IN READING THROUGH THIS, MY UNDERSTANDING IS THAT THIS WOULD CUT DOWN ON DRIVE TIME. OUR VEHICLES IN THE NORTH END OF THE COUNTY WOULD HAVE CLOSER ACCESS TO A WASH.

BRENT NIELSEN, THERE ARE 10 QUICK QUACK CAR WASHES IN THE VALLEY AND THEY COULD GO TO ANY ONE OF THEM.

COMMISSIONER LEE, I AM NOT AGAINST WASHING CARS, JUST WANT TO SEE WHAT THE MONEY IS. HAVE WE EXPLORED ANY OTHER OPTIONS? I PAY ABOUT \$3.00 FOR A WAND WASH.

BRENT NIELSEN, WE CHARGE \$4.00 FOR WAND WASH, TO COVER COST OF MATERIALS. WE DID LOOK AT WIGGY WASH, DIDN'T GET RESPONSE. QUICK QUAK WAS ONLY ONE

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 3

**RESPONDED AND HAS MOST LOCATIONS. WE CAN CONTINUE THIS FOR A WEEK SO I CAN GET THE NUMBERS.**

**COMMISSIONER IVIE MAKES MOTION TO CONTINUE FOR 3 WEEKS. COMMISSISONER AINGE SECONDS MOTION.**

**COMMISSIONER IVIE MAKES MOTION TO CONTINUE FOR 3 WEEKS, MAY 21, 2019. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

**AYE:**

**COMMISSIONER LEE**

**COMMISSIONER AINGE**

**COMMISSIONER IVIE**

10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN FOUR (4) MEDICAL CONTRACTS WITH SELECTHEALTH FOR MEDICAL INSURANCE RATES AND COVERAGES IN 2019 FOR UTAH COUNTY GOVERNMENT EMPLOYEES

**CONTINUED FOR 1 WEEK, MAY 7, 2019**

11. AUTHORIZE A CHANGE TO THE STAFFING PLAN IN THE HUMAN RESOURCES DEPARTMENT TO DELETE ONE (1) FULL-TIME, CAREER SERVICE, HUMAN RESOURCES SPECIALIST POSITION (POSITION-01550) AND ADD ONE (1) FULL-TIME, CAREER SERVICE, HUMAN RESOURCES ANALYST POSITION. [ACCOUNT NUMBER 100-41340, ADD 1 POSITION OF JOB CODE 2286, GRADE 509 AND DELETE 1 POSITION OF JOB CODE 3284, GRADE 506.]

**APPROVED ON CONSENT**

12. AUTHORIZE A STAFFING PLAN CHANGE TO ELIMINATE A HALF-TIME, CAREER SERVICE, WIC ELIGIBILITY TECHNICIAN I POSITION AND REPLACE IT WITH A HALF-TIME, CAREER SERVICE, WIC HEALTH TECHNICIAN I POSITION. [ACCOUNT NUMBER 230-43150, UPGRADE POSITION-00488 FROM JOB CODE 6619 TO JOB CODE 6690, FTE REMAINS .50.]

**APPROVED ON CONSENT**

13. TO APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER #20424

**APPROVED ON CONSENT**

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

**APPROVED ON CONSENT**

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

**APPROVED ON CONSENT**

16. ADOPT A RESOLUTION APPOINTING SHANNON ELLSWORTH AS A MEMBER AND DREW ARMSTRONG AS AN ALTERNATE MEMBER TO THE UTAH COUNTY PLANNING COMMISSION

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 4

**APPROVED ON CONSENT**

17. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER 60398 DATED 04/25/2019

**APPROVED ON CONSENT**

18. APPROVE AND AUTHORIZE COMMISSION CHAIR TO EXECUTE AGREEMENT BETWEEN UTAH COUNTY AND THE CITY OF PLEASANT GROVE FOR A UTAH COUNTY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT

COMMISSIONER LEE, THIS ONE SAYS EXHIBIT A BUT THERE IS NO EXHIBIT A.

BEN VANNOY, DEPUTY ATTORNEY, ANSWERED, EXHIBIT A LISTED IS THE PROPOSAL.

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

VOTE: 3-0

AYE:

COMMISSIONER LEE

COMMISSIONER AINGE

COMMISSIONER IVIE

19. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH RUNBECK ELECTION SERVICES, INC. FOR PURCHASING EQUIPMENT FOR ELECTION SYSTEMS

**APPROVED ON CONSENT**

20. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH OPEX CORPORATION FOR PURCHASING EQUIPMENT FOR ELECTION SYSTEMS

**CONTINUED FOR 1 WEEK, MAY 7, 2019**

21. RATIFICATION OF COMMISSION SIGNATURE FOR AGREEMENT WITH COMPUNET FOR EOC ELECTRONICS PACKAGE.

**APPROVED ON CONSENT**

**REGULAR AGENDA**

1. 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 -

JASON VERNON, REGIONAL SUPERVISOR FOR DIVISION OF WILDLIFE RESOURCES, TWO PURPOSES FOR BEING HERE TODAY. ONE IS TO PRESENT THE COUNTY WITH ITS IN LIUETAX PAYMENT FROM PROPERTIES IN COUNTY OWNED BY DNR THAT THE COUNTY ARE NOT ABLE TO GET TAX REVENUE ON. UNDER CONTRACT WE HAVE A CHECK FOR \$16,195.93 AND A LETTER FROM DIRECTOR FOWLKES TALKING ABOUT HIS APPRECIATION FOR THE COUNTY AND COMMISSION AND THE COLLABORATION THAT WE HAVE. WITH ME TODAY I HAVE RILEY PECK WHO IS THE WILDLIFE MANGER FOR

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 5

THE REGION. WE ARE EXCITED ABOUT THE PURCHASE THE COUNTY MADE AT THE KNOWELS PROPERTY ON THE SOUTH END OF THE LAKE. WE ARE LOOKING FORWARD TO MAKING ANGLER AND SPORTSMANS ACCESS. THIS IS SOMETHING IMPORTANT FOR US.

COMMISSIONER LEE, I KNOW WE ARE WORKING ON A COUPLE OF PROJECTS ALONG THE PROVO RIVER AND WE WENT ON A FIELD TRIP WITH THE WAKARA TRAIL PROPOSAL AND KNOW YOU ARE INVOLVED IN THOSE. WE APPRECIATE YOUR INPUT IN THOSE.

JASON VERNON, WE ARE EXCITED ABOUT THOSE WHERE WE CAN ENJOY THE WILDLIFE AS WELL AS SOME HUNTING AND ANGLING OPORTUNITIES AS WELL.

COMMISSIONER LEE ASKED ABOUT WHERE IS BEST FISHING AND WEBSITE.

JASON VERNON, ANSWERED, WE DO HAVE SITE WHERE SHOWS AREAS WHERE FISH ARE STOCKED REGULARLY. HIS FAVORITE IS STRAWBERRY. ALL AVAILABLE ON WEBSITE.

COMMISSIONER LEE, THANK YOU FOR THE CHECK AND WORK.

COMMISSIONER IVIE MAKES MOTION TO ACCEPT ANNUAL PAYMENT. COMMISSIONER AINGE SECONDS MOTION.

VOTE: 3-0

AYE:

COMMISSIONER LEE

COMMISSIONER AINGE

COMMISSIONER IVIE

2. ADOPT AN ORDINANCE AMENDING CHAPTER 9: FIRE PREVENTION AND PROTECTION OF THE UTAH COUNTY CODE

- Kirk Bertelsen, Utah County Fire Inspector –

KIRK BERTLESON, UTAH COUNTY MARSHALL, WE HAVE ADDED THE DEFINITIONS FOR TENTS AND MEMBRANE STRUCTURES. UNDER DEFINITIONS CHAPTER 9 AND ALSO MOVED EXEMPTION SO THAT IT COVERS THE WHOLE CHAPTER. NOTHING ELSE CHANGED FROM LAST TIME.

COMMISSIONER LEE, YOUR TITLE CHANGED FROM FIRE CHEIF TO FIRE MARSHALL. REGARDING TENTS IS SAYS, "WHENEVER THE TERM TENT IS USED IN THE CHAPTER OF UTAH COUNTY CODE IT SHALL MEAN A STRUCTURE ENCLOSURE OR SHELTER WITH OR WITHOUT SIDE WALLS OR DRAFTS CONSTRUCTED OF FABRIC OR VIABLE MATERIAL SUPPORTED BY ANY MANNER ACCEPT BY AIR OR THE CONTENTS ARE PROTECTED". WOULD THAT ALSO INCLUDED YURTS? THE SECOND PART SAYS, "WHENEVER THE TERM TEMPORARY TENT IS USED IN THIS CHAPTER OF UTAH COUNTY CODE IT SHALL MEAN TENTS OR TENTION MEMBERED STRUCTURES THAT ARE NOT ERRECTED FOR MORE THAN A PERIOD OF 180 DAYS WITHIN A TWELVE-MONTH PERIOD ON A SINGLE PREMISE. WHERE DID THE 180 DAYS COME FROM? WHAT DOES SINGLE PREMISE MEAN?

KIRK BERTLESON, ANSWERED, THAT COMES FROM INTERNATIONAL FIRE CODE. WORD FOR WORD OUT OF THE FIRE CODE. THIS SEPERATES FROM TEMPORARY AND PERMANT STRUCTRES.

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 6

ROBERT MOORE, DEPUTY ATTORNEY, YOU ASKED FOR A DEFINITION AND THIS COMES FROM THE FIRE CODE SO THERE IS NO QUESTION. THIS IS FOR TEMPORARY TENTS. UNLESS FIRE CODE HAS DIFFERENT MEANING, PREMISE IS PARCEL. THE 180 DAYS WOULD BE FOR TEMPORARY STRUCTURE ON A PARCEL. WE COULD LOOK AT IT.

COMMISSIONER LEE, ON THE SECOND PART LOOKING AT 9-1-10, EXEMPTIONS OF A TEMPORARY TENT, "THIS CHAPTER SHALL NOT PROHIBIT USE OF A TEMPORARY TENTS OR MEMBRANE STRUCTURES USED SOLELY FOR RECREATIONAL CAMPING" WHERE DID THIS WORDING COME FROM?

KIRK BERTLESON, THAT WORDING CAME FROM US. I WAS THINKING ABOUT YURTS BEING USED AS RENTALS WHICH I FEEL CHANGES CODE.

ROBERT MOORE, FIRE CODE TREATS DIFFERENTLY IF YOU ARE NOT RECREATION. IF YOU RENT IT OUT IT IS LIKE A HOTEL IN THE FIRE CODE. THERE ARE CERTAIN REQUIREMENTS FOR TEMPORARY AND PERMANENT STRUCTURES.

(A LONG DISCUSSION TAKES PLACE BETWEEN THE COMMISSIONERS, KIRK BERTLESON, ROBERT MOORE AND DAVID SHAWCROFT, GOING BACK AND FORTH ON THE CODE. A SUMMARY IS RECORDED HERE, FULL DIALOG AVAILABLE ON YOUTUBE.)

COMMISSIONER LEE, A TENT IS A TENT. IF NO MONEY IS EXCHANGED AND A FRIEND USES YOUR TENT ARE YOU IN VIOLATION? THERE IS NO ENFORCEMENT, WE COULD BE LIABLE EITHER WAY, IF WE DO NOT CHANGE CODE OR IF WE DO NOT ENFORCE CODE. ROBERT MOORE, YOU CREATE CONFLICT WITH CURRENT CODE. THE TEMPORARY TENT IS THE EXCEPTION, THAT IS WHY IT IS ADDED. FIRE CODES REQUIRE ENFORCEMENT. WE CAN BE IN RISK IF IN CONFLICT. WE ONLY KNOW ABOUT TENTS IF A PERMIT IS ISSUED, WE DO NOT HAVE THE MANPOWER TO ENFORCE.

KIRK BERTLESON, DEFINITION OF STRUCTURE IS BROAD AND REQUIRES FIRE CODE SUPPRESSION. TENTS ARE SOLELY FOR RECREATION ARE EXEMPT. IT WOULD BE ALMOST IMPOSSIBLE TO ENFORCE.

COMMISSIONER IVIE, BROUGHT UP CONFLICT IN CODE WITH STATE CODE. ARE WE LAXER THAN STATE, IF WE ARE IN CONFLICT, WE COULD BECOME LIABLE?

MARK ALLEN, PROTECT AND PRESERVE, THINKS DISCUSSION IS NONSENSICAL. THAT STATE OF UTAH ALLOWS YURTS. WHY IS UTAH COUNTY TRYING TO BE MORE RESTRICTIVE?

COMMISSIONER LEE, ASKED QUESTION, THE STATE OF UTAH RENTS OUT YURTS? THEY ARE GOING AGAINST THE INTERNATIONAL BUILDING CODE?

MARK ALLEN, STATE OF UTAH HAS ABOUT 20 YURTS AT DEAD HORSE STATE PARK. THEY ARE WELL ENGINEERED AND HAVE A HEATING SOURCE. NOT FIRE SUPPRESSION OTHER THAN A FIRE EXTINGUISHER. I THINK THERE OUGHT TO BE AN EXCEPTION FOR YURTS AND GLAMPING. DOWN IN MOAB WITH THE BUSINESS HE WORKS FOR, THERE IS A GLAMPING INTENTY DOWN THERE. SAN JUAN COUNTY ALLOWS YURTS FOR BUSINESS AND DO NOT REQUIRE FIRE SUPPRESSION, THEY ARE JUST A TENT. UTAH COUNTY SHOULD NOT BE MORE RESTRICTIVE THAN THE STATE OF UTAH. I SUGGEST WE CREATE A NEW CATEGORY. GLAMPING AND YURTS ARE GOOD FOR OUR COMMUNITY. UTAH NATION FOREST ALLOWS THEM IN THE BEAR RIVER RANGE WHERE THEY HAVE 8 YURTS WHERE THEY DO HUT TO HUT SKIING. WE HAVE AN OPPORTUNITY RIGHT NOW TO WORK WITH SNOWBIRD RESORT. THEY HAVE OPPORTUNITY TO DO HIGH MOUNTAIN EXPANSION THAT WOULD BE DETRIMENTAL TO THE ENVIRONMENT. THEY ARE WILLING TO LOOK AT A YURT HUT TO HUT SYSTEM IF WE CAN REMOVE THE ROADBLOCKS. WE HAVE AN

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 7

OPPORTUNITY TO SAVE A CANYON AND MAKE CITIZENS OF UTAH HAPPY AND MAKE A WIN FOR SNOWBIRD. I WOULD ASK THE COMMISSIONER TO MAKE A PATH FORWARD. SUNDANCE HAS A YURT AT THE LDS FAMILY CAMP.

ROBERT MOORE, THOSE YURTS IN SUNDANCE ARE LEGAL, THEY ARE PERMITTED AND HAVE GONE THROUGH OUR PROCESS AND HAVE FIRE SUPPRESSION. THE ONES ON FEDERAL AND STATE PROPERTY ARE EXEMPT FROM OUR REQUIREMENTS AND MOST REQUIREMENTS. AS TO THE ONES IN OTHER COUNTIES IN THE STATE, THERE ARE SOME THAT ARE NOT FOLLOWING THE LAW.

COMMISSIONER LEE, ASKED QUESTION, CAN THE STATE GET OUT OF INTERNATIONAL FIRE CODE? HOW DO THEY GET OUT OF IT?

ROBERT MOORE, ANSWERED, NO. THEY IGNORED IT. WE DO NOT REGULATE THE STATE.

KIRK BERTLESON, I HAVE SPOKEN TO MULTIPLE COUNTIES, THEY DIDN'T LOOK AT CODES WHERE IT APPLIES TO YURTS. WE JUST WANT FOLLOW CODE AND REQUIREMENTS. DOESN'T WANT TO HOLD DIFFERENT STANDARDS FROM ONE STRUCTURE TO ANOTHER.

COMMISSIONER LEE, IF YOU ARE GOING TO ENFORCE ON ONE STRUCTURE YOU NEED TO ENFORCE ON ALL. THE TERM SOLELY USED FOR RECREATIONAL USE SHOW UP IN THE INTERNATIONAL CODE? MORE THAN LIKELY WE ARE ENFORCING IN IT DIFFERENTLY THAN IT SAYS IN THE INTERNATIONAL CODE. WE REFERENCE THE INTERNATIONAL CODE ON THE ONE SIDE AND THEN SAY DIFFERENTLY. ALL I AM SAYING IS TO PUT A PERIOD AFTER STRUCTURES.

ROBERT MOORE, THAT IS YOUR CALL, IF YOU DO THAT IF SOMEONE IS RENTING IT OUT THE FIRE CODE TREAT THAT DIFFERENTLY AND MAY NOT QUALIFY AS A TEMPORARY TENT UNDER FIRE CODES. IS SOMEONE GETS HURT OR DIES, IN A RENTAL OF THOSE UNITS, THE COUNTY MAY HAVE SOME LIABILITY THERE. IT PUTS THE FIRE MARSHALL IN A DIFFICULT POSITION TO REGULATE UNDER THE CONFLICT. OTHER COUNTIES ARE IGNORING IT. THERE MAY BE A POTENTIAL FIX WITH THE STATE LOOKING AT IT RIGHT NOW BUT UNTIL THAT HAPPENS, WE DO NOT HAVE THE ABILITY TO DO IT ON OUR OWN.

COMMISSIONER AINGE, I THINK THAT AGENDA ITEM AS INTRODUCED WITH RED-LINES AS A CLEAN UP OF TEMPORARY STRUCTURE REGULATION AND ALLOWING FOR TENTS. I AM WILLING TO HAVE A CONVERATION ABOUT MORE SIGNIFICANT CHANGES BUT I DO NOT FEEL PREPARED I DO NOT FEEL THAT THE ORDINANCE THAT WE ARE TO TAKE ACTION ON TODAY WAS CONTINPLATING THAT SIGNIFICAT OF A CHANGE. I WOULD BE PREPARED TO TAKE ACTION ON THE RED-LINE THAT WE SAW. IF WE ARE GOING TO MAKE A DIFFERENT CHANGE IT WOULD BE MY OPINION THAT WE NEE MORE TIME AND NEED TO SEE THE ACTUAL PROPOSALS AND SPEAK WITH OUR COUNCIL AND OTHER AFFECTED PARTIES IS WE ARE GOING TO DO DIFFERENT THAN LISTED.

COMMISSIONER LEE, I AM ONLY LOOKING AT THE RED-LINE AND THE PROPOSAL THEY HAVE IN THREE PLACES. THE FIRST WAS THE INTERNATIONAL BUILDING CODE AND THE SECOND ONE WAS THIS EXEMPTIONS OF TEMPORAY TENT. I THINK THERE IS FURTHER DISCUSSION THAT NEEDS TO GO ON EVEN AT A STATE LEVEL. THAT IS WHY I ASKED BRYCE'S GROUP AND OTHERS IN PREPARING FOR THAT. THIS IS A STATE ISSUE. NOT CONTESTING THE INTERNATIONAL CODE. THE LANGUAGE OF TEMPORARY IS OUR LANGUAGE AND NOT TYING IT ANYWHERE. THAT IS WHY I AM ASKING FOR A PERIOD AFTER STRUCTURES. THEN THE CONVERSATION WILL CONTINUE.

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 8

MARK ALLEN, THE YURT INDUSTRY THRIVES ACCROSS THE UNITED STATES. WHAT ARE WE DOING HERE.? I BELIEVE IT SHOULD BE AN EXEMPTION FOR YURTS AND TENTS, PERIOD. WE HAVE AN OPPORTUINTY TO COME TOGETHER WITH SNOWBIRD AND SUNDANCE. IF THE STATE OF UTAH CAN RECOGNIZE YURTS WHO ARE WE TO MAKE IT MORE RESTRICTIVE. WHY CAN'T UTAH COUNTY BE LEADER IN THIS? GIVE A FOUR-YEAR EXEMPTION WHILE WAITING FOR THE STATE. OR WAIT FOR THE STATE TO CHANGE THE CODE. MAKE THIS A WIN FOR THE STATE OF UTAH. I ENCOURAGE YOU TO STAY IN A YURT, THEY ARE AMAZING. I UNDERSTAND THE CONCERNS OF THE FIRE MARSHALL.

COMMISSIONER AINGE, MY POSITION IS THE SAME. PEOPLE ARE SPEAKING ABOUT SNOWBIRD AND DEALS THAT I HAVE NOT BEEN BRIEFED ON BECAUSE IT WAS NOT PART OF THIS ORDINANCE. IT SOUNDS LIKE THERE IS A MUCH BIGGER DIALOG AND PREPARED TO VOTE ON A BIGGER DIALOG WITHOUT ANY NOTICE OR OPPORTUNITY TO LOOK THROUGH THE BIGGER ISSUES.

COMMISSIONER LEE, THAT IS FAIR ENOUGH. THIS HAS BEEN AN ISSUE THAT HAS BEEN GOING ON FOR SOME TIME. IAPPRECIATE THAT PERSPECTIVE.

COMMISSIONER IVIE, I AM JUST READING THROUGH 9-1-10, I DON'T SEE HOW WE ARE BEING RESTRICTIVE. I DON'T SEE HOW IT APPLIES TO ME IF I RENT YURT OR TENT. I DO NOT SEE THAT CONTEMPLATED THERE IN THAT LANGUAGE. I SEE IT AS WE ARE EXEMPTING OUT TEMPORARY TENTS. I AM HAPPY TO SUPPORT IT AS IT READS. IT SAYS YOU CAN HAVE A TEMPORARY TENT AND TO USE AS RECREATIONAL CAMPING. I THINK WE ARE ARGUING ABOUT A BUNCH OF STUFF THAT IS NOT RELATED HERE. I THINK WE ARE EXEMPTING OUT TEMPORARY TENTS. MY INTENT IN THE LEGISLATIVE BODY VOTING FOR THIS IS TO SAY WE ARE ALLOWING FOR THESE TEMPORARY TENTS TO EXIST AND FOR PEOPLE TO USE THEM. RENTED OR NOT. NO WHERE IN HERE DO I SEE ANYTHING ABOUT OWNERSHIP.

KIRK BERTLESON, I AGREE WITH YOU. I WILL ENFORCE THAT HOWEVER YOU TELL ME TO. WE ARE JUST TRYING TO CLEAN UP THE LANGUAGE. THE BIGGER PART COMMISSIONER AINGE TALKS ABOUT IS WHY I BROUGHT THIS UP FOR CODE AND ENFORCEMENT. IT DOESN'T MATTER IF RENTED OR NOT.

COMMISSIONER IVIE, FOR THE MINUTES AND FOR THE DIRECTIVE AS THE LEGISLATIVE BODY IN VOTING FOR THIS VERBAGE, THE INTENT AND PURPOSE IS TO ALLOW THE USE OF THESE STRUCTURES. IT IS NOT CONTEMPLATED, NO WHERE IN THE FIRE PREVENTION SECTION THAT I AM AWARE OF, DOSE IT CONTEMPLATE THE OWNERSHIP OF THE STRUCTURE ITSELF OR WHO IS STAYING IN IT.

ROBERT MOORE, ONE OF THE POINTS YOU OUGHT TO BE AWARE OF IN 3103.2 OF THE FIRE CODE IT ACTUALLY MENTIONS EXCEPTIONS AND SAYS TENTS USED EXCLUSIVELY FOR RECREATIONAL CAMPING. SO, THE RECREATIONAL CAMPING IS IN THE INTERNATIONAL FIRE CODE.

COMMISSIONER IVIE, IT IS AN EXEMPTION, WE ARE NOT RQUIRING YOU TO COME IN AND GET A BUILDING PERMIT WHEN YOU WANT TO PUT YOUR TENT UP. WE ARE EXEMPTING YOU OUT. I AM GIVING YOU THE AUTHORITY TO GO CAMP. IF YOU WANT TO CHARGE YOUR NEIGHBOR THEN I DON'T CARE.

COMMISSIONER LEE, THAT IS GREAT. BUT IF I OWN SOME PROPERTY UP THE CANYON AND I DO NOT HAVE A HOME OR RESIDENCE IN THE VALLEY, IF I TAKE MY TENT UP

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 9

THERE AND DECIDE TO LIVE THERE FOR THE SUMMER, AM I CALLING THAT RECREATIONAL OR DO I HAVE TO PROVE I HAVE A RESIDENCE IN THE VALLEY?

ROBERT MOORE, ANSWERED, WE DO NOT LOOK AT THAT. THE LAND USE ORDINANCE HAS A 45 DAY LIMIT FOR CAMPING. 180 DAYS THAT THE TENT CAN BE THERE. IT GOES BACK TO EXCEPTION TO HAVING A BUILDING PERMENT IN FIRE CODE, TENTS BEING USED AS RECREATIONAL CAMPING.

KIRK BERTLESON, WE ARE NOT ENFORCING THAT. DO NOT HAVE THE MANPOWER TO DO IT. THE SUNDANCE YURT IS A PERMANT STRUCTURE AND THAT IS WHAT GOT US LOOKING AT THIS.

COMMISSIONER LEE, ANY TIME SOMEONE IS CAMPING IN A TENT OR YURT THEY ARE RECREATING. I AM FINE WITH THAT AS LONG AS WE RECOGNIZE THEY ARE RECREATING.

COMMISSIONER IVIE, THEY ARE RECREATING. IF THEY ARE GOING TO MAKE IT A PERMANT STRUCTURE THEN THEY WILL HAVE TO FOLLOW THOSE CODES. THAT IS WHY WE ARE DEFINING IT AS TEMPORARY. IT IS RECREATIONAL.

COMMISSIONER LEE, ASKED QUESTION TO DAVID SHAWCROFT, ON HOW TO CLARIFY IN MOTION OR SHOULD BE SOMETHING WRITTEN?

DAVID SHAWCROFT, ANSWERD, TYPICALLY, THE LANGUAGE WILL CONTROLL. AND WE THE MINUTES CAN SHOW LEGISLATIVE BODY INTENT.

BRYCE ARMSTONG, COMMUNITY DEVELOPMENT, I THINK KIRKS INTENTION IS TO ALIGN WITH WHAT WE HAVE ALREAD CONTEMPLATED IN THE LAND USE ORDINANCE. WE IDENTIFIED CAMPING AS A USE IN SEVERAL ZONES. WE INCLUDED IN OUR LANGUAGE PROPERTY OWNERS AND THIER FAMILIAR GUESTS. CAMPING HAS A 45 DAY LIMIT TO PREVENT SOMEONE FROM LIVING THERE. THEY CAN SET IT UP FOR SIX MOTHNS, COME AND GO FOR THAT PERIOD. SILENT ON RENTAL, CODE SAYS PERMITTED QUESTS.

COMMISSIONER IVIE MAKES MOTION TO ADOPT AMENDED ORDINACE WITH NOTED LEGISLATIVE INTENT. COMMISSIONER AINGE SECONDS MOTION.

VOTE: 3-0

AYE:

COMMISSIONER LEE

COMMISSIONER AINGE

COMMISSIONER IVIE

3. APPROVE (OR DENY) A LATE 2018 DISABLED VETERAN ABATEMENT APPLICATION FOR MARK HOWARD, SERIAL NO. 34:405:0001, 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 -

COMMISSIONER IVIE MAKES MOTION TO APPROVE LATE VETERANS ABATEMENT ON REGULAR AGENDA ITEM 3. COMMISSIONER AINGE SECONDS MOTION.

VOTE: 3-0

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

4. APPROVE (OR DENY) A LATE 2018 DISABLED VETERAN ABATEMENT APPLICATION FOR WAYNE ANDRUS, SERIAL NO. 38:061:0012, 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 -

**COMMISSIONER IVIE MAKES MOTION TO APPROVE LATE VETERANS ABATEMENT ON REGULAR AGENDA ITEM 4. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**

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

5. RECEIVE THE RECOMMENDED PROPOSALS FOR RFP 2019-6 FOR A PUBLIC INFORMATION MANAGER AND RECOMMEND A PROPOSAL FOR FURTHER NEGOTIATIONS OR AWARD OF CONTRACT.

- Robert Baxter, Purchasing Manager -

**COMMISSIONER LEE, WE HAD A NUMBER OF APPLICANTS COME IN TO A RECOMMENDING COMMITTEE CONSISTING OF ALL THREE COMMISSIONERS AND OTHERS.**

**ROBERT, PURCHASING MANAGER, ORIGINALLY THERE WERE SEVEN PROPOSALS. THE COMMITTEE CHOSE TO HEAR PRESENTATIONS ON SIX OF THOSE AND THE COMMITTEE VOTED ON THOSE PROPOSALS AND CAME UP WITH THREE FINALISTS. THEY WERE WATKINS GLOBAL STRATEGIES, THE DECIO GROUP AND TATICAL CAMPAIGNS. NOW IT IS UP TO THE COMMISSIONERS TO REVIEW THE PROPOSALS AND AWARD THE CONTRACT.**

**COMMISSIONER LEE, THE RECOMMENDING COMMITTEE DID RECOMMEND IN THE ORDER YOU MENTIONED. IN LOOKING AT THE SCORE CARDS I CAN SEE DIFFERENCES OF OPINION. I FELT VERY STRONG ABOUT DECIO GROUP AND GAVE THE HIGHEST YOU CAN GET ON SCORE CARD FOR MEETING THE NECESSARY TIMELY AND ALSO DOING IT RIGHT NOW.**

**COMMISSIONER IVIE, AS I CONTEMPLATED THE REQUIRED CRITERIA, WATKINS GLOBAL WAS MY NUMBER ONE. THE PRIMARY DECIDING FACTOR WAS THE COST. MAINLY BECAUSE WATKINS GLOBAL KEPT US IN OUR CURRENT BUDGET STANDARD. I ALSO FELT ALL THREE GROUPS MET THE REQUIRED STANDARDS THAT WE NEED.**

**COMMISSIONER AINGE, I WOULD AGREE WITH THAT. I AM GRATEFULL FOR EVERYONE ON THE COMMITTEE AND THE GROUPS THAT PRESENTED. I VIEW THESE FINAL THREE GROUPS AS BEING VERY CAPABLE TO PERFORM THIS FUNCTION. I'VE HAD PERFESSIONAL CONTACT WITH ALL OF THESE GROUPS AND HAVE WORKED WITH WATKINS BEFORE. WHEN YOU LOOK AT THESE THREE, THEY WOULD ALL DO A GOOD JOB. THERE WAS A SIGNIFICANT COST SAVING WITH THE WATKIN GROUP. I ALSO RANK IN THIS ORDER.**

COMMISSIONER LEE, I WANT TO POINT OUT FOR REFERENCE PURPOSES. WE DID HAVE A CONTRACT OUT THERE THAT WAS THE DOLLAR FIGURE WE WERE WILLING TO PAY. I REALISE SOME OF THE OTHER GROUPS CAME IN HIGHER. I PERSONALLY THOUGHT THE VALUE THAT WE GOT OUT OF THAT PAST CONTRACT, THE REASON WHY WE LEFT THE PAST CONTRACT WAS IT DIDN'T SUFFICE FOR THE NEEDS WE HAD IN THE COUNTY. PART OF MY CONCERN WAS THAT IF WE STAY AT THAT LEVEL WITH THE OUTPUT WE GET. CONCERNED BECAUSE I DO NOT WANT THAT KIND OF OUTPUT AGAIN. I RANKED WATKINS HIGH.

COMMISSIONER IVIE, WHEN I LOOKED AT WATKINS AND THEIR PERFORMANCE, I THOUGHT THEY WERE VERY STRONG AND GIVEN OUR BUDGET RESTRAINTS I FELT ALL THESE FIRMS WOULD DO THE JOB EQUITABLY BUT THAT WAS THE DECIDING FACTOR FOR ME. I WOULDN'T HAVE ANYTHING NEGATIVE TO SAY ABOUT ANY OF THEM SO IT TRULY CAME DOWN TO THE COST SAVINGS FOR ME. THE OTHERS WERE A SIGNIFICANT INCREASE COST LEVEL. WATKINS WAS VERY COMPARIBLE TO WHAT WE HAD.

COMMISSIONER IVIE MAKES MOTION TO BEGIN FURTHER NEGOTIATIONS WITH THE WATKINS GROUP. COMMISSIONER AINGE SECONDS MOTION.

VOTE: 2-1

AYE:

COMMISSIONER AINGE

COMMISSIONER IVIE

NAY:

COMMISSIONER LEE

6. DENY (OR APPROVE) A LATE AMENDED 2018 DISABLED VETERAN ABATEMENT FOR KUKA TOLEAFOA, SERIAL NO 45:436:0156, 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 -

COMMISSIONER LEE, AS I LOOKED DOWN THIS ONE, IT SEEMS TO ME THAT THE ONLY REASON THIS IS DIFFERENT FROM THOSE ABOVE IS A TIMING ISSUE.

VICKY WESTERGARD, CLERK/AUDITORS OFFICE, THE WAY CODIS IS WRITTEN TO AMEND AN APPLICATION IS THE CHANGE IN THE PERCENTAGE HAS TO OCCUR THE PREVIOUS YEAR. HE IS REQUESTING A CHANGE FOR 2018 BUT HIS PERCENTAGE CHANGED IN 2018. IF HE WANTS TO CHANGE THIS TO GET A REFUND, HE WOULD HAVE TO GO THROUGH THE GREEN HOLDER LOOP BECAUSE HE IS NOT ILLIGBLE THE WAY WE NORMALLY DO IT.

COMMISSIONER LEE AND IVIE, DID NOT FOLLOW THAT.

PAUL JONES, DEPUTY ATTORNEY, SO THIS GENTLEMAN IS ALREADY RECEIVING AN ABATEMENT. WHEN YOU GET A LETTER OF DISABILITY FROM THE US DEPARTMENT OF VETERANS YOU GET A PERCENTAGE OF DISABILITY AND THAT AFFECTS HOW MUCH OF AN ABATEMENT YOU GET. HE ALREADY WAS AT A CERTAIN PERCENT OF DISABILITY AND HIS RATING JUST CHANGED. HE IS ALREADY GETTING AN ABATEMENT; HE WANTS A BETTER LEVEL OF ABATEMENT. HIS RATING JUST CHANGED IN 2018 HE WOULD HAVE TO HAVE THAT IN THE PREVIOUS YEAR.

COMMISSIONER LEE, HE IS GETTING AN ABATEMENT HE IS LATE FOR APPLYING FOR THE ADJUSTED RATING.

**COMMISSIONER IVIE MAKES MOTION TO DENY LATE VETERANS ABATEMENT BECAUSE APPLICANT WAS NOT TIMELY. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE:**

**AYE:**

**COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE**

7. APPROVE AND AUTHORIZE CANCER AWARENESS AGREEMENT WITH PROMOTIONAL SPECIALTIES INTERNATIONAL, INC.  
- Ralph Clegg, Health Department Executive Director -

**APPROVED ON CONSENT**

8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT TO PROVIDE SENIOR COMPANIONS TO ROCKY MOUNTAIN HOME CARE & HOSPICE.  
- Ralph Clegg, Health Department Executive Director -

**APPROVED ON CONSENT**

9. APPROVE AND AUTHORIZE A MEMORANDUM OF UNDERSTANDING BETWEEN UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AND INTERMOUNTAIN HEALTH CARE AS A PARTNERSHIP FOR SERVICES RELATED TO EMERGENCY ROOM PATIENTS.  
- Pat Bird, Department of Drug and Alcohol Prevention and Treatment -

**BEN VAN NOY, DEPUTY ATTORNEY, JUST TO CLARIFY, IS THERE A REVIEW ON THIS ITEM?**

**COMMISSIONER LEE, THERE IS JUST A MINOR REVIEW ON MINOR TYPEGRAPHICAL ERRORS. WE APPROVED IT ON CONSENT WITH CORRECTION OF TYPEGRAPHICAL ERRORS.**

10. APPROVE AGREEMENT BETWEEN UTAH COUNTY AND BACH HARRISON, LLC  
- Heather Lewis, Department of Drug and Alcohol Prevention and Treatment -

**APPROVED ON CONSENT**

11. APPROVE GOVERNMENTAL ENTITY ADDENDUM BETWEEN UTAH COUNTY AND NEBO SCHOOL DISTRICT FOR THE PURPOSE OF PROVIDING SUBSTANCE ABUSE PREVENTION SERVICES  
- Heather Lewis, Department of Drug and Alcohol Prevention and Treatment -

**COMMISSIONER LEE, THIS IS THE ONE THAT WHEN I GOT TO THE AGREEMENT IT STATES THAT WE ARE ACCEPTING EVERYTHING THAT IS CHECKED ON THE BOXES BUT NONE OF THE BOXES ARE CHECKED.**

**HEATHER LEWIS, DEPARTMENT OF DRUG AND ALCOHOL PREVENTION, IT SHOULD BE THE FIRST FOUR BOXES.**

**COMMISSIONER LEE ASKED HEATHER LEWIS TO READ OFF ALL THE BOXES FOR THE RECORD.**

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 13

DAVID SHAWCROFT, ATTORNEY OFFICE, REPLIED THAT HE COULD READ THEM OFF.  
THE PREVENTION DIMENTIONS CURRICULUM TEACHERS TRAINING  
THE PREVENTION DIMENTIONS CLASSROOM HOURS TAUGHT  
THE PARENTING CLASSES, FIRST OFFENDERS COURSE  
THE UNIVERSAL SERVICES

HEATHER LEWIS, ALL CHECK BOXES SHOULD BE CHECKED.

COMMISSIONER IVIE MAKES MOTION TO APPROVE REGULAR AGENDA ITEM 11 WITH  
NOTED CORRECTIONS. COMMISSIONER AINGE SECONDS MOTION.

VOTE: 3-0

AYE:

COMMISSIONER LEE  
COMMISSISONER AINGE  
COMMISSIONER IVIE

12. APPROVE AND ADOPT SFY 2020 LOCAL SUBSTANCE ABUSE AUTHORITY AREA PLAN  
- Richard Nance, Department of Drug and Alcohol Prevention and Treatment Director -

APPROVED ON CONSENT

13. ADOPT (OR DENY) AN ORDINANCE TO AMEND THE UTAH COUNTY LAND USE ORDINANCE,  
CHAPTERS 1 AND 4, RELATIVE TO REQUIREMENTS FOR LOTS LYING IN MULTIPLE ZONES  
- Brandon Larsen, Community Development -

BRANDON LARSEN, COMMUNITY DEVELOPMENT, OCCASIONALLY WE DO HAVE  
PROPERTY OWNERS THAT HAVE PARCELS IN MULTIPLE ZONES. A PROPERTY OWNER  
MAY HAVE PROPERTY IN THE I-1 ZONE WITH A SMALL PORTION IN C-1 ZONE THAT  
MAKES IT SO THEY CANNOT HAVE A HOUSE ON THAT PROPERTY. RIGHT NOW, THE  
ORDINANCE SAYS THAT THE MOST CONSTRICTIVE ZONE APPLIES TO THE PROPERTY.  
THE APPLICANT HAS 67 ACRES IN CE-2 ZONE AND A 10<sup>TH</sup> OF AN ACRE IN CE-1 ZONE WHICH  
WOULDN'T ALLOW FOR DEVELOPMENT. STAFF HAS DRAFTED A PROPOSAL TO ALLOW  
THE USE OF THE MAJORITY ZONING REGULATIONS FOR THE MAJORITY ZONE. WE  
LOOKED AT 60 PARCELS TO GET AVERAGE MINORITY ZONE, WHICH IS ABOUT 20%.  
CONDITIONS WERE PUT IN THAT SAYS IF YOU HAVE NO MORE THAN 20% OF YOUR LAND  
IN THE MINORITY ZONE, YOU COULD TAKE ADVANTAGE OF THE MAJORITY ZONE  
REQUIREMENT. THE OTHER THING THAT CAME INTO PLAY IS THAT WE HAVE TO MAKE  
THIS LINE UP WITH THE GENERAL PLAN. THE GENERAL PLAN DISCOURAGES MIXING  
COMMERCIAL AND INDUSTRIAL USE WITH AGRICULTURAL AND RESIDENTIAL USE. SO,  
WE ADDED LANGUAGE TO RESTRICT COMMERICAL AND INDUSTRIAL USE. ALSO  
RESTRICTED STRUCTURES. IF YOU ARE ALLOWED TO BUILD A HOME IN THE MAJORITY  
ZONE, BUT THE MINORITY ZONE DOESN'T ALLOW FOR IT, YOU CANNOT BUILD A HOME  
IN THAT MINORITY ZONE PORTION OF THE LOT. WE ARE CONSIDERING THE WATER  
SHED.

COMMISSIONER LEE, ASKED QUESTION, IF THE MINORITY ZONE DOES ALLOW FOR A  
STRUCTURE (THEY HAVE 50 ACRES IN CE-1) BUT THEY HAVE CE-2 THEN THEY CAN'T  
NOW PUT THE HOME ON IT?

BRANDON LARSEN, IF YOU HAD 50 ACRES IN CE-1 AND 70 ACRES IN CE-2 THEN YOU COULD  
BUILD A HOME IN EITHER ONE OF THOSE. WE ALSO MADE IT CLEAR THAT IF YOU ARE  
ABOVE THE 20% YOU CANNOT TAKE ADVANTAGE OF THE PROVISION OF THIS  
AMENDMENT. WE FEEL THE CURRENT ORDINANCE IS TOO RESTRICTIVE AND THIS

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 14

HELPS LOOSEN IT UP AND PROTECT THE WATER SHED. THE STAFF HAS RECOMMENDED APPROVAL 4-0.

COMMISSIONER AINGE, ASKED QUESTION, HAVE WE ENCOUNTERED THIS? IS THIS A ONE TYPE OF SITUATION OR SOMETHING WE ENCOUNTER FREQUENTLY?

BRANDON LARSEN, ANSWERED, IT IS DEFFINATELY SOMETHING WE ENCOUNTER FREQUENTLY. I IDENTIFIED AT LEAST 60 IN THE LIMITED RESEARCH THAT I DID. WITH MORE TIME I WOULD FIND MORE. IT IS NOT JUST MR WHITE PROPERTY.

BRYCE ARMSTRONG, COMMUNITY DEVELOPMENT, WE FIND THAT A PROPERTY OWNER HAS PROPERTY THAT WAS ZONED BY THE LEGISLATIVE BODY DECADES AGO AND THEN THEY ADJUST THEIR PROPERTY LINE WITH A NEIGHBOR. SO NOW THEY HAVE A SMALL AMOUNT OF OTHER ZONING INSIDE THEIR PROPERTY LINE PROHIBITING THEM FROM MANAGING WHAT THEY THOUGHT THEIR PROPERTY TO BE.

COMMISSIONER AINGE, ASKED, CAN YOU EXPLAIN TO ME WHY THEY ARE PROHIBITED FROM USING IT? WHAT IS THE DIFFERENCE YOU WERE TALKING ABOUT? IT SOUNDS LIKE IN SOME CASES A HOME IS NOT ALLOWED EVEN AFTER THE AMENDMENT IN THAT PORTION OF THE PARCEL.

BRYCE ARMSTRONG, IN THE SENARIO I DESCRIPED, WE HAVE PARCELS ON WEST MOUNTAIN SO THE MAJORITY ARE IN THE RA-5 ZONE. MAYBE THE HISTORIC DEED IS ABOVE THE CANAL. FOR EXAMPLE, THEY HAVE AN 8 ACRE PARCEL, 6 OF WHICH IS IN THE RA-5 ZONE AND THE BACK 2 ACRES ARE ABOVE THE CANAL AND ARE CURRENTLY IN A MINING ZONE. THE CURRENT CODE SAYS THAT YOU HAVE CONFLICTING DESIGNATIONS YOU MUST GO WITH THE MOST RESTRICTIVE. WHICH IN THIS SCENARIO WOULD MEAN THEY WOULD HAVE TO HAVE 80 ACRES TO BUILD A HOME. BUT IF THE AMENDMENT WAS IN PLACE, THEY COULD BUILD A HOME IN THE FRONT 6 ACRES BECAUSE YOU ONLY NEED 5 ACRES TO BUILD IN A RA-5 ZONE.

BRANDON LARSEN, IN MR WHITE'S CASE IF HE HAD ADDITIONAL CE-1 LAND, LET'S SAY HE HAD 10 ACRES ON THE WEST SIDE OF HIS DEVELOPMENT, HE COULDN'T PUT HOUSES THERE. NO ADDITIONAL SEPTIC TANKS, NO HOUSES.

COMMISSIONER IVIE, IN THIS PARTICULAR SCENARIO IT WAS A CE-1 CONFLICT THAT CAME UP IN GENRALLY RA-5 ZONE. IT IS INTERESTING TO ME THAT MOST OF THESE ARE RA-5 MINING AND GRAZING CONFLICTS.

COMMISSIONER LEE, ASKED QUESTION, WE HAVE PARCELS WITH DIFFERENT ZONES. WE ARE NOT CHANGING ANY OF THE ZONING ARE WE?

BRANDON LARSEN, ANSWERED, NO, THE REQUIREMENTS ARE NOT CHANGING AT ALL. IN THE LAST SCENARIO, YOU WILL STILL BE ABLE TO BUILD A HOME IN THE FRONT ACRES IN SPIE OF THE BACK 2 ACRES WITH DIFFERENT REQUIREMENTS ON IT. IT DOESN'T CHANGE THE ZONING. THE REASON WHY WE LIKE THIS, IS THAT IT ELIMINATES SOMEONE HAVING TO COME IN AND GET RE-ZONING AND SPEND MONEY.

COMMISSIONER AINGE, ASKED QUESTION, I UNDERSTAND WHAT WE ARE TRYING TO DO HERE BUT ALL THIS IS JUST A FAST TRACK. IS IT CLEANER FOR OUR RECORDS AND GENERAL PLAN TO HAVE THOSE RE-ZONED THROUGH THE FULL PROCESS?

BRANDON LARSEN, ANSWERED, YES, OBVIOUSLY IT IS CLEANER TO SHOW A PROPERTY ALL IN ONE ZONE. IN PRATICALITY THERE ARE SO MANY PARCELS WITH SPLIT ZONES

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 15

THAT I THINK THIS IS A GREAT TOOL TO ADDRESS A NEED WHERE THERE HAVE BEEN MULTIPLE RE-ZONES RATHER THAN GO THROUGH THE TWO MONTH PROCESS.

BRYCE ARMSTRONG, IT ISN'T AS CLEAN AS WE WOULD WISH. THAT IS WHY WE CAME UP WITH A CERTAIN PERCENTAGE. WE LOOKED AROUND THE COUNTRY TO SEE HOW OTHER JURISDICTIONS DO IT. SOME HAVE A SIMPLE MAJORITY 51 % WHERE WE FELT THAT WAS GETTING CLOSE TO A RE-ZONE.

MARK ALLEN, PROTECT AND PRESERVE, PRESENTED COMMISSIONERS WITH DOCUMENTATION. I WILL READ DOCUMENT SO IT IS ON RECORD. UTAH COUNTY COMMISSIONERS. AS YOU ARE AWARE, NON-PROFIT AMERICAN FORK CANYON LANDS HAS A PARCEL OF LAND ON NORTH HILL OF AMERICAN FORK CANYON. I HAVE BEEN BEFORE THE COMMISSION THREE TIMES SEEKING TO PAY TAXES ON THIS PARCEL OF LAND. YET THE PROCESS OF THE STATE OF UTAH CENTRAL TAX ASSESSMENT AND THEIR STATUTES MADE IT CHALLENGING TO NAVIGATE. HISTORICLY ACTIVE MINES WOULD SPAN COUNTY BOUNDARIES AND WITH THE COMPLEXITIES CENTRAL TAX ASSESSING WAS NECESSITATED. NOW GIVEN THE NEW LAND USES RECREATIONAL SKIING AND MINING HAVING NOT TAKEN PLACE IN AMERICAN FORK CANYON FOR SIXTY PLUS YEARS IT IS APPROPRIATE TO BE LOCALLY ASSESSED. SENITOR VALENTINE HAS SUGGESTED SOME STATUES TO ALLOW THE LOCAL COUNTY TO IDENTIFY LANDS WITHIN THEIR BOUNDARIES AND ASERTAIN WHETHER THEY ARE USED FOR MINING PURPOSES. IF THE PURPOSE IS FOR OTHER THAN MINING, THE COUNTY CAN INITIATE LOCAL TAX ASSESSMENT. THIS IS MY REQUEST THAT LOCAL TAX ASSESSMENT ON PRIVATELY HELD PARCELS OF LAND CAN AND SHOULD BE ADDED TO UTAH COUNTY PLAT MAPS. (I HAVE A LIST OF APPROXIMATELY 700 PARCELS OF LAND UP IN AMERICAN FORK CANYON THAT DO NOT SHOW UP ON THE COUNTY PLAT MAPS).

COMMISSIONER LEE, ASKED QUESTION, THIS IS APPLICABLE TO THIS DISCUSSION WITH THE SPLIT AND DIFFERENT ZONING? I JUST DON'T WANT TO CONFUSE ISSUE WITH WHAT WE ARE LOOKING AT ON THE AGENDA ITEM.

MARK ALLEN, ANSWERED, I BELIEVE THAT BECAUSE YOU HAVE SOME LAND DOWN IN TIBBLE FORK. I THINK IT REFLECTIVE OF PART OF THIS. CE-1 ZONES HAVE SOME SEPTIC TANKS. THIS MAY MUDDY THE WATER, IT IS NOT MY INTENT. DON'T WANT TO PASS A RULING WITH UNINTENED CONSCUENCES. THE COUNTY HAS ABILITY TO GET DATA SET FROM THE BLM ON WEDNESDAY FOR AMERICAN FORK CANYON. IT WILL ALLOW YOU TO SEE IF THERE ARE SPLIT ZONES.

BRANDON LARSEN, I AM FAMILIAR WITH SOME OF THE PARCELS MR ALLEN REFERENCED. ALL OF AMERICAN FORK CANYON IN CE-1. THIS WOULD ONLY APPLY THOSE EXISTING ZONING THAT ARE CURRENTLY HAVE MIXED ZONING ON THEIR PARCELS.

DIONE BARRON, SPRINGVILLE RESIDENT, I HAVE BEEN ASKED BY SOMEONE WHO COULDN'T ATTEND TODAY TO READ HIS STATEMEN. IT IS FROM BRENT BOWLES HE LIVES SPRINGVILLE UTAH. TO COUNTY COMMISSIONERS. I ATTENDED A PLANING AND ZONING MEETING IN APRIL. IN THE MEETING IT WAS PROPOSED BY MR LARSEN TO CHANGE THE ZONING REQUIREMENT ON C-1 AND C-2. THE PROPOSAL WAS TO REWRITE THE REQUIREMENT THAT IF LESS THAN 20% OF THE LAND WAS INSIDE C-1 AND C-2 THAT THE C-2 WOULD NOT BE REQUIRED TO FOLLOW THE C-1 REGULATIONS. THE WAY THIS WAS EXPLAINED BY MR LARSEN WAS VERY CONFUSING. IN THE APRIL MEETING IT WAS DIFFICULT TO DIGEST WHAT THIS MENT. EVEN THE PLANNING AND ZONING PANEL WAS NOT COMPLETELY CLEAR AND HAD QUESTIONS ABOUT IT AND DIDN'T EVEN KNOW WHAT QUESTION TO ASK BECAUSE IT WAS SO FOGGY. AFTER RECONCIDERING AND

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 16

HAVING TIME TO THINK THIS THROUGH, IT IS OPENING PANDORAS BOX IF THIS IS ALLOWED TO PASS. AS A DEVELOPER, I COULD FIND PROPERTIES THAT BORDER ONE ANOTHER OR HAVE THE SAME SITUATION THAT IS BEING DISCUSSED IN THE BACK-COUNTRY PROPOSAL AND DEVELOP THE PROPERTY THAT HAS LESS REGULATIONS. THE IDEA WAS THAT THE COUNTY WOULD NOT ALLOW INDUSTRIAL SITE DEVELOPMENT, MEANING JUNK YARDS, THAT WAS THE EXAMPLE USED IN THE PLANING MEETING, WITH LESS THAN 20% RULE. I THINK THE NEW C-2 C-1 REGULATION IS A LESS RESTRICTED REQUIREMENT. IT IS A PANDORAS BOX, 20 % IS NO SMALL AMOUNT OF LAND OUT OF 50 ACRES, THAT IS A HUGE AMOUNT LAND. WHAT WAS CLEARLY EVIDENT IN MR LARSEN AND THE COUNTY ATTORNEY MR MOORE AT THIS MEETING WAS BENDING OVER BACKWARD TO PUSH THIS DEVELOPMENT THROUGH. EVEN DOWN TO REQUIRING LESS WATER REQUIREMENTS FOR THE PLANNED DEVELOPMENT COMPARED TO PREVIOUS WATER REQUIREMENTS IN HOBBLE CREEK CANYON. I AM CONCERNED THAT THEY HAVE A CLOSE RELATIONSHIP WITH THE COUNTY PLANNING AND DEVELOPMENT ABOVE WHAT IS NORMAL. WHEN I APPLIED FOR MY BUILING PERMIT AND SEPTIC PERMIT I WAS NEVER GIVEN THE ATTENTION THESE DEVELOPERS HAVE BEEN GIVEN. AFTER MANY DISCUSSIONS ON MY PERMIT I WAS BASICALLY TOLD DO WHAT YOU WANT DO. DO YOU WANT TO BUILD OR NO? THESE ARE THE RULES AND STANDARDS NO EXECPTIONS. NOW IT SEEMS THERE ARE EXCEPTIONS IF THIS AMENDMENT IS PASSED. UNINTENDED CONSCEQUENSES TO THE PUBLIC TO THE LONG-STANDING ORDINANCE IS A BURDEN TO GREAT TO BEAR. AND I BELIEVE IT IS NOT IN OUR BEST INTEREST. LET'S KEEP IT OUR LAWS, RULES AND REGULATIONS CONSISTANT TO ALL. RESPECTFULLY BRENT BOWLES, UTAH COUNTY.

CAROL FERGUSON, SPRINGVILLE RESIDENT, IN THE EXAMPLE THAT HAS EXAMPLE THAT HAS BEEN USED IN THE COUNTRY ESTATES, THEY ARE TALKING ABOUT 87 ACRES. AND THEY ARE TALKING ABOUT 1/10<sup>TH</sup> OF AN ACRE BEING IN A TINY SLIVER AND YET THEY ARE TRYING TO USE 20%. TWENTY PERCENT OF 87 ACRES IS 17 ACRES AND THAT IS PRETTY SUBSTANTIAL. IT APPEARS THAT WHEN YOU ARE TALKING ABOUT DIFFERENT ZONING REQUIREMENTS YOU ARE TALKING ABOUT THE INDUSTRIAL. IT IS REALLY DIFFERENT THAN ZONING IN A CRITICAL ENVIRONMENT. I LIKED SOME OF THE VERBAGE USED TODAY BY KIRK BERTLESON. HE USED VERBAGE CHANGE HAZARD LEVEL. I KNOW THE JOB THAT YOU HAVE IS VERY DIFFICULT IT HAS A LOT OF CHALLENGES. YOU ARE GOING TO MAKE SOMEBODY HAPPY. YOU ARE GOING TO MAKE SOMEBODY NOT HAPPY. IT IS A WIN LOOSE SITUATION. I DO APPRICIATE ALL THE TIME COUNTY STAFF SPEND ON PROPOSALS AND TRING TO COME UP WITH THE BEST REMEDY. IT APPEARS TO ME THAT THIS MIGHT NOT BE THE BEST THING IN THE CRTITICAL ENVIRONMENT CE-1 AND CE-2 AREAS. IT IS REALLY IMPORTANT TO MAKE SURE UNINTENDED CONSQUENCES IN A CRITICAL AREA LIKE OUR CANYONS. IN CRITICAL AREAS IT WOULD BE BEST TO USE THE MOST RESTRICTIVE APPLICATION IN ORDER TO AVOICE THOSE UNINTENEDED CONSQUENCES. YOU HAVE BEEN ELECTED BY CITIZENS OF UTAH COUNTY BECAUSE THE TRUST YOU. THEY TRUST YOU TO BE FORWARD LOOKING AND IT IS MY HOPE THAT YOU WILL CONTINUE TO BE FORWARD LOOKING AS YOU EXAMINE EXCEPTION REQUESTS AND EXAMINE PROPOSALS SUCH AS THIS. THANK YOU FOR YOUR SERVICE AND TIME.

JANICE REEB, SPRINGVILLE RESIDENT, I AM REPRESENTING MYSELF AND TOM MOWER. HIS LETTER IS AS FOLLOWS. MY NAME IS TOM MOWER I LIVE AT 79 NORTH HOBBLE CREEK RD, IN HOBBLE CREEK CANYON. I AM WRITING THIS LETTER BECAUSE I AM NOT ABLE TO ATTEND THE MEETING FOR APRIL 30<sup>TH</sup>. MY LETTER IS IN PROTEST AND OPOSITION TO THE DEVELOPMENT THAT IS WORKING ITS WAY THROUGH THE UTAH COUNTY SYSTEM TO DEVELOP CE-1 AND CE-2 ZONES IN THE CANYON. MY FAMILY AND I OWN OVER 2000 ACRES IN THE CANYON. AND SINCE THE LATE 1990 WE HAVE LIVED

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – April 30, 2019

Page 17

THERE FOR THE PAST 13 YEARS. SINCE THAT TIME, WE HAVE EXPERIENCED TWO LARGE FIRE THREATS, FLOODING, ROAD CLOSURES BECAUSE OF DOWNED TREES AND FLOODING. THERE IS ONLY ONE WAY IN AND OUT ON A NARROW AND WINDING ROAD. THE SAME PROPERTY OWNER/DEVELOPER THAT DEVELOPED COTTAGES ON APPROXIMATELY 32 ONE-ACRE LOTS PROTESTED OUR THREE HOMES BECAUSE OF THE WATER SHORTAGES THAT ARE CURRENTLY UNDER REVIEW BY THE STATE OF UTAH. THE STATE HAS NOW APPOINTED A SPECIAL WATER MASTER TO ADJUDICATE ALL WATER IN THE CANYON BECAUSE OF THE WATER SHORTAGE AND OVER ALLOWCATION. THE WIDOW MOORE CABINS DIRECTLY ABOVE THE SUBDIVISION HAVE NOW LOST ONE OF THE THREE WATER SOURCES DUE TO A SPRING DRYING UP. THEY HAVE ALLOCATED \$2500 TO APPOINT A GEOLOGIST TO LOCATE A NEW WATER SOURCE. WATER IS A SCARCE RESOURCE IN THE CANYON. THE PROPOSAL BY DEVELOPERS TO LOWER THE WATER REQUIREMENT TO MAINTAIN GREEN SPACE SHOULD NOT BE ALLOWED. THAT IS NUMBER ONE. I WILL MOVE ON TO HIS NUMBER TWO POINT. IT CAME AS A SURPRISE TO ME AT THE RECENT PLANNING AND ZONING MEETING THAT A PROPOSAL WAS MADE TO ALLOW UP TO 20% OF A PROPERTY WITH A DIFFERENT ZONE TO BE INCULDED IN A DEVELOPMENT WITH THE SAME ZONING REQUIREMENT AS THE REMAINING 80 %. IN REVIEWING THE ZONING BOUNDARIES AND PROPERTY OWNERSHIP RECORDS AFTER THE MEETING, IT IS APPARENT AS TO WHY THIS PROPOSAL WAS MADE. THE LONG-TERM GOAL OF A DEVELOPER IS TO CLUSTER AS MANY HOMES AS POSSIBLE IN THIS CRITICAL ENVIRONMENT. COUNTY ACCESS AND ROADS COULD BE GAINED AND CE-1 ZONES COULD BE MOVED INTO CE-2 ZONES TO BUILD MANY MORE HOMES. THIS WILL BE THE NEXT MOVE FOR THE UTAH COUNTY COMMISSION IF IT IS ALLOWED. IN ALL 150 NEW HOMES COULD BE ADDED IN THE NEXT FEW YEARS WITH THE CHANGES THAT ARE ASKED FOR. THIS YEAR THE CABINS ABOVE THE PROPOSED DEVELOPMENT WILL CHLORINATE THERE DRINKING WATER. IN YEARS PAST THE SCOUTS CAMP HAS CLOSED THEIR WELL FOR ECOLI. ADDITIONAL SEPTIC LOAD WILL NOT IMPROVE WATER FOR THE 150 PLUS RESIDENTS OF THE LEFT FORK OF HOBBLE CREEK OR THOSE IN SPRINGVILLE RELYING ON DRINKING WATER FROM HOBBLE CREEK. CHANGING ZONING, LOWERING WATER REQUIREMENTS TO ACCOMMODATE NEW HOMES WILL BE OPENING PANDORAS BOX. ONLY FOR THE LONG-TERM GOAL OF DEVELOPING IN THIS CRITICAL ENVIRONMENT. WE WILL BE DOUBLING THE POPULATION OF THE LEFT FORK OF HOBBLE CREEK. DOUBLING THE TRAFFIC ON A DEAD-END ROAD. NEGATIVELY IMPACTING WATER SHED AND INCREASING FIRE DANGER. THERE IS A REASON WHY SPRINGWOOD WAS NOT DEVELOPED SINCE IT WAS PLATTED IN THE 1970'S.

THAT PARTICULAR SUBDIVISION IS A MAJOR PART OF WHAT HE WAS TALKING ABOUT. THE ISSUE SEEMS TO BE AN ISSUE OF SCALE. THE EXAMPLE GIVEN BY BRANDON LARSEN, IS FOR A TENTH OF AN ACRE FOR SIX ACRES. THERE IS ANOTHER PROPOSAL THAT WOULD INDEED HAVE RELEVANCE IN THAT NEXT DOOR TO THE DEVELOPER IS THE HOME OF MR WHITES PARENTS. THAT PARTICULAR PROPERTY IS AN 87 ACRE PROPERTY. JUST OVER 20 % IS IN A CE-1 ZONE. THE REST IS IN A CE-2 ZONE. IF THIS AMENDMENT GOES THROUGH IT IS QUITE POSSIBLE THAT ALL THE PROPERTY WOULD BE TREATED AS CE-2. THIS WOULD OPEN THE DOOR FOR DEVELOPMENT OF MORE HOMES. THE CRUCIAL PART IS THE CE-1 PIECE IS THE FRONTAGE THAT IS NEEDED TO MAKE DEVELOPMENT POSSIBLE ON THE ENTIRE PARCEL. IT IS A MATTER OF SCALE. TOM MENTIONED AFTER THE MEETING THAT HE HAD 2000 ACRES. MOST IS ADJACENT TO HIS HOME. IF HE WANTED TO, HE COULD BUILD HUNDREDS OF HOMES ON HIS PROPERTY. WE HAVE A BEAUTIFUL CANYON. IT IS THE WATER SOURCE FOR THE RESIDENTS OF THE CANYON AND SPRINGVILLE CITY. IT ALSO PROVIDES IRRIGATION ALL THE WAY TO UTAH LAKE. IT WAS ZONED CE-1, CE-2 TO PROTECT WATER SHED AND RESOURCES. ISSUE COULD BE RESOLVED IF CE-1 AND CE-2 ZONES WERE CUT OUT. THIS IS FOR SMALL PROPERTIES. IT NEEDS TO BE RE-EXAMINED. I HAVE GREAT RESPECT FOR THE COMMUNITY DEVELOPMENT DEPARTMENT IN UTAH COUNTY. I WAS A ZONING

COMMISSIONER FOR ABOUT FIVE YEARS. I KNOW HOW HARD THEY WORK. I AM EXTREMELY IMPRESSED EVERY TIME BRANDON LARSEN PUTS FORTH WORK. HE WORKS LONG HOURS AND IS METICULOUS ABOUT WHAT HE DOES. THE INTERACTION FO THE DEPARTMENT WITH THE GENERAL PUBLIC. IT WAS APPRICIATED THAT AS A CHAIRMAN TOM LITTLE WAS GIVEN THE PUBLIC TO TALK AND THAT HE LISTENED. THANK YOU FOR YOUR TIME.

COMMISSIONER IVIE, IN REVIEWING THIS HELP US UNDERSTAND A LITTLE MORE. HISTORICLY HOW DID WE GET INTO THIS SCENARIO? IT SEEMS A LITTLE ODD THAT SOMEHOW WHEN LAND IS ZONED IT IS SPLIT.

BRANDON LARSEN, THE ZONING WE ARE LOOKING AT GOES BACK TO 1976 AND SINCE THAT TIME THERE HAS BEEN A LOT OF PROPERTY LINE CHANGES. SURVEYS, ESPECIALLY UP HOBBLE CREEK CANYON MAY NOT REFLECT WHAT IS ON COUNTY RECORDS.

BRYCE ARMSTRONG, A LOT OF TIMES PROPERTY OWNERS WILL ADJUST THEIR BOUNDARIES ON THEIR OWN BY DEEDING PART OF THE PROPERTY OR COMBINING PROPERTIES. THER ARE HUNREDS IF NOT THOUSANDS OF THESES, IT HAPPENS ALL THE TIME. THE BOUNDARIES FOLLOW RIVERS AND GEOGRAPHIC LINES AND THE PROPERTY OWNERS ADJUST THE BOUNDARIES WITH COURSE CHANGES.

COMMISSIONER IVIE, ARE WE DOING SOMETHING TO ADDRESS THIS SO THAT WE ARE NOT CREATING MORE? IS THERE A MECHANISM IN PLACE THAT SAYS WHEN WE COMBINE PARCELS, WE NEED TO DO A BOUNDARY LINE ADJUSTMENT? DO WE NEED TO CRAFT SOMETHING THAT HAS LANGUAGE THAT PREVENTS SPLIT ZONES AND RATHER THAT ZONING IS AUTOMATICALLY CHANGED WITH THE PROPERTY LINES? WE WOULD AVOID THIS PROBLEM IN THE FUTURE.

BRYCE ARMSTRONG, THAT COULD BE DIFFICULT, THAT IS MAYBE A QUESTION FOR THE RECORDERS OFFICE. DEEDS ARE REQUIRED TO FILE THROUGH THEM. I DON'T THINK STATE LAW WILL ALLOW THEM TO RUN IT THROUGH THE ZONING. WE HAVE HAD THE PROBLEM BEFORE WHERE PEOPLE DEVIDE THE PROPERTY WITHOUT GOING THROUGH A SUBDIVISION. WE HAVE TO HANDLE IT AFTER THE FACT.

COMMISSIONER IVE, THE QUESTION I HAVE IS FROM A HISTORICAL PERSPECTIVE, WHEN WE RUN INTO THESE PROBLEMS AND PEOPLE COME IN AND APPLY FOR A ZONING CHANGE. HALF OF MY PROPERTY IS IN CE-1 AND HALF IS IN CE-2 AND I WANT IT ALL IN THE SAME ZONE, HISTORICALLY SPEAKING, HAVE WE REWARDED THAT CLASSIFICATION?

BRYCE ARMSTRONG, ANSWERED, THAT DEPENDS ON WHAT THEY ARE ASKING TO GO TO AND WHERE THAT PARCEL LIES IN THE GENERAL PLAN. WE WOULD HAVE TO LOOK AT IT.

COMMISSIONER IVIE, FOR CLARIFICATION, WE ARE NOT ALLOWING ANY ADDITIONAL DENSITY OR DEVELOPMENT ON THE RESTRICT PART OF THE PARCEL. RIGHT? WHAT WE ARE SAYING VERY SPECIFICALLY YOU CAN SIMPLY USE YOUR LAND BASED ON THE CLASSIFICATION UNDER WHICH IT FALLS UNDER.

BRYCE ARMSTRONG AND BRANDON LARSEN, ANSWERED, YES.

COMMISSIONER IVIE, SO, IF YOU HAVE FIVE ACRES THAT FALL UNDER A SPECIFIC ZONING, THAT FIVE ACRES CAN BE USED ACCORDING TO THAT ZONING. THE

ADDITIONAL ACREAGE YOU MIGHT HAVE ON THAT PARCEL CAN NOT BE USED FOR INCREASED DENSITIES. THAT IS MY UNDERSTANDING THAT THE MORE RESTRICTIVE PART STAYS JUST AS RESTRICTIVE AS IT ALWAYS HAS.

BRYCE ARMSTRONG, ANSWERED, CORRECT. I THINK THERE IS SOME MISUNDERSTANDING FROM COMMENTS I HEARD. WE ARE NOT CHANGING ZONE DESIGNATIONS. IN THE SCENARIO THEY GAVE THE 20 % IS NOT GOING TO BECOME CE-2 OR CE-1 IT ALL IS GOING TO STAY THE SAME ZONING SUBJECT TO THOSE REQUIREMENTS.

COMMISSIONER LEE, ASKED QUESTION, WHY 20%? WHERE DID THAT NUMBER COME FROM?

BRANDON LARSEN, ANSWERED, IT WAS THE AVERAGE MINORITY OF THE 60 PARCELS WE LOOKED AT. OBVIOUSLY 20% OF A LARGER PARCEL WOULD INCREASE IN SCALE. IF THAT IS SOMETHING THAT NEEDS TO BE TIGHTENED UP, MAKE IT 10 % MAYBE MAKE THE MINORITY PORTIONS SMALLER. LARGER PARCELS PROBABLY NEED TO GO THROUGH THE RE-ZONING PROCESS.

COMMISSIONER IVIE, I WOULD LIKE TO MEET AGAIN TO LOOK AT LARGE PARCEL WITH 100 ACRE OR MORE. IT DOESN'T MAKE SENCE TO USE A PERCENTAGE BECAUSE OF THE IMPACT. A LARGE VOLUME AREA SHOULD GO THROUGH THE ZONING PROCESS. WE SHOULD SET A MAXIMUM.

COMMISSIONER LEE, WHAT WOULD THAT BE? WE ARE LOOKING AT HOMES IN THE CE-1 ZONE AND THAT IS A NATURAL FIT.

COMMISSIONER IVIE, I DO NOT KNOW. I THINK THAT OUR MOST RESTRICTIVE ZONE IS 50 ACRES. I DO NOT KNOW WHAT THAT NUMBER WOULD BE. WOULD IT MAKE SENCE THAT IF WE ARE HAVING A MINIMUM NUMBER TO GO AHEAD AND SET A MAXIMUM. I AM CONCERNED WITH WHERE THIS LEADS IN THE LONG-TERM SCENARIO ESPECIALLY ON A LARGE SCALE. TO ME IF THERE ARE MINIMUMS THERE SHOULD BE MAXIMUMS AND THEN A RE-ZONE PROCESS NEEDS TO BE DONE.

COMMISSIONER AINGE, TO ME IS SEEMS THIS CONVERSATION IS EVOLVING ENOUGH WHERE I WOULD BE MORE COMFORTABLE CONTINUING THIS ITEM. EVEN WITH THE BROAD FIX WITH OUR COUNTY PLAN, INDIVIDUALS HAVE SPOKEN ABOUT CONCERNS OF UNINTENDED CONSEQUENCES IN THEIR PART OF THE COUNTY. I WOULD LIKE TO HAVE MORE TIME TO LOOK AT THAT.

COMMISSIONER LEE, I WOULD TO, IT WOULD GIVE US THE OPORTUNITY TO DIGEST MORE AND SEE THE RAMIFICATIONS OF IT THROUGH BOTH PROCESSES. THE MINORITY PIECE OF A TENTH OF AN ACRE DICTATING WHAT GOES ON IS HARD TO SWALLOW. WE CAN OBVIOUSLY GO BACK AND RE-ZONE, THERE IS A PROCESS THAT CAN BE USED.

COMMISSIONER AINGE MAKES MOTION TO CONTINUED FOR 3 WEEKS, MAY 21, 2019.  
COMMISSIONER IVIE SECONDS MOTION.

VOTE: 3-0

AYE:  
COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE

14. ADOPT (OR DENY) AN ORDINANCE TO AMEND THE UTAH COUNTY LAND USE ORDINANCE, CHAPTER 3, RELATIVE TO THE REQUIREMENTS FOR HUNTING PRESERVES AND SHOOTING RANGES  
- Brandon Larsen, Community Development -

BRANDON LARSEN, COMMUNITY DEVELOPMENT, WE HAVE REQUEST TO AMEND PARKING AND PAVED ROAD REQUIREMENTS WE BROUGHT THIS TO YOU THREE MONTHS A GO. ONCE THAT WAS ADOPTED, WE APPLIED THAT AND WE FOUND A COUPLE OF THINGS WE WANTED TO CHANGE. THE ROAD DEDICATION WAS A CHALLENGE AND THE PARKING REQUIREMENTS WAS QUITE A BIT OF PARKING SPACES. SIMILAR USE REQUIRED LESS SO WE PROPOSED TO FOLLOW SUIT WITH SALT LAKE COUNTY. WHEN THEY FIRST CAME IN IT REQUIRED 150 SPACES, THIS WOULD PUT THEM DOWN TO 112 SPACES. IN THE CASE OF PAVED ROADS, IT COULD CREATE MILES AND MILES OF PAVED ROAD FOR THE COUNTY. AND WE LOOKED AT THE COST OF LANDOWNER TO PAVE MILES OF ROAD. WE PROPOSED A CHANGE WITH FLEXIBILITY FOR THE COMMISSION TO REQUIRE WETHER OR NOT A ROAD DEDICATION WAS NEEDED. PLANNING COMMISSION APPROVED 4-0.

COMMISSION IVIE, APPRECIATES THE CLARIFICATION.

COMMISSIONER IVIE MAKES MOTION TO ADOPT ORDINANCE IN REGULAR AGENDA ITEM 14. COMMISSIONER AINGE SECONDS MOTION.

VOTE: 3-0

AYE:

COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE

15. RATIFY COMMISSION CHAIR'S SIGNATURE ON DETERMINATION AND NOTICE OF CATASTROPHIC PUBLIC NUISANCE ON STATE AND FEDERAL LANDS WITHIN THE BOUNDARIES OF UTAH COUNTY  
- Bill Lee, Utah County Commissioner -

COMMISSIONER IVIE, I JUST HAD A QUICK QUESTION ON THIS ONE. TYPICALLY, WE HAVE EMAIL CHAINS AND APPROVE. THE LAST EMAIL I HAD WAS THERE WAS NO CHANGE OR QUESTION.

DAVID SHAWCROFT, UTAH COUNTY ATTORNEY, JUST FOR CLARIFICATION, THIS ACTION DOES NOT NEED TO BE ON THE AGENDA AND DOESN'T REQUIRE RATIFICATION. THE COMMISSION CHAIR HAS AUTHORITY TO SIGN LETTER AND APPROVE IT. THIS ITEM CAN BE STRIKEN. FORMAL ACTION IS NOT REQUIRED.

COMMISSIONER LEE, JUST FOR CLARIFICATION, THERE WERE EMAILS THAT WENT OUT. NCRS HAS BEEN INVOLVED IN ALL OF OUR MEETINGS, THERE IS NO RESISTANCE FROM THEM. THEY ARE GOING THROUGH THEIR PROCESS WHICH IS DIFFERENT THAN THIS. ALL OF THE CITIES OR REPRESENTATIVE HAVE BEEN IN MEETINGS WITH US. THE SHERIFFS DEPARTMENT IN COORDINATION AND COOPERATION WITH THIS. ALL THE STAKE HOLDERS ARE ON BOARD. WE COORDINATED WITH THE STATE GOVERNORS OFFICE AS WELL. THEY HAVE NOT RECEIVED THEIR FEDERAL FUNDING AND MAY CAUSE SOME PROBLEMS FOR US. THEY CANNOT DO ANYTHING; THEY JUST SIT THERE. WAITING. PUTTING THIS LETTER OUT THERE ALLOWS US TO DO SOME THINGS. TO LOOK AT PROCESS AND ASK LANDOWNERS WHAT THE PLAN IS. IT IS NOT NECESSARILY AN ACTION IT IS DRIVING THE CONVERSATION. WE HAVE THE PUBLIC AT RISK HERE.

WE RECOGNIZE THAT STRUCTURE AND LIVES ARE IN JEPORDY AND WE ARE NOT SITTING BACK TO SEE WHAT HAPPENS.

COMMISSIONER AINGE, I DON'T THINK WE EVER TOOK ANY FORMAL ACTION ON THAT. HAS THE LETTER BEEN SENT? WHAT ARE WE ANTICIPATING THE REACTION OF NRCS? I APPRECIATE ALL THE WORK THAT COMMISSIONER LEE AND OTHER DEPARTMENTS MITIGATION EFFORTS. ONLY WHEN WE FOUND OUT THE FUNDING MAY NOT COME THAT WE WERE GOING THROUGH THE PUBLIC NOTICE AND UNDERSTAND THE PURPOSE IN THAT. I WANT TO MAKE SURE IT IS COORDINATED AND STATING THAT WE NEED TO DO THIS.

COMMISSIONER LEE, THE LETTER HAS BEEN SENT TO ALL THE PARITES. OUT. NRCS IN AGREEMENT, CITIES AND STAKE HOLDERS ARE ON BOARD.

CORT GRIFFIN, ATTORNEYS OFFICE, I DON'T HAVE ANYTHING UNLESS YOU HAVE QUESTIONS. YOU STATED EVERYTHING CONCISELY. THE STATUTE WAS INACTED IN 2015 AND AS WE AMMENDED TO PROVIDE THE COUNTY WITH IDENTIFICATIONS IN THE EVENT THERE WERE LITIGATION OVER COUNTY ACTIONS. WE WOULD LIKE TO BE ABLE TO HAVE THAT OPTION TO MOVE FORWARD WITH LAWFUL ACTIONS. AND IDEMNIFICATIONS FROM THE STATE WAS INACTED JUST THIS YEAR. IN ORDER TO HAVE THOSE PROTECTIONS THE NOTICE HAS TO BE ISSUED AND THE STATUTE COMPLIED WITH IN THE 30 DAYS.

COMMISSIONER AINGE, EVERYTHING YOU JUST SAID IS APPROPRIATE AND I AM SUPPORTIVE OF THAT. THEY WAY YOU JUST STATED THAT IS A LITTLE DIFFERENT THAN THE LETTER READS. THAT IS ALL I WAS TRYING TO VERIFY. THIS ISSUE IS A CONTENTIUD ONE AND THE COURTS HAVEN'T DECIDED ON AND COULD BE A LITIGIOUS POSTURE. WE HAVE TO PROTECT OUR RESIDENTS. I JUST WANTED TO MAKE SURE THAT THROUGH A LEGAL PERSPECTIVE, THIS LETTER WASN'T DOING SOMETHING OTHER THAN THAT.

COMMISSIONER LEE, WE HAD THAT AVALANCHE THE OTHER DAY. IT WILL EVENTUALLY MELT. IT LOOKS LIKE A MUD SLIDE WHEN YOU SEE IT., WE RECOGNIZE THERE IS MORE TO COME. IT IS MY INTENT AND I WILL STATE IT PUBLICALLY. WE HAVE A LOT OF WATER SHED AREAS IN OUR COUNTY THAT WE NEED TO AGRESSIVELY PROTECT ON FEDERAL LANDS. WE NEED TO FIND OUT WHAT THEIR PLAN IS. WE CAN'T JUST HOPE AND PRAY THAT THEY ARE GOING TO HAVE SOME PROTECTION, WHICH THEY ARE NOT. THE FEDERAL GOVERNMENT IS FAILING WHEN IT COMES TO SOME OF THOSE LAND POLICIES. WE BEAR THE CONSEQUENCES FOR GENERATIONS TO COME. WHEN FIRES GO RIPPING THROUGH THERE, WE HAVE COMPROMISED WATER SHED AREAS. I KNOW IT LOOKS LIKE A SHOT OVER THE BOW BUT IT IS SAYING, WHAT IS YOUR PLAN? SHOW US YOUR PLAN FOR WHAT IS GOING ON UP HERE IN THE MOUNTAINS. WE HAVE TO DO SOMETHING HOPEFULLY AS A PARTNER IN SOLVING WHAT IS HAPPENING ALL OVER THE WASATCH FRONT.

COMMISSIONER AINGE, DAVE I AM COMFORTABLE STRIKING THIS. I HEARD THE COMMENT THAT THIS DOES NOT NEED TO BE RATIFIED. MY READING OF THE LAW IS THAT IT IS THE CHIEF EXECUTIVE OFFICER OF THE COUNTY. DO WE INTERPERT THAT AS THE CHAIR OR DO IS THAT THE ENTIRE COMMISSION?

CORT GRIFFIN, THE STATUTE DEFINES IN THIS CASE, THE CHAIR IS THE CHIEF EXECUTIVE OFFICER. RATIFICATION IS NOT NECESSARY.

COMMISSIONER LEE, I DISAGREE, I THINK IT SHOULD BE ALL THREE. WE WANT EVERYBODY ON BOARD WITH IT. I WOULD LIKE TO KNOW IF THE COUNTY COMMISSIONERS ARE IN FAVOR OF THE LETTER WE SENT OUT.

COMMISSIONER IVIE, I AM NOT OBJECTING. WE ARE TAKING STEPS TO PROTECT OUR CITIZENS AND NEEDS TO BE A COLABORATIVE EFFORT. IT CAUGHT ME OFF GARD THAT WE DIDN'T HAVE THE CONGRESS IN PLACE BEFORE THE LETTER WAS SENT.

COMMISSIONER AINGE, I KNOW YOU HAVE BEEN WORKING ON THIS BEFORE I EVEN CAME INTO OFFICE. WHEN IT CAME ON OUR OFFICIAL AGENDA MY BIGGEST QUESTION IS THE ONE YOU ADDRESSED BY THE SHOT OVER THE BOW. I WOULD WANT TO MAKE SURE WE COORDINATE WITH THOSE RECEIVING THE LETTER SO THE RECEIVE IT IN THE SPIRIT WE ARE INTENDING.

COMMISSIONER LEE, FROM MY PERSPECTIVE, COORDINATING THE INITIAL ACTION IS NOT IN OUR PERVIEW. SO, I JUST ASSUME THAT HAPPENS WITH THE EMAILS. I ASSUME THE GROUNDWORK HAS ALREADY TAKEN PLACE WHEN I GO TO SIGN A DOCUMENT.

COMMISSIONER IVIE MAKES MOTION TO STRIKE REGULAR AGENDA ITEM 15.  
COMMISSIONER AINGE SECONDS MOTION.

VOTE: 3-0

AYE:

COMMISSIONER LEE  
COMMISSIONER AINGE  
COMMISSIONER IVIE

16. ADOPT A RESOLUTION APPROVING THE APPOINTMENT OF KELLY LIDDIARD AS A DEPUTY UTAH COUNTY CONSTABLE  
- Bill Lee, Utah County Commissioner -

APPROVED ON CONSENT

17. APPROVE AND AUTHORIZE THE SIGNING OF A LEASE AGREEMENT BETWEEN UTAH COUNTY AS LESSOR AND THANKSGIVING POINTE INSTITUTE, INC., AS LESSEE RELATED TO THE BUTTERFLY BIOSPHERE  
- David H. Shawcroft, Deputy Attorney -

DAVID SHAWCROFT, DEPUTY ATTORNEY, THIS IS PART OF THE TRANSACTION THAT WAS APPROVED MORE THAN A YEAR AGO. WITH REGARD TO THE FUNDING, THE COUNTY PURCHASED THE PROPERTY OF THE OUTDOOR BIOSPHERE. AND THIS IS THE LEASE THAT PROVIDES THE RIGHT OF THANKSGIVING POINT TO USE THAT PROPERTY. IT GIVES RIGHTS FOR VARIOUS SCHOOL DISTRICT TO HAVE ACCESS TO THE BIOSPHERE.

COMMISSIONER LEE, DURING THAT WHOLE PROCESS I VOTED AGAINST THIS AND I WILL VOTE NEGATIVE AGAIN. THE REASON WHY IS THAT I FIND IT HARD THAT ALTHOUGH LEGALLY UTAH COUNTY CAN GIVE 2 MILLION DOLLARS TO AN ORGANIZATION LIKE THIS. THE PROCESS OF MAKING IT LEGAL WE IN ESSENCE ARE BUYING PROPERTY SO THAT WE CAN GIVE 2 MILLION DOLLARS. THAT ALWAYS HITS ME WRONG. THAT IS PART OF THE REASON I VOTED NO. IT IS A BEAUTIFUL FACILITY. THAT IS NOT THE QUESTION. WILL IT DO WELL TO DRAW PEOPLE HERE? THAT IS TO BE DETERMINED. MY ANXIETY WITH THIS WHLOE PROCESS IS THAT THE TAXPAYER DOLLARS ARE BEING SPENT ON PURCHASING A PIECE OF PROPERTY SO WE CAN GET AROUND CERTAIN RULES. I WILL VOTE NO ON THAT.

**COMMISSIONER IVIE, THIS IS ONE THAT I INHERITED WHEN I CAME INTO OFFICE. I FEEL THE COUNTY MADE A COMMITMENT TO THESE PEOPLE AND THAT IS WHY I VOTED FOR IT.**

**DAVID SHAWCROFT, FOR CLARIFICATION THIS LEASE IS REQUIRED WITH CONTRACT WE HAVE WITH THANKSGIVING POINT.**

**COMMISSIONER IVIE MAKES MOTION TO APPROVE LEASE AGREEMENT ON REGULAR AGENDA ITEM 17. COMMISSIONER AINGE SECONDS MOTION.**  
**VOTE: 2-1**

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

18. **ADOPT A RESOLUTION REGARDING SPRINGVILLE 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 -

**APPROVED ON CONSENT**

19. **APPROVE RELEASE OF LIEN RECORDED AGAINST PARCEL SERIAL NO. 02:028:0015 (ENTRY NO. 33317, BOOK 2640, PAGE 440)**  
-Terri Eisel, Utah County Attorney's Office -

**APPROVED ON 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 IVIE MAKES MOTION TO SET FOR TODAYS DATE AT THIS LOCATION DIRECTLY FOLLOWING THE REGULAR SESSION. COMMISSIONER AINGE SECONDS MOTION.**

**VOTE: 3-0**  
**AYE:**  
**COMMISSIONER LEE**  
**COMMISSIONER AINGE**  
**COMMISSIONER IVIE**

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 -