

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH  
PUBLIC MEETING MINUTES  
April 1, 2020  
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PUBLIC NOTICE IS HEREBY GIVEN THAT THE

**BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH**

WILL HOLD A PUBLIC MEETING  
IN THE COMMISSION CHAMBERS - ROOM 1400  
OF THE UTAH COUNTY ADMINISTRATION BUILDING  
100 East Center Street, Provo, Utah  
**April 01, 2020 - 03:00 P.M.**

\*Board members may participate electronically at will, with the anchor location as stated above.\*

**~COMMISSION MEETING MINUTES~**

PRAYER/READING/THOUGHT: **Skipped due to social distancing**  
PLEDGE OF ALLEGIANCE: **Skipped due to social distancing**

*Commissioner Ainge (Chair) and Commissioner Lee in Attendance*  
*Commissioner Ivie via Conference Call*  
*Others in Attendance: See attached Attendance Sheet*  
*(Meeting Called to Order: 3:15 pm)*

**CONSENT AGENDA**

1. APPROVE PAYROLL WARRANT SUMMARY 2020-7  
-Justin

**APPROVED ON CONSENT**

2. RATIFICATION OF WARRANT REGISTER FOR MARCH 30, 2020 INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM  
-Alice Black

**APPROVED ON CONSENT**

3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN FOUR (4) MEDICAL CONTRACTS WITH SELECTHEALTH FOR MEDICAL INSURANCE RATES AND COVERAGES IN 2020 FOR UTAH COUNTY GOVERNMENT EMPLOYEES  
-Brandon Chambers

**APPROVED ON CONSENT**

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4. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY  
-03/25/2020

**APPROVED ON CONSENT**

5. APPROVE AND AUTHORIZE THE SIGNING OF A TRIPLE NET LEASE AGREEMENT BETWEEN UTAH COUNTY AND JLMC INVESTMENTS FOR 6370 SQUARE FOOT BUILDING AND PAVED PARKING LOT INCLUDING 27 PARKING SPACES AND OUTDOOR STORAGE SHED FORMERLY KNOWN AS THE IRS BUILDING @ \$6,842 A MONTH FOR THE FIRST 12 MONTHS AND A 3% INCREASE ANNUALLY THEREAFTER.  
-Richard Nielson

**STRIKED ON CONSENT**

6. APPROVE AND AUTHORIZE THE SIGNING OF A PARTIAL RELEASE OF THE CONSTRUCTION BOND FOR SUBDIVISION IMPROVEMENTS IN THE AMOUNT OF \$1591.60 FOR THE SBF RANCHES SUBDIVISION AS PER AGREEMENT #2019-404  
-Richard Nielson

**APPROVED ON CONSENT**

7. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT BETWEEN UTAH COUNTY AND SEMI SERVICE TO PROVIDE A SUPREME BRAND 12' INNER CITY CUBE BODY WITH REAR MOUNTED TOMMY GATE LIFT FOR NEW CHEVROLET EXPRESS VAN  
-Richard Nielson

**APPROVED ON CONSENT**

8. APPROVE AND AUTHORIZE THE SIGNING OF CHANGE ORDER #1 TO AGREEMENT #2018-564 WITH A REMAINING BALANCE OF \$2,490 FOR ADDITIONAL TIME AND FUNDS TO MODIFY THE ORIGINAL DESIGN TO INCLUDE CONSTRUCTION SIGNAL COMPONENTS AND TO ADD SCHOOL ZONE FLASHERS IN BOTH DIRECTIONS AT A COST OF \$9,600 FOR THE TRAFFIC SIGNAL BID PACKAGE FOR WOODLAND HILLS DRIVE AND 340 SOUTH.  
-Richard Nielson

**RICHARD NIELSON, DIRECTOR OF PUBLIC WORKS – THIS IS A CHANGE ORDER OF THE ORIGINAL DOCUMENT WITH CIVIL SCIENCE. TRAFFIC SIGNAL IS NEXT TO THE NEW MIDDLE SCHOOL THAT IS BEING CONSTRUCTED. THIS WILL COMPLETE SIGNAL DESIGN FOR THE BID PACKAGE. THIS WILL INCLUDE SCHOOL ZONE SIGNS.**

**COMMISSIONER LEE: MOTION TO APPROVE AND AUTHORIZE  
COMMISSIONER IVIE: SECOND  
AYE: ALL IN FAVOR  
PASSED: 3/0**

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9. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT BETWEEN UTAH COUNTY AND UTELITE CORPORATION FOR LIGHTWEIGHT CHIPS @ \$36.15 A CUBIC YARD AND A DELIVERY RATE OF \$0.13 PER CUBIC YARD PER MILE

-Richard Nielson

**APPROVED ON CONSENT**

10. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT BETWEEN UTAH COUNTY AND WASATCH PROMOTIONAL PRODUCTS TO PURCHASE STORMWATER SWAG

-Richard Nielson

**RICHARD NIELSON, DIRECTOR OF PUBLIC WORKS – THIS IS THE EDUCATION PORTION OF THE STORMWATER PERMIT THAT THE COUNTY IS REQUIRED AS PART OF THE INITIAL STORMWATER PROGRAM WITH THE COALITION. VERY SMALL DOLLAR AMOUNT.**

**COMMISSIONER LEE: MOTION TO APPROVE AND AUTHORIZE  
COMMISSIONER IVIE: SECOND  
AYE: ALL IN FAVOR  
PASSED: 3/0**

11. ADOPT AND AUTHORIZE COMMISSION SIGNATURE ON A RESOLUTION AMENDING THE COUNTY MOTORIZED EQUIPMENT AND VEHICLE POLICY AN THE COUNTY TRAVEL POLICY

-Richard Nielson

**CORT GRIFFIN, DEPUTY COUNTY ATTORNEY – REVIEWED THE RESOLUTION. RECOMMENDED GOING FORWARD WITH THE RESOLUTION BEING AMENDED, STRIKING ANY REFERENCE TO THE TRAVEL POLICY.**

**COMMISSIONER LEE – HAD SUGGESTIONS TO LOOK AT AND ADJUST POLICY ON FOLLOWING SECTIONS:  
'AUTHORIZED VEHICLE AND EQUIPMENT USE', #2 – WOULD LIKE WORDING ADJUSTED.  
'AUTHORIZED VEHICLE AND EQUIPMENT USE', #5, TYPO – SAYS FORUM, SHOULD BE FROM.  
'USE OF COUNTY VEHICLES BY EMPLOYEES", #1 – WOULD LIKE BOARD OF COUNTY COMMISSIONERS TO BE ADDED TO ONES THAT CAN AUTHORIZE.  
'AUTHORIZED PASSENGERS AND COUNTY VEHICLES', #5 – RECOMMEND TO STRIKE  
'UNAUTHORIZED USE OF COUNTY VEHICLES AND MOTORIZED EQUIPMENT", #1 – RECOMMEND TO STRIKE THE "...UNLESS AUTHORIZED BY DEPARTMENT HEADS".  
'OFF-DUTY USE' – SUGGESTS TO ADD, "MAY NOT PERMIT THE SPOUSE OR CHILDREN TO TRAVEL AS PASSENGERS".**

**COMMISSIONER IVIE AND COMMISSIONER AINGE – SUGGESTED CORT GRIFFIN REVIEW AND MAKE RECOMMENDATIONS TAKING IN CONSIDERATION SUGGESTIONS FROM COMMISSIONER LEE AND CONTACTING INSURANCE COMPANY FOR ADVICE ALSO.**

**COMMISSIONER LEE: MOTION TO CONTINUE THIS ON APRIL 15, 2020  
COMMISSIONER IVIE: SECOND  
AYE: ALL IN FAVOR  
PASSED: 3/0**

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12. ADOPT A RESOLUTION AUTHORIZING THE COMMISSION CHAIR TO SIGN AN INTERLOCAL AGREEMENT WITH SPANISH FORK CITY FOR THE SPANISH FORK US-6/ CENTER STREET UNDERCROSSING PROJECT.

-Richard Nielson

**COMMISSIONER LEE – ON THE REFUNDING SECTION OF THE AGREEMENT, SUBSECTION 6-8E, SUGGESTS EITHER STRIKING THAT SECTION OR TAKE MOUNTAINLAND OUT OF THAT SECTION AND ADD UTAH COUNTY. IT'S COUNTY FUNDS NOT MOUNTAINLAND'S.**

**RICHARD NIELSON, DIRECTOR OF PUBLIC WORKS – AGREED**

**COMMISSIONER LEE: MOTION TO ADOPT WITH THE REMOVAL IN 6-8E OF MOUNTAINLAND'S RIGHT BEFORE UTAH COUNTY ON REFUNDING OF MONEY**

**COMMISSIONER IVIE: SECOND**

**AYE: ALL IN FAVOR**

**PASSED: 3/0**

13. APPROVE AND AUTHORIZE THE SIGNING AND COMPLETION OF SIX DOCUMENTS TO SECURE THE FUNDS FOR THE WATER SHED OPS IN REGARD TO THE ENVIRONMENTAL REVIEW AND THE 30% DESIGN FEE.

-Richard Nielson

**RICHARD NIELSON, DIRECTOR OF PUBLIC WORKS – SIX DIFFERENT DOCUMENTS WITH NRCS PERTAINING TO THE WATERSHED FOR ADDITIONAL FUNDING FOR FIRE RESTORATION.**

**ROBERT MOORE, DEPUTY COUNTY ATTORNEY – FORM HAS AN EXPIRATION DATE OF 8/31/2016. RICHARD NIELSON CONFIRMED THAT THIS IS THE MOST RECENT FORM. IT WAS THE FORM THAT WAS SENT IN JULY.**

**COMMISSIONER LEE: MOTION TO APPROVE**

**COMMISSIONER IVIE: SECOND**

**AYE: ALL IN FAVOR**

**PASSED: 3/0**

14. APPROVE AND AUTHORIZE THE SIGNING OF A LETTER ACCEPTING THE COMPLETION OF THE ONE YEAR WARRANTY PERIOD FOR TEH SHELSEY ACRES A SUBDIVISION AND RELEASE THE WARRANTY BOND IN THE AMOUNT OF \$2,457.81 HELD AS PART OF THE DEVELOPMENT AGREEMENT #2017-726

-Richard Nielson

**APPROVED ON CONSENT**

15. APPROVE AND AUTHORIZE THE SIGNING OF AN AMENDMENT TO #2018-209 AND #2018-407 WITH SANOFI PASTEUR.

-Ralph Clegg

**APPROVED ON CONSENT**

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16. APPROVE AND AUTHORIZE THE SIGNING OF AN AMENDMENT TO 2019-457 WITH SARATOGA SPRINGS CITY FOR THE COMMUNITIES THAT CARE (CTC) INITIATIVE.

-Ralph Clegg

**APPROVED ON CONSENT**

17. APPROVE AND AUTHORIZE THE SIGNING OF AN AMENDMENT TO #2019-501 WITH PAYSON CITY FOR THE COMMUNITIES THAT CARE (CTC) INITIATIVE.

-Ralph Clegg

**APPROVED ON CONSENT**

18. DECLARE ATTACHED LIST OF COMPUTER EQUIPMENT AS SURPLUS AND ALLOW DISPOSITION BY PUBLIC AUCTION.

-Brittany Bell

**APPROVED ON CONSENT**

19. DECLARE AS SURPLUS A GLOCK MODEL 34, SERIAL NUMBER BHLN790, WITH AN ESTIMATED VALUE OF \$300.00 TO BE PRESENTED TO DEPUTY LONNY LARSEN FOR SERVING THE UTAH COUNTY SHERIFF'S OFFICE AND THE CITIZENS OF UTAH COUNTY.

-Shawn Radmall

**APPROVED ON CONSENT**

20. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER 60413 DATED 03/25/2020

-Jim Stevens

**APPROVED ON CONSENT**

21. APPROVE AND AUTHORIZE THE SIGNING OF THE BUREAU OF CRIMINAL IDENTIFICATION (BCI) QUALIFIED ENTITY AGREEMENT, TO BE IN COMPLIANCE WITH FEDERAL SPECIAL CONDITION 15.

-Rebecca Martell

**APPROVED ON CONSENT**

**REGULAR AGENDA**

1. SET A PUBLIC HEARING TO CONSIDER THE VIVIAN PARK HOMEOWNERS ASSOCIATION'S PETITION TO VACATE THE PUBLIC RIGHTS-OF-WAY IN THE VIVIAN PARK SUBDIVISION, IDENTIFIED AS "FAIRFAX DRIVE",

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"VIVIAN WAY" AND "BEVERLY WAY", PURSUANT TO UTAH CODE SECTIONS 17-27A-208 AND 72-3-108.  
(SUGGESTED DATE: MAY 6, 2020.)  
- Robert J. Moore, Deputy Attorney

**COMMISSIONER LEE: MOTION TO SET A PUBLIC HEARING FOR MAY 6, 2020.**  
**COMMISSIONER IVIE: SECOND**  
**AYE: ALL IN FAVOR**  
**PASSED: 3/0**

2. AUTHORIZE A STAFFING PLAN CHANGE TO UPGRADE ONE (1) FULL-TIME, CAREER SERVICE, PROGRAMMER III POSITION TO A FULL-TIME, CAREER SERVICE, SENIOR PROGRAMMER POSITION [ACCOUNT 670-41671/INFORMATION SYSTEMS - PROGRAMMING, SUPERVISORY ORG: JERRY CHAPMAN; ADD ONE (1) POSITION OF JOB CODE 2964, GRADE 517 AND DELETE ONE (1) POSITION OF JOB CODE 2031, GRADE 516].  
-Elicia Edwards

***(CONVERSATION IS REGARDING REGULAR AGENDA ITEMS #2 & #3):***

**PATRICK WAWRO, DIRECTOR OF INFORMATION SYSTEMS – NO IMMEDIATE PLANS TO START THE HIRING PROCESS FOR THESE UNTIL AFTER THE HIRING FREEZE IS LIFTED. RE-WROTE THE JOB DESCRIPTION TO MODERNIZE AND BRING IN LINE WITH CURRENT AND FUTURE NEEDS.**

**POSITION WOULD BE AN INTERNAL HIRE DUE TO REMOVING A PROGRAMMER 3 POSITION AND CONVERTING THAT TO A PROGRAMMER 4. WOULD LIKE TO MOVE FORWARD WITH THIS ONE IF POSSIBLE BECAUSE THIS POSITION WOULD BE PROMOTING SOMEONE INTERNALLY SO WOULD NOT BE BRINGING SOMEONE NEW IN. POSITION IS ALREADY FULLY FUNDED.**

**RALF BARNES, DIRECTOR OF HUMAN RESOURCES – HAVE BEEN ALLOWING INTERNAL POSTINGS BECAUSE THEY DO NOT INCUR AN INCREASE IN HEADCOUNT.**

**THIS IS JUST AN ACTION TO ADD THESE INTO THE STAFFING PLAN OFFICIALLY. AGENDA ITEM #3 WOULD STILL NEED TO HAVE APPROVAL TO MOVE FORWARD SINCE IT IS AN EXTERNAL HIRE.**

**COMMISSIONER AINGE – DUE TO THE CRISIS OF COVID 19 ISSUES, BUDGET UNCERTAINTIES RELATED TO SALES TAX REVENUE AND OTHER CONSEQUENCES OF THE CRISIS, EVEN THE INTERNAL PROMOTIONS NEED TO BE LOOKED AT CLOSELY AS TO IF THE POSITIONS SHOULD BE FILLED.**

**COMMISSIONER LEE: MOTION TO CONTINUE WITHOUT DATE AND PULL BACK ON AFTER THE HIRING FREEZE IS LIFTED.**  
**COMMISSIONER IVIE: SECOND**  
**AYE: ALL IN FAVOR**  
**PASSED: 3/0**

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3. AUTHORIZE AN ADDITION TO THE STAFFING PLAN OF ONE (1) FULL-TIME, CAREER SERVICE, PROGRAMMER III POSITION [ACCOUNT 670-41671/INFORMATION SYSTEMS - PROGRAMMING, SUPERVISORY ORG: JERRY CHAPMAN; ADD ONE (1) POSITION OF JOB CODE 2031, GRADE 516].  
-Elicia Edwards

**COMMISSIONER LEE: MOTION TO CONTINUE WITHOUT DATE AND PULL BACK ON AFTER THE HIRING FREEZE IS LIFTED.**  
**COMMISSIONER IVIE: SECOND**  
**AYE: ALL IN FAVOR**  
**PASSED: 3/0**

4. APPROVE AND AUTHORIZE THE SIGNING OF A WORK AGREEMENT BETWEEN UTAH COUNTY AND ROCKY MOUNTAIN POWER FOR \$12,103.00 FOR THE RELOCATION OF POWER POLE IN CONNECTION WITH THE NEW UDOT SIGNAL TO BE PLACED AT THE NORTH ENTRANCE OF THE PUBLIC WORKS COMPLEX. SIGNAL WILL ALLOW FOR A LIGHT CONTROLLED ENTRANCE INTO THE COMPLEX.  
- Richard Nielson, Public Works Director

**AUTHORIZED ON CONSENT**

5. 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)  
-Alice Black

**COMMISSIONER IVIE: MOTION TO APPROVE TO SET A DATE, TIME AND LOCATION FOR TODAY'S DATE IMMEDIATELY AFTER THIS MEETING AT THIS LOCATION**  
**COMMISSIONER IVIE: SECOND**  
**AYE: ALL IN FAVOR**  
**PASSED: 3/0**

6. 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)  
-Alice Black

**COMMISSIONER IVIE: MOTION TO APPROVE TO SET A DATE, TIME AND LOCATION FOR TODAY'S DATE IMMEDIATELY AFTER THIS MEETING AT THIS LOCATION**  
**COMMISSIONER IVIE: SECOND**  
**AYE: ALL IN FAVOR**  
**PASSED: 3/0**

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7. 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)

-Alice Black

**COMMISSIONER LEE: MOTION TO STRIKE**  
**COMMISSIONER IVIE: SECOND**  
**AYE: ALL IN FAVOR**  
**PASSED: 3/0**

8. 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)

-Alice Black

**COMMISSIONER IVIE: MOTION TO APPROVE TO SET A DATE, TIME AND LOCATION FOR TODAY'S DATE IMMEDIATELY AFTER THIS MEETING AT THIS LOCATION**  
**COMMISSIONER IVIE: SECOND**  
**AYE: ALL IN FAVOR**  
**PASSED: 3/0**

### **WORK SESSION**

1. ADOPT (OR DENY) AN ORDINANCE TO AMEND CHAPTER 3, PART 1 OF THE UTAH COUNTY LAND USE ORDINANCE RELATED TO PROVIDING CLARITY AND CONSISTENCY TO VARIOUS LAND USE REGULATIONS.

Bryce Armstrong, Community Development

**BRYCE ARMSTRONG, COMMUNITY DEVELOPMENT – DISCUSSED SECTIONS THAT NEED BE AMENDED FOR BETTER CLARIFICATION AND ALSO TO KEEP IN LINE WITH STATE CHANGES, DEFINITIONS AND RECOMMENDATIONS.**

2. CONSIDER APPROVING A DEVELOPMENT CREDITS ALLOCATION AGREEMENT BY AND AMONG SUNDANCE MOUNTAIN RANCH LLC, A UTAH LIMITED LIABILITY COMPANY, SUNDANCE PARTNERS, LTD., A UTAH LIMITED PARTNERSHIP, MOSS FARMS LLC, A UTAH LIMITED LIABILITY COMPANY, BONEYARD PROPERTY HOLDING LLC, A UTAH LIMITED LIABILITY COMPANY, SUNDANCE DEVELOPMENT CORPORATION, A UTAH CORPORATION, SUNDANCE VILLAGE HOLDINGS LLC, A UTAH LIMITED LIABILITY COMPANY, CHARLES ROBERT REDFORD, JR., AS TRUSTEE OF THE ROBERT REDFORD 1970 TRUST, STEPHEN MINTON AND JONI MINTON, AND UTAH COUNTY, WHICH RELATE TO THE USE OF DEVELOPMENT CREDITS IN THE THIRD AMENDED AND RESTATED SUNDANCE RECREATIONAL RESORT PLAT "A".

- Bryce Armstrong, Community Development



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**ROBERT MOORE, DEPUTY COUNTY ATTORNEY – APPROACHED BY THE ATTORNEY FOR SUNDANCE ASKING FOR THE COUNTY TO CONSIDER THIS DEVELOPMENT. CURRENTLY THEY HAVE TWO DIFFERENT AREAS OF DEVELOPMENT CREDITS ON BOTH SIDES OF SR2 GOING UP TO SUNDANCE. THEIR INTENTIONS ARE:**

- 1. TO COMBINE THOSE AREAS INTO ONE AREA THROUGH THIS DEVELOPMENT CREDIT ALLOCATION AGREEMENT.**
- 2. THEY ARE WANTING TO WORK THROUGH A PROCESS WHEREBY THEY'VE WORKED THROUGH ALL OF THE ENTITIES WHO OWN PROPERTY UP IN THE SUNDANCE AREA TO BE A PART OF THIS AGREEMENT.**
- 3. TRYING TO MAKE A PROCESS GOING FORWARD ON HOW THESE DEVELOPMENTS MIGHT BE ALLOCATED ON THEIR END.**

**ROBERT MOORE EXPRESSED CONCERN AS TO HOW THE CREDITS ARE TRACKED AND ALLOCATED. CURRENTLY THE CREDITS ARE TRACKED ON EACH AMENDED PLOT SUBDIVISION THAT COMES BEFORE THE COUNTY COMMISSION.**

**TOM BENNETT, LAW FIRM OF BALLARD SPAHR REPRESENTING SUNDANCE – THIS IS AN AGREEMENT THAT WAS STARTED A COUPLE OF YEARS AGO. THERE SEEMED TO BE SOME UNCERTAINTY AS TO WHO OWNED AND WHO CONTROLLED THE DEVELOPMENT CREDITS AND WHAT THE PROCESS WOULD BE IF CREDITS WANTED TO BE TRANSFERRED. THE CREDITS ARE CURRENTLY DOCUMENTED ON SUNDANCE PLAT A, WHICH IS THE MASTER PLAT THAT IS OWNED BY SEVEN DIFFERENT PROPERTY OWNERS.**

**THE OWNERSHIP WOULD BE UNDER SUNDANCE DEVELOPMENT CORPORATION AND TRANSFER OF CREDIT WOULD BE TRANSFERRED BY AN ASSIGNMENT AGREEMENT. THE AGREEMENT ALSO REQUIRES THAT IF THERE IS TO BE A TRANSFER OF DEVELOPMENT CREDITS, THEN THE CREDITS TABLE WOULD HAVE TO BE MODIFIED CONSISTENT WITH THAT ASSIGNMENT AND MODIFIED, THEN RECORDED AS AN AMENDMENT TO THIS AGREEMENT. THIS WOULD ALLOW FOR DEVELOPMENT CREDITS TO BE TRANSFERRED WITHOUT HAVING TO INVOLVE THE COUNTY COMMISSION. WOULD BE DONE IN A WAY THAT THERE WOULD ALWAYS BE A CLEAR PUBLIC RECORD AS TO HOW MANY DEVELOPMENT CREDITS THERE WERE AND WHO WAS THE OWNER OF THOSE CREDITS.**

- 3. CONSIDER A RESOLUTION APPROVING ADDENDUM NUMBER 1 TO THE UTAH COUNTY FAIR INTERLOCAL COOPERATION AGREEMENT DATED SEPTEMBER 16, 2008 AND REGARDING ONGOING USE AND EXPANSION OF THE SPANISH FORK FAIRGROUNDS.**

-NATHAN IVIE

**ROBERT MOORE, DEPUTY COUNTY ATTORNEY – JUNIOR BAKER, CITY ATTORNEY FOR SPANISH FORK SAID THE APPRAISED VALUE IS HIGHER THAN THE \$2.2 MILLION THAT WAS THE NEGOTIATED PRICE. THERE'S AN ADDITIONAL \$200,000 THAT WOULD REPRESENT THE MONIES TO BE UTILIZED FOR CLEANUP PURPOSES. OF THAT TOTAL AMOUNT, THE COUNTY WOULD BE OBLIGATED FOR HALF OF THE \$2.2 MILLION AND HALF OF THE \$200,000.**

**THERE IS A PORTION OF THE PROPERTY THAT SPANISH FORK CITY WOULD LIKE TO RETAIN FOR A PUBLIC WORKS FACILITY. THEY WOULD SUBTRACT THAT FORM THE TOTAL COST OF PURCHASE OF THE PROPERTY.**

**SPANISH FORK CITY NEEDS TO RECEIVE THE COUNTY'S HALF THEIR FISCAL YEAR WHICH IS JUNE 30, 2020.**

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**SPANISH FORK CITY IS STILL WORKING ON RECEIVING THE CLEAN STATUS FROM DEQ BY THE END OF THE YEAR. IF NOT, THE AGREEMENT BECOME VOID AND THEY WOULD RETURN THE MONEY.**

**COMMISSIONER AINGE – HIS UNDERSTANDING WAS THAT THIS WAS BASED ON THE COUNTY GETTING CLEAN TITLE, NO ENVIRONMENTAL RISK – THE DEAL WOULD CLOSE THEN WE WOULD PAY OUR PORTION.**

**THERE WERE REPRESENTATIVES FROM SPANISH FORK (CITY MANAGER, PARKS & RECREATION DIRECTOR) ON THE CONFERENCE CALL. STATED THAT THE CONCEPT WHEN REVIEWED WITH THE COUNTY LAST SUMMER WAS THAT THE CITY WOULD INDEMNIFY THE COUNTY FROM ANY ISSUES/RISKS WITH THE LAND.**

4. CONSIDER A RESOLUTION APPROVING AN INTER-LOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND SPANISH FORK CITY FOR PRODUCTION AND PROMOTION OF THE UTAH COUNTY FAIR.  
-NATHAN IVIE

**ROBERT MOORE, DEPUTY COUNTY ATTORNEY –WAS ASKED TO DRAFT AN AGREEMENT BETWEEN UTAH COUNTY AND SPANISH FORK CITY RELATED TO THEIR PROMOTION AND ESSENTIALLY RUNNING THE COUNTY FAIR FOR THE NEXT 5 YEARS. HAS BEEN GIVEN TO THE COMMISSIONERS AS WELL AS SENT TO SPANISH FORK CITY. SPANISH FORK CITY REPLIED WITH SOME POINTS TO CONSIDER:**

- 1. WANT AN ADDITIONAL 5 YEARS ON TOP OF THE FIRST 5 YEARS. THEY WANT TO HIRE A FULL-TIME EMPLOYEE AND TO DO SO THEY FEEL THEY NEED A LONGER COMMITMENT.**
- 2. FUNDING QUESTIONS.**
- 3. SPANISH FORK CITY WOULD SPLIT THE PROFIT 50/50. INTENTION OF THE CITY TO GO AHEAD AND GET SPONSORS TO OFFSET COSTS.**
- 4. EXECUTIVE COMMITTEE TO BE FORMED TO WORK TOGETHER.**
- 5. EACH ENTITY HAVE LIABILITY INSURANCE.**
- 6. THE COMMISSIONERS AND COUNTY SUPPORT THE FAIR THROUGH EMAILS, PHONE CALLS, APPEARANCES, ETC.**

**GROUP TALKED ABOUT A SCALED-DOWN VERSION FOR 2020, DEPENDING ON THE OUTCOME/STATUS OF COVID 19. FAIR COMMITTEE WILL GET TOGETHER TO PUT TOGETHER A SCALED-DOWN PROPOSAL.**

5. CONSIDER SETTING A PUBLIC HEARING TO DISPOSE OF REAL PROPERTY IN PUBLIC USE (WILLOW PARK) PURSUANT TO UTAH COUNTY CODE § 2-1-3 AND TO APPROVE A REAL ESTATE TRANSFER AGREEMENT BETWEEN UTAH COUNTY AND LEHI CITY WHEREBY WILLOW PARK WOULD BE TRANSFERRED TO LEHI CITY TO CONTINUE AS A CITY PUBLIC PARK AND WHICH CONSISTS OF APPROXIMATELY 44.11 ACRES AND IS LOCATED AT APPROXIMATELY 9800 WEST 300 NORTH IN THE CITY OF LEHI, COUNTY OF UTAH, STATE OF UTAH.  
-NATHAN IVIE

**ROBERT MOORE, DEPUTY COUNTY ATTORNEY – INITIALLY ASKED TO DRAFT THE TRANSFER AGREEMENT THEN SUBSEQUENTLY ASKED TO DRAFT A LEASE AGREEMENT. LEHI HAS COME BACK WITH A COUPLE OF POTENTIAL CHANGES THEY'D LIKE INCLUDING A LONGER TERM. COUNTY WOULD BE LEASING THIS**

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**PROPERTY TO LEHI TO CONTINUE AS A PARK. LEHI WILL DO IMPROVEMENTS TO THE ROAD, ADD SOME YARD, A CANOE LAUNCH, HANDLE SNOW REMOVAL, ETC.**

**SAID THAT THE ECONOMIC DEVELOPMENT DIRECTOR HAD SAID THEY ARE NOT PLANNING ON PUTTING ANY ADDITIONAL CITY ROADS OR STREETS OUTSIDE THE PARK. THEY MAY REDUCE SOME OF THE ROADS WITHIN IN THE PARK.**

**ALSO, RICHARD NIELSEN SENT AN EMAIL WITH A COUPLE OF CONCERNS HE HAD.**

**RICHARD NIELSON, DIRECTOR OF PUBLIC WORKS – SECTION 7.1 STATES, ‘BEFORE ANY CONSTRUCTION IMPROVEMENTS OTHER THAN NORMAL MAINTENANCE BEGINS, CITY WILL OBTAIN PRIOR WRITTEN APPROVAL BY THE COUNTY PUBLIC WORK DIRECTOR OF ALL PLANS AND SPECIFICATIONS’.**

**MARLIN ELDRED, LEHI CITY ECONOMIC DEVELOPMENT DIRECTOR – IN AGREEMENT THAT ANY BUILDING, ROAD OR IMPROVEMENTS MADE TO THE PARK, THE CITY HAS FULL INTENTION OF WORKING WITH RICHARD NIELSON THROUGH THE PROCESS TO MAKE SURE THE COUNTY IS 100% ON BOARD WITH THOSE IMPROVEMENTS. WERE NOT UNDER THE IMPRESSION THAT THE CITY WOULD PROVIDE ANY TYPE OF BUILDING SPACE. MORE THAN HAPPY TO, WITHIN THE MAINTENANCE YARD, PROVIDE SPACE FOR THE COUNTY TO BUILD A BUILDING.**

**RICHARD NIELSON, DIRECTOR OF UTAH COUNTY PUBLIC WORKS – RECALL THAT WE WOULD USE A BAY WITHIN AN EXISTING BUILDING IN THE MAINTENANCE YARD. A BUILDING, PROVIDED BY LEHI CITY, IN A SLIGHTLY DIFFERENT LOCATION WOULD BE ACCEPTABLE.**

**MARK JOHNSON, LEHI CITY MAYOR – INITIAL INTENTION WAS TO MAKE THE IMPROVEMENTS TO THE PARK THAT ARE NEEDED. THIS IS A GREAT OPPORTUNITY FOR A REGIONAL PARK AND THAT IT WILL SERVE ALL CITIZENS IN THE AREA. AGREED TO KEEP THE CAMPGROUND, EXPAND THE DOCK, PROVIDE A STAGING AREA FOR THE MAINTENANCE OF THE TRAIL SYSTEM. THE CITY COULD BUILD THEIR OWN FACILITY THERE ALTHOUGH THEY DON’T FEEL THE NEED TO DO THAT. PLAN ON IMPROVING THE TEES, REPLACE THE GRASS, BUILD BOAT RAMP. WILLING TO FOLLOW COUNTY STANDARDS AND MAKE THE IMPROVEMENTS TO THE PARK AND THE ROADS. DON’T MIND A REVIEW SITUATION, BUT NOT A DICTATION ON EVERYTHING THAT IS DONE. CONCERNED WITH THE LENGTH OF LEASE.**

**COMMISSIONER IVIE – WE PROBABLY COULD ESTABLISH SOME KIND OF VALUE NUMBER. SMALLER TYPES OF IMPROVEMENTS – DON’T SEE THOSE NEEDING TO COME BEFORE THE COUNTY. LARGER STRUCTURES AND SUCH WOULD NEED THE APPROVAL PROCESS.**

**MARK JOHNSON – SUGGESTED GETTING WITH RICHARD NIELSON AND ROBERT MOORE AND DO AN OUTLINE SUCH AS A 5-YEAR PLAN OR 10-YEAR PLAN.**

## **PUBLIC COMMENTS**

**RALPH CLEGG, UTAH COUNTY HEALTH DEPARTMENT EXECUTIVE DIRECTOR – HAVE THE NEW PUBLIC HEALTH ORDER THAT ADDS THE FOLLOWING:**

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- 1. INDIVIDUALS WHO ARE ASKED TO SELF-ISOLATE OR SELF-QUARANTINE DUE TO TESTING POSITIVE TO COVID 19 OR HAVE BEEN EXPOSED TO SOMEONE WHO HAS TESTED POSITIVE TO COVID 19, ARE EXPECTED TO DO SO.**
- 2. FOOD SERVICE – ALLOWS PEOPLE TO GO INSIDE AND ORDER FOOD AND THEN WAIT OUTSIDE OR INSIDE IF THERE ARE ONLY A FEW PEOPLE INSIDE THE LOCATION.**
- 3. ASKS PEOPLE TO FOLLOW THE GOVERNOR’S ‘STAY HOME, STAY SAFE’ GUIDANCE.**

**COMMISSIONER IVIE ASKED WHAT THE REQUIREMENT IS FOR MISSIONARIES OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS THAT HAVE BEEN BROUGHT HOME. RALPH STATED THAT THE CHURCH HAD THE MISSIONARIES SELF-QUARANTINE FOR 2 WEEKS PRIOR TO COMING HOME AND THEN THEY’VE BEEN ASKED TO QUARANTINE FOR 2 WEEKS IN THEIR HOME. FAMILY MEMBERS HAVE BEEN ASKED TO MONITOR THEMSELVES FOR ANY SYMPTOMS OF THE DISEASE.**

**THIS ORDER GOES IN EFFECT UNTIL APRIL 17, 2020.**

***MOVED TO CLOSED SESSION: 5:46 PM***

***CLOSED SESSION ENDED AND REGULAR SESSION BEGAN AGAIN: 6:15 PM***

**COMMISSIONER LEE: MOTION TO ADJOURN**

**COMMISSIONER IVIE: SECOND**

**AYE: ALL IN FAVOR**

**PASSED: 3/0**

***MEETING ADJOURNED AT 6:36 PM***

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

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BOARD OF COMMISSIONERS FOR UTAH COUNTY  
ATTENDANCE SHEET  
APRIL 1, 2020 at 3:00 p.m.

PRINT CLEARLY

Name:

Agency:

Eric Edwards  
Jon Gunn  
Jeff Smith  
PATRICK WAWRO  
Bryce C. Larsen

Utah County Health  
Assessor  
Recorder  
IS  
UCHD

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DocuSigned by:

*Tanner Ainge*

Tanner Ainge, Commission Chair

DocuSigned by:

*Alice Black*

Deputy Clerk/Auditor