



PUBLIC NOTICE IS HEREBY GIVEN THAT THE

BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH

WILL HOLD A PUBLIC WORK SESSION
IN THE COMMISSION CHAMBERS - ROOM 2300
OF THE UTAH COUNTY ADMINISTRATION BUILDING
100 East Center Street, Provo, Utah
February 5, 2020 – 3:00 PM

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

~WORK SESSION MINUTES~

PRAYER/READING/THOUGHT: To Be Announced
PLEDGE OF ALLEGIANCE: To Be Announced

Commissioner Ainge (Chair), Commissioner Lee and Commissioner Ivie in Attendance

PRAYER/READING/THOUGHT: N/A
PLEDGE OF ALLEGIANCE: N/A

WORK SESSION

1. FEBRUARY 2020 EMPLOYEE OF THE MONTH
- PJ Maughan, Human Resources Office-

CONTINUED TO NEXT COMMISSION MEETING

2. ADOPT A RESOLUTION APPROVING AND ADOPTING HUMAN RESOURCE
MANAGEMENT POLICY 5-200: ADA REASONABLE ACCOMMODATIONS
-Mark Brady, Assistant Director, Human Resources-

CONTINUED TO NEXT COMMISSION MEETING

3. APPROVE AND AUTHORIZE THE SHERIFF TO SIGN A CONTRACTUAL
AGREEMENT FOR THE OFFICER INVOLVED CRITICAL INCIDENT PROTOCOL (OICI)
-Michael L. Smith, Utah County Sheriff-

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SHAUN BUFTON, UNDER SHERIFF - SO THE SHERIFF COULDN'T MAKE TODAY, I DON'T KNOW IF HE LET YOU KNOW THAT BUT, WAS THERE ANY QUESTIONS ON *OICI*?

COMMISSIONER AINGE – SO, I THINK THE PURPOSE OF A WORK SESSION IS TO HAVE DISCUSSION AND TO TALK ABOUT WHAT YOU'RE PROPOSING, WHY YOU THINK A CHANGE IS IMPORTANT, SO I GUESS I GIVE YOU THE OPPORTUNITY HERE TO TALK ABOUT WHAT YOU, WHAT CHANGE YOU WANT HERE.

COMMISSIONER LEE - I DON'T SEE ANY, I DON'T SEE A DOCUMENT OR ANYTHING ON THERE, JUST COMES UP.

COMMISSIONER AINGE - OH YEAH, ACTUALLY THIS ONE THERE ISN'T.

SHAUN BUFTON - THERE WASN'T ANYTHING?

COMMISSIONER LEE - THERE'S NOTHING ON THERE, YEAH.

SHAUN BUFTON – I DON'T KNOW ON THAT ONE. I KNOW THAT THEY WERE KIND OF IN A HURRY. WE WERE, I THINK THE COUNTY IS ONLY AGENCY OR ONE OF THE FEW AGENCIES THAT'S ACTUALLY SIGNED IT. ALL THE REST OF THE CITIES IN THE COUNTY HAVE SIGNED THIS AGREEMENT. BUT I HONESTLY DIDN'T COME PREPARED TO TALK ABOUT ANY OF THE DETAILS. THEY, ALL THE CHIEFS, GOT TOGETHER AND FELT LIKE THERE NEEDED TO BE A CHANGE IN THE *OICI* POLICY. THOSE CHANGES WERE MADE, THEY ALL MET SEVERAL TIMES AND WE'RE JUST KIND OF SITTING, WAITING HERE.

COMMISSIONER AINGE – OKAY, WELL I MEAN I DON'T THINK ANY OF US HAVE SEEN THE DOCUMENT AND WE HAVEN'T HEARD AN EXPLANATION SO I THINK WE WILL JUST HAVE TO GET ON TO THE NEXT MEETING AND HAVE THAT EXPECTATION.

SHAUN BUFTON – ALRIGHT.

COMMISSIONER AINGE - THANK YOU.

COMMISSIONER AINGE - THANKS SHAUN. SO, I'M TRYING TO THINK OF WHAT WE WANT TO DO FOR THAT ONE I GUESS WE CAN COME BACK TO IT BUT WHAT MEETING THAT WILL BE CONTINUED TO.

SHAUN BUFTON - FOR THE NEXT WORK SESSION SO I CAN LET THE SHERIFF KNOW?

COMMISSIONER AINGE – YEAH, I THINK CERTAINLY THE NEXT WORK SESSION.

COMMISSIONER IVIE - I THINK THE NEXT WORK SESSION.

COMMISSIONER AINGE – WOULD BE FINE. I KNOW THAT YOU MENTIONED SOME TIME SENSITIVITY, SO I GUESS IN LIEU OF THAT, IF YOU COULD GET THE DOCUMENT AND WE CAN HAVE A DISCUSSION PRIOR TO OUR NEXT

COMMISSION MEETING. BUT I THINK BY DEFAULT, IT WOULD PROBABLY BE THE NEXT WORK SESSION.

SHAWN BUFTON – I DON'T KNOW WHAT HAPPENED, I KNOW WE TALKED LAST WEEK, HE WAS TRYING TO GET IT UPLOADED, SO I DON'T KNOW.

COMMISSIONER AINGE – OKAY.

SHAWN BUFTON – I HAVE NO IDEA.

COMMISSIONER AINGE - I MEAN WE CERTAINLY DON'T HAVE AN ISSUE WITH IT. I JUST KNOW THAT THERE'S TIME SENSITIVITY ON YOUR SIDE.

4. LISTEN TO AN UPDATE FROM CLAY SHELLEY, THE PARK MANAGER OF CAMP FLOYD STATE PARK, REGARDING WHAT CAMP FLOYD STATE PARK ACCOMPLISHED IN 2019 AND PLANS FOR 2020.

-Bill Lee, Utah County Commissioner

CLAY SHELLEY, PARK MANAGER - THANKS FOR ALLOWING ME TO COME IN. I DO HAVE SOME FOLDERS IF YOU GUYS WOULD LIKE THOSE THAT HAVE ALL THE STATISTICS IN THERE, BUT I WANTED TO TAKE AN OPPORTUNITY TO INTRODUCE MYSELF. I'M CLAY SHELLEY. I'M THE PARK MANAGER OUT OF CAMP FLOYD STATE PARK, THE HISTORICAL STATE PARK THAT YOU, THAT WE HAVE HERE IN THE COUNTY, AND TALK A LITTLE BIT ABOUT WHAT WE ACCOMPLISHED IN 2019 SO YOU'RE AWARE OF KIND OF WHAT WE'RE DOING AND THE PROGRAMMING THAT WE HAVE. LAST YEAR FOR 2019 OUR VISITATION IS HALF AND HALF BECAUSE OUR FISCAL YEAR GOES JULY 1ST TO JUNE 30TH, SO I TOOK FOR 2019 I TOOK THE FIRST SIX MONTHS OF THE ONE PAST PREVIOUS YEAR AND THE SIX MONTHS OF THIS YEAR. WE'RE AT 16,933 VISITORS THIS YEAR OR FOR LAST YEAR, WHICH IS AN INCREASE OF ABOUT 3000 VISITORS FROM THE PREVIOUS YEAR. SO, OUR VISITATION IS GOING UP AND OUR PROGRAMMING IS GOING UP. WHAT THE COOLEST THINGS ABOUT THE PARK LAST YEAR IS WE HAD 74 SCHOOLS WITH 7351 SCHOOL KIDS COME OUT AND LEARN ABOUT JOHNSTON'S ARMY, THE OCCUPATION OF THE UTAH WAR AND LEARN ABOUT THE PONY EXPRESS AND THOSE THINGS THAT ARE OUR MISSION STATEMENT AT CAMP FLOYD. AND SO THAT'S REALLY EXCITING TO BE ABLE TO DRESS UP AND DO THOSE PROGRAMS WITH THE SCHOOL KIDS. WE HAD TWO STAR PARTIES, 6 LANTERN TOURS AT NIGHT AFTER HOURS IN THE DARK TALKING ABOUT THE HISTORY IN THE FOLKLORE SURROUNDING CAMP FLOYD IN FAIRFIELD. WE HAD ONE JOHNSTON'S ARMY ADVENTURE SCOUT CAMP, CUB SCOUT CAMP, FIVE BOY SCOUT CAMPS, 5 HISTORY DAY CAMPS WHICH ARE 3-DAY LONG CAMPS WHERE THE KIDS GET TO LEARN ABOUT JOHNSTON'S ARMY AND THE THINGS THAT THEY DID OUT THERE, WE HAD TWO JUNIOR RANGER INTERPRETIVE HIKES, 5 GHOST OF CAMP FLOYD PROGRAMS AND THREE PARANORMAL INVESTIGATION PROGRAMS. WE ALSO HAD, FOR OUR BIG MAJOR EVENTS, WELL LAST YEAR WE STARTED A SUMMER CONCERT SERIES OUT THERE AND WE HAD FIVE SUMMER CONCERTS, WE HAD AN ARTISAN DAY WHERE WE HAD PEOPLE DRESSED UP IN COSTUME AND SHARING THEIR TALENTS, FORGOTTEN PIONEER TALENTS AND SUCH TO THE PUBLIC. WE HAD

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OUR DAY OF THE COWBOY WHICH EVERY YEAR IS THE LAST WEEKEND IN JULY WHICH IS A WAY FOR US TO TELL THE STORY OF THE COWBOY THROUGH POETRY AND THROUGH MUSIC. WE HAD WAGON RIDES, VENDORS, KIDS' ACTIVITIES. WE HAD OUR CAMP FLOYD JOHNSTON'S ARMY ENCAMPMENT. THAT'S THE TRADITIONAL ONE OVER MEMORIAL DAY WEEKEND. THIS YEAR WE'RE ACTUALLY GOING TO BE STARTING TO OPEN ON SUNDAYS AS WELL SO THOSE WILL BE THREE-DAY EVENTS. WE HAD OUR CAMP FLOYD DAYS WHICH IS OUR LABOR DAY ACTIVITIES SO THAT WILL BE A THREE DAY AGAIN: SATURDAY, SUNDAY AND MONDAY. THIS LAST YEAR WE ACTUALLY ADDED FIREWORKS TO THE PROGRAM SO LANTIS FIREWORKS DONATED A FIREWORK SHOW FOR US AND THAT BROUGHT A LOT OF PEOPLE IN FOR THAT FIREWORKS SHOW THERE THAT WEEKEND AS WELL. AND ANOTHER PROGRAM THAT WE ADDED THIS LAST YEAR WAS OUR CAMP FLOYD CHRISTMAS. SO, THESE WERE FREE PROGRAMS. WE HAD CONCERT AT SCHOOLHOUSE AT NIGHT FOR THE PUBLIC TO COME OUT. OUR FIRST CONCERT WAS THE TIMPANOGOS RINGERS BELL CHOIR. AND IF YOU'VE EVER BEEN IN THE SCHOOLHOUSE BEFORE IT'S NOT THAT BIG. WE HAD IT PACKED. THERE WERE PEOPLE STANDING, THERE WAS NO CHAIRS LEFT IN THERE, IT WAS THAT POPULAR. BUT WE HAD CONCERTS THROUGHOUT THE WEEK, AND WE WILL AGAIN THIS COMING YEAR. AND THEN OF COURSE WE HAD PSYCHIC KIDS FROM THE A&E NETWORK COME OUT BECAUSE OUR PLACE IS SUPPOSEDLY ONE OF THE MOST HAUNTED PLACES IN THE STATE. AND SO THEY HAD THEIR, I'VE HAVEN'T SEEN THE EPISODE YET, BUT WE'LL SEE HOW I COME OUT ON IT, BUT THEY FILMED, AND THAT EPISODE WAS SUPPOSED TO BE AIRED THIS SEASON. FOR THE NEXT YEAR ONE OF THE COOLEST THINGS, WE HAVE IS WE HAD RECEIVED SOME FUNDING FROM THE STATE AND WE ALSO, THE STATE PARKS DIRECTED A SHARK TANK COMPETITION THIS LAST YEAR WHERE ALL THE PARKS GOT TO PUT IN FOR PROJECTS AND WE WON AND THAT WAS \$25,000 FOR A PROJECT OUT AT CAMP FLOYD. AND WE ARE BUILDING, IN THE PROCESS OF BUILDING A STAGE NOW FOR OUR SUMMER CONCERT SERIES, WHICH WILL ENABLE US TO BRING IN BIGGER ACTS AND BE ABLE TO DO BIGGER CONCERTS TO WHERE WE CAN BE ABLE TO FEEL LIKE, WE FEEL WE CAN HAVE ABOUT 1000 PEOPLE IN THAT, ON THAT PICNIC AREA FOR OUR CONCERTS. AND SO, WE'RE EXCITED FOR THAT. WE'VE GOT THE EXTENSION OF OUR WEEKENDS WITH THE SUNDAY EDITION SO WE'RE HOPING THAT OUR VISITATION WILL CONTINUALLY INCREASE THAT WILL ALSO HOPEFULLY BE ABLE TO DO MORE PROGRAMS. WE'VE DONE MORE SCHOOL GROUP PROGRAMS THIS WINTER AND WE'VE EVER DONE BEFORE WHICH IS HARD TO DO WHEN YOU'RE SNOWING OUTSIDE AND IT'S COLD, BUT WE'VE BEEN ABLE TO DO SOME PROGRAMS THIS WINTER. SO HOPEFULLY THIS NEXT YEAR WE'LL BE ABLE TO INCREASE UPON THESE PROGRAMS. WE'VE HAD ABOUT A DOZEN PROGRAMS AT IT SINCE I'VE BEEN THERE IN THE LAST YEAR AND A HALF. AND SO, WE'LL CONTINUALLY ADD THE PROGRAMS. WE HAVE GREAT PARTNERSHIP WITH THE UTAH VALLEY ASTRONOMICAL CLUB, AND THEY PROVIDE TELESCOPES FOR OUR STAR PARTIES OUT AT THE CEMETERY AND THEY'VE INFORMED US THAT IT'S ONE OF THE BEST STAR GAZING AREAS IN THE IN THE WHOLE REGION IS COMPARABLE TO SOUTHERN UTAH WITH THE LIGHT POLLUTION OUT THERE. SO, PEOPLE LOVE COMING OUT THERE AND I SEE FACEBOOK POSTS FROM THEIR CLUB MEMBERS ALL THE TIME WHERE THEY'RE GOING OUT THERE AT NIGHT TO SEE THE STARS AND ASK IF ANYBODY WANTS TO JOIN HIM AND I'VE GIVEN HIM THE OPTION OF BECAUSE THEY'RE

PROVIDING THESE PROGRAMS FOR FREE, THEY CAN USE THE CEMETERY ANYTIME THEY WANT TO DO STAR GAZING IN THAT AS A CLUB. AND THEY'RE TAKING THAT UP ON THAT, THEY'RE DOING THAT QUITE OFTEN NOW. SO, BUT THAT'S CAMP FLOYD IN NUTSHELL, WHAT WE DID LAST YEAR. HAVE ANY QUESTIONS ABOUT KIND OF WHAT WE'RE DOING? I APPRECIATE THE OPPORTUNITY TO COME IN HERE AND KIND OF LET YOU KNOW HOW WE'RE DOING AND SOME OF OUR GOALS AND SOME OF THE THINGS WILL BE GOING MOVING FORWARD WITH AND WE'LL EXPAND ON THE PROGRAMS. MY BUSINESS CARD IS IN HERE WITH A LIST OF THIS YEAR'S PROGRAMS ON THERE THAT YOU CAN LOOK ON AND SEE. I INVITE YOU TO COME ON OUT IF YOU SEE SOMETHING ON THERE THAT MIGHT INTEREST YOU. YOU CAN GO TO OUR WEBSITE, FIND MORE INFORMATION AND COME AND SEE US, COME AND PARTICIPATE WITH YOUR FAMILIES AND SOME OF THESE PROGRAMS WE HAVE A CAMP FLOYD STATE PARK.

COMMISSIONER LEE - SO ONE QUESTION FOR YOU.

CLAY SHELLEY – YES.

COMMISSIONER LEE - ON THE MEMORABILIA FOR THE PONY EXPRESS FROM THAT MUSEUM OUT OF CALIFORNIA WHAT'S AN UPDATE ON THAT? WHERE'S IT AT? WHAT'S GOING ON THERE?

CLAY SHELLEY – WHAT COMMISSIONER LEE IS TALKING ABOUT IS FAIRFIELD TOWN IS IN THE PROCESS OF PUTTING THEIR MUSEUM OUT THERE AND THEY'RE ASKING US AS A STATE PARK TO MANAGE THAT. WE'RE KIND OF ON HOLD RIGHT NOW. COULDN'T FIND, FAIRFIELD TOWN COULDN'T FIND A CONSTRUCTION COMPANY TO BUILD IT FOR WHAT MONEY THEY HAD BECAUSE EVERYBODY'S MAKING TOO MUCH MONEY BUILDING HOUSES WITH THIS ECONOMY THAT'S THE ONLY PROBLEM WITH THE ECONOMY BOOMING LIKE IT IS HOUSING IS JUST GOING CRAZY. RIGHT NOW, BRAD IS MEETING, HE'S ALREADY MET WITH THE STATE LEGISLATORS FOR THE AREA, BRAD IS THE MAYOR OF FAIRFIELD AND LAST I HEARD TODAY WAS HE HAS A MEETING THIS NEXT WEEK TO GO UP TO STATE CAPITOL AND HE'S GOING TO PRESENT AND TRY TO GET SOME MORE MONEY FROM THE STATE TO BE ABLE TO GO ALONG WITH THE TOWN'S MONEY AND WITH THE OTHER MONIES THAT THEY'RE GETTING AND SO THEY CAN MOVE FORWARD WITH THAT. HE'S ALREADY HAS RECEIVED PROBABLY \$100,000 WORTH OF STATUES AND STUFF FROM JOE CARDONE AND IN CALIFORNIA HE WENT DOWN A MONTH OR SO AGO AND BROUGHT SEVERAL BRONZE STATUES SMALL STATUES BACK THAT WERE WORTH QUITE A BIT THAT ARE DONATED FOR THE MUSEUM.

SO, THE GOAL IS TO HAVE A BIG MUSEUM TO WHERE WE CAN INCORPORATE THE PONY EXPRESS, INCORPORATE THE CAMP FLOYD HISTORY AND INCORPORATE THE STAGECOACH HISTORY IN THE HISTORY OF CEDAR VALLEY. AND THE INTERESTING THING ABOUT CAMP FLOYD IF YOU HAVEN'T BEEN OUT THERE BEFORE IS IT IS PROBABLY THE ONLY PLACE IN THE STATE OF UTAH THAT THERE'S THAT MUCH HISTORY PINPOINTED INTO ONE LOCATION. YOU KNOW WE DO HAVE THE EXCITING PONY EXPRESS HISTORY BECAUSE OF CAMP FLOYD BEING THERE. WE HAVE JOHNSTON'S ARMY IF YOU

AREN'T FAMILIAR WITH JOHNSTON'S ARMY 2500 SOLDIERS MARCHED ON UTAH TO PUT DOWN THE MORMON REBELLION AND THEY ESTABLISHED THEIR CAMP AT FAIRFIELD LARGEST MILITARY BASE IN THE COUNTRY UH THERE'S ABOUT 400 ACRES TOTAL OF BARRACKS AND DIFFERENT THINGS THAT USED TO BE THERE THAT ARE COMPLETELY GONE NOW. AND SO, THE ONLY WAY TO TELL THE STORY OF THESE BARRACKS MAINLY BECAUSE EVERYTHING IS PRIVATELY OWNED OUT THERE, THE PROPERTY, IS THROUGH THESE MUSEUMS AND BE ABLE TO THROUGH THE ARTIFACTS AND STUFF THAT HAVE RESURFACED THROUGH ARCHAEOLOGICAL DIGS. I HAD ONE OF THE NEIGHBORS TALK TO ME YESTERDAY AND HE ASKED ME THE QUESTION, WELL WHERE WAS CAMP FLOYD? AND HE WAS SURPRISED WHEN I TOLD HIM IT'S SITTING RIGHT WHERE YOUR HOUSE IS. HE HAD NO IDEA HIS HOUSE WAS SITTING RIGHT ON TOP OF THE LARGEST MILITARY BASE IN THE UNITED STATES FROM 1858 TO 1861. AND SO THAT'S WHAT WE'RE TRYING TO DO WITH TRYING TO GET THAT STORY OUT THERE SO PEOPLE KNOW THIS. IT'S GOING TO BE ONE OF THE HOTSPOTS IF WE GET THIS MUSEUM BUILT THERE'S GOING TO BE PEOPLE COMING FROM ALL OVER THE COUNTRY BECAUSE THERE'S OVER \$1,000,000 WORTH OF ART ALONE ABOUT THE PONY EXPRESS THAT'S BEING DONATED TO THE TOWN SO THAT'S WHERE WE'RE AT. HOPEFULLY HE GETS GOOD WORD NEXT WEEK FROM THE STATE. I FORGET THE LEGISLATOR'S NAME THAT'S IN CHARGE OVER THERE, BUT HE WAS VERY, HE'S ON THE APPROPRIATIONS COMMITTEE AND HE WAS VERY FOR IT. HE LIKED THE IDEA.

COMMISSIONER IVIE – GREAT.

COMMISSIONER AINGE - THANK YOU.

CLAY SHELLEY - I'LL LEAVE THESE HERE ANYBODY CAN TAKE THOSE ALONE.

COMMISSIONER AINGE - ACTUALLY CAN YOU JUST BRING IT, BRING THOSE UP HERE?

CLAY SHELLEY – SURE.

COMMISSIONER AINGE – THAT WOULD BE HELPFUL. DON'T WANT THEM TO SIT THERE THE WHOLE MEETING.

CLAY SHELLEY - THANK YOU.

**5.DISCUSS REMOVING RESTRICTION ON BUILDING OPERATION FUNDS FOR THE SECURITY CENTER RESTRICTED BY RESOLUTION WHEN BUDGET WAS APPROVED
-Richard Nielson, Public Works Director**

COMMISSIONER AINGE – THANKS. OKAY, ITEM NUMBER FIVE. LOOKS LIKE YOU'VE GOT A SERIES OF ITEMS HERE RICHARD.

RICHARD NIELSON, PUBLIC WORKS DIRECTOR – WE TRY TO KEEP YOU BUSY. ITEM NUMBER 5 IS A REQUEST THAT WE DID A BUDGET TRANSFER REQUEST IN THE SYSTEM AND IN CONSULTATION WITH DANENE, THIS WAS FOR SOME

MONEY IN THE 2600 ACCOUNT IN BUILDINGS THAT WAS PUT IN RESTRICTED AS PART OF THE BUDGET PROCESS AT HER DIRECTION AND SHE SAID THAT BECAUSE IT WAS PUT INTO RESTRICTED BY RESOLUTION AT THE TIME THE BUDGET WAS ADOPTED WE NEEDED TO COME BEFORE THE COMMISSION TO ASK FOR IT TO BE UNRESTRICTED BY RESOLUTION AS WELL, AND DANENE, IF THERE'S ANYTHING YOU WANT TO ADD TO IT, PLEASE GO AHEAD.

COMMISSIONER AINGE - LET'S JUST GO THROUGH THE ACTUAL USES HERE AND SOME MORE BACKGROUND.

DANENE JACKSON, FINANCIAL OFFICER - SURE. SO, I THINK THE ORIGINAL REASON THAT IT WAS RESTRICTED IN THE BUDGET SCHEDULE THAT WAS ADOPTED IN DECEMBER WAS BECAUSE OF THE LARGE INCREASE IN PROJECTS AND BUILDING MAINTENANCE AND NOT NECESSARILY THAT THOSE ARE BAD PROJECTS, BUT I DON'T THINK THE BUILDING MAINTENANCE FUND HAD RECEIVED THE REVIEW BECAUSE THOSE PROJECTS HADN'T BEEN LISTED AS ADDITIONAL REQUESTS ON THE BUDGET. AND THOSE PROJECTS TOTAL ABOUT \$1,000,000. SO FIRST OF ALL, I WANT TO MAKE IT CLEAR THAT THE \$200,000 IS THE ONLY THE AMOUNT THAT WAS RESTRICTED AND IT'S ONLY RESTRICTED FROM TRANSFER. IT'S NOT RESTRICTED FROM EXPENDITURE. SO, IF I UNDERSTAND THE REQUEST CORRECTLY MOST OF THIS IS STAYING IN THE JAIL SO THERE WOULDN'T BE A NEED FOR THE TRANSFER BECAUSE YOU CAN ALREADY ENTER A PURCHASE ORDER.

RICHARD NIELSON – OKAY, I KNOW THAT GINA WAS TALKING LIKE SHE WASN'T ABLE TO DO THAT, AT LEAST FOR WHAT I WAS UNDER THE IMPRESSION OF. THE \$200,000, MAYBE THIS WAS WHERE A LITTLE BIT OF CONFUSION THAT COME IN. IN YEARS PAST IN THE 2600 ACCOUNT, WE HAVE HAD PROJECT ITEMS IN THAT LINE AND IN THE LAST FEW YEARS THAT BUDGET LINE ITEMS BEEN \$350,000 OR SO. THE ACTUAL BUILDING MAINTENANCE COST OF THIS IS THE COST THAT ARE THE JANITORIAL SUPPLIES, THE LIGHT BULBS, THE SPRINKLER PARTS, THE TOILET PAPER, THINGS OF THAT NATURE. AND THIS IS WE'RE TALKING SPECIFICALLY AT JAIL. AS WE LOOK BACK OVER THE LAST SEVERAL YEARS, THOSE COSTS, THOSE MAINTENANCE COSTS LIKE THAT, RUN ABOUT \$207,000 IS WHAT THEY'VE AVERAGED OVER THE LAST SIX OR SEVEN YEARS. WE HAVE 270 IN THAT LINE 217 OF THAT IS RESTRICTED AND ALL OF OUR PROJECTS ARE ACTUALLY IN THE 7310, I THINK THAT'S THE RIGHT NUMBER, I CAN'T READ IT WITHOUT MY GLASSES, IN THE 7310 ACCOUNT THAT'S TOTALS \$995,000 AND THAT'S THE \$1,000,000 IN PROJECTS THAT DANENE HAD MENTIONED. AND SO, WHAT THIS REQUEST IS, IS WE WOULD LIKE TO UN-RESTRICT THAT BUILDING MAINTENANCE MONEY, YOU KNOW THAT'S FOR THOSE ITEMS THAT ARE JUST THE DAY-TO-DAY OPERATIONS OF THE BUILDING, AND THEN WITH THE IDEA THAT AND I THINK GINA HAS TALKED TO DANENE ABOUT THIS AS WELL, IN THE PAST EVERYTHING THAT'S HAPPENED AT THE SECURITY CENTER HAS BEEN UNDER ONE COST CENTER. WE ACTUALLY WANT TO SPLIT THAT INTO TWO COST CENTERS SO WE HAVE ONE THAT IS THE SECURE AREA THE JAIL, AND ONE THAT'S THE ADMINISTRATION AREA OF THE COMPLEX DOWN THERE SO THAT WE CAN KIND OF GET A BETTER FEEL ON WHAT THOSE COST DIFFERENCES ARE BETWEEN THE TWO PARTS OF THE FACILITY. SO THAT'S KIND OF WHERE WE'RE LOOKING AT HERE. WE'D LIKE TO PUT ABOUT \$50,000

INTO THE ADMINISTRATIVE COST CENTER, I THINK IT'S 204 IS WHAT SHE'S SAYING AND THE COST CENTER 204 AND THEN THE BALANCE IN THE COST CENTER 104, THAT'S THE SECURE SIDE OF THE JAIL. IF THAT MAKES ANY SENSE.

COMMISSIONER LEE – SORTA. AS I WAS GOING DOWN THROUGH IT, JUST KIND OF DOING HISTORICAL LOOK AT IT AS WELL, BACK IN 2018 WHICH WE KIND OF DID THE, YOU KNOW, THAT'S WHERE WE KIND OF BENCHMARK FROM, YOU HAD \$949,000 DOLLARS THAT WAS IN THAT ACCOUNT WITH \$53,000 THAT WAS IN THE ADDITIONAL ACCOUNT AND THEN 2019, DID \$1.4 MILLION DOLLARS IN THAT ACCOUNT WITH \$267,000 DOLLARS IN THE ADDITIONAL. BUT THIS YEAR YOU'VE GOT \$983,000 IN THAT REGULAR ACCOUNT, THE MAINTENANCE ACCOUNT, WITH ADDITIONAL PROJECTS OF \$995 WHICH IS REALLY HEALTHY. I MEAN WAY MORE THAN WHAT WE'VE HAD IN THE PAST IN THE MAINTENANCE AND IN THE ADDITIONAL, WHICH IS FINE, I GUESS. MY QUESTIONS COME IN I HAVEN'T SEEN IT. IT'S MORE OF A PROCESS. I DON'T KNOW WHAT'S BEING DONE AND WHAT'S NOT BEING DONE, IS PART OF THE BIGGER OVERALL QUESTION THAT I HAVE. LIKE WE GO FROM \$53,000 ONE YEAR YOU KNOW \$267 AND THEN I'LL SEND \$1,000,000 AND I DON'T EVEN KNOW WHAT PROJECTS ARE BEING DONE OR WHAT THE ADDITIONAL PROJECTS ARE. AND THEN I MEAN TO THE POINT OF WHAT YOU WERE TALKING ABOUT TODAY WITH THAT \$200,000, IT CAN BE SPENT. YOU KNOW, YOU CAN JUST GO AHEAD AND WRITE A PO FOR IT. IT'S THE ONLY RESTRICTION IS JUST ON TRANSFERRING IT OUT OF THAT TO SOMETHING ELSE.

RICHARD NIELSON - MAYBE WE DON'T NEED TO DO ANYTHING IF WE CAN WRITE A PO AGAINST IT.

COMMISSIONER LEE – YEAH.

RICHARD NIELSON - I GUESS WE'RE OKAY, BUT I WAS UNDER THE IMPRESSION WE COULD NOT, THAT IT WAS LOCKED UP AND WE...

COMMISSIONER LEE – NO, IT'S ONLY IT'S ONLY LOCKED UP RESTRICTED SO THAT YOU CAN'T TRANSFER IT OUT AND DO SOMETHING ELSE. BUT YOU CAN BE SPENT.

RICHARD NIELSON - WHAT ABOUT THE TWO COST CENTERS WHERE WE'RE TRYING TO SPLIT THE ADMINISTRATIVE AREA AND THE SECURE AREA? IS THAT SOMETHING WE NEED TO DO BY RESOLUTION?

DANENE JACKSON - YEAH, I PUT THE \$50,000 ON THE AGENDA FOR A RESOLUTION TO TRANSFER THAT TO THAT COST CENTER.

RICHARD NIELSON - SO WHAT WOULD THAT BE? WHAT THIS IS MAINLY ASKING FOR IS JUST TO MOVE THAT \$50,000 INTO THE ADMINISTRATION SO WE CAN BILL IT IN THE TWO DIFFERENT COST CENTERS? IT'S STILL ALL THE SAME BILLING.

COMMISSIONER LEE – RIGHT.

RICHARD NIELSON - SO I GUESS THAT WOULD BE MORE WHAT THE REQUEST IS THEN, I WAS UNDER THE IMPRESSION WE COULD NOT WRITE PO'S AGAINST IT.

DANENE JACKSON – NO, IT'S NOT RESTRICTED FROM PO'S.

COMMISSIONER AINGE - SO THIS RAISES ANOTHER RELATED ISSUE THAT I'M JUST GOING TO PUT OUT THERE. IT'S SOMETHING THAT I'VE PUT SOME THOUGHT INTO AND IT'S A SIGNIFICANT CHANGE, BUT WE OFTEN HAVE THESE CONVERSATIONS, WHERE YOU KNOW ONE DEPARTMENT COMES BEFORE US RIGHT WE KIND OF LOOK TO THE CLERK AUDITOR'S OFFICE WE GET AN ANSWER MAYBE THERE'S A MISUNDERSTANDING BETWEEN THE VARIOUS OFFICES AND I THINK IT'S IMPORTANT THAT WE HAVE UNIFORMITY IN OUR FINANCIAL FUNCTION AND THAT WE HAVE A FINANCE TEAM THAT REPORT'S UP TO OUR BUDGET MANAGER IN THE VARIOUS DEPARTMENTS INSTEAD OF INDEPENDENT FINANCE PEOPLE THAT ARE HOUSED WITHIN THOSE DEPARTMENTS THAT REPORT UP TO A DEPARTMENT HEAD INSTEAD OF TO OUR CLERK AUDITOR. AND SO THAT IS A CHANGE THAT I THINK IS IMPORTANT AND IT MAKES IT REALLY HARD AS WE GO THROUGH THIS BUDGET PROCESS WHERE WE OFTEN ARE RELYING ON DANENE FOR EXAMPLE, BUT DANENE IS RELYING ON INPUTS FROM SOME FINANCE MANAGERS THAT SHE DOES NOT SUPERVISE.

RICHARD NIELSON – UM HUH.

COMMISSIONER AINGE - AND SO I'M JUST THROWING IT OUT THERE. I'M NOT ASKING FOR RESPONSE, BUT FOR ME THIS IS AN EXAMPLE THAT, AND I COULD COME UP WITH 100 OTHER DIFFERENT SCENARIOS LIKE THIS, WHERE IT WOULD BE MORE HELPFUL IF OUR FINANCIAL SYSTEM WAS UNIFORM COUNTY WIDE, AND THERE WOULD NEVER BE QUESTIONS WITHIN ONE DEPARTMENT AND THE FINANCE DEPARTMENT BECAUSE EVERYONE KNOWS HOW THE SYSTEM WORKS, EVERYONE KNOWS WHAT YOU CAN PURCHASE FROM THE RESTRICTED AND WHAT YOU CANNOT. SO JUST THROWING THAT OUT THERE TODAY.

RICHARD NIELSON - SO OTHER QUESTIONS ON THIS ONE THAT I CAN TRY TO ANSWER? SO IT LOOKS LIKE WHAT WE'LL HAVE FOR THE RESOLUTION FOR THE REGULAR MEETING WOULD BE TO MOVE THE \$50,000 INTO A DIFFERENT COST CENTER THAT'S ALSO STILL THE JAIL.

DANENE JACKSON – YES. AND I CREATE ALL OF THAT WORK AND THAT'S WHAT I HAD ASKED FOR IN THE EMAIL. SO IF I JUST HAD YOU KNOW THE RESPONSE; I WOULD HAVE TAKEN CARE OF CREATING THE RESOLUTION FOR THE TUESDAY'S AGENDA, SO I'LL PREPARE THAT FOR NEXT MEETING.

RICHARD NIELSON– THANK YOU.

6. APPROVE AND AUTHORIZE THE SIGNING OF A LETTER COMMENCING THE ONE YEAR WARRANTY PERIOD FOR THE SANDHILL MEADOWS PLAT 1 SUBDIVISION AND RELEASE OF CONSTRUCTION BOND.

-Richard Nielson, Public Works Director-

RICHARD NIELSON - THIS ONE, NUMBER SIX AND NUMBER NINE, ARE ACTUALLY THE SAME ITEM. I THINK WE KIND OF GOT ONTO THERE ON TWO DIFFERENT AVENUES. SO, ONE IS UNDER MY NAME, ONE'S UNDER ROB MOORE'S NAME. THIS IS THE SANDHILL MEADOWS PLAT A SUBDIVISION AND THE WARRANTY BOND. THIS IS WHEN WE HAD A DISCUSSION ON ACTUALLY STARTING BACK IN DECEMBER, COMMISSIONER IVIE AND I WERE CONTACTED AND ACTUALLY WENT OUT ON A SITE VISIT AT THE REQUEST OF SOME NEIGHBORING LANDOWNERS WITH REGARDS TO A DRAINAGE DITCH THAT WAS REMOVED AS PART OF THE IMPROVEMENTS THAT WERE PUT IN ON THE SUBDIVISION. THE SUBDIVISION WARRANTY AGREEMENT WAS BEFORE THE COMMISSION AT THAT POINT IT WAS CONTINUED FOR A COUPLE OF MEETINGS AND THEN I THINK IT WAS OUR FIRST MEETING IN JANUARY HAD THE DISCUSSION OF TO TRY TO MOVE THINGS FORWARD FOR THE DEVELOPER, THE POSSIBILITY OF PUTTING THE CONDITION ON RESOLVING THE DITCH BEFORE THE BOND WAS RELEASED, WHAT WE HAVE ON HERE, THAT WE HAD PUT ON THERE, ALL OF THEIR OTHER IMPROVEMENTS HAVE BEEN INSTALLED AND INSPECTED THAT ARE RELATED TO THE SUBDIVISION THE ONLY THING THAT IS STILL IN QUESTION IS THE DITCH. THE DEVELOPER IS HERE AND CAN SPEAK TO WHAT SHE'S BEEN ABLE TO DO OUT THERE AND WHAT HER THOUGHTS ARE GOING FORWARD, AND I'LL LET HER DO THAT AS WELL. AND ROB, I DON'T KNOW IF YOU WANT TO ADD ANYTHING AT THIS POINT.

COMMISSIONER LEE - SO ARE WE WANT TO LOOK AT THESE SEPARATE OR DO YOU WANT TO LOOK AT THEM, SIX AND NINE TOGETHER?

RICHARD NIELSON - THEY'RE BOTH THE SAME ACTION.

COMMISSIONER IVIE - SAME ACTION.

COMMISSIONER LEE – OKAY.

COMMISSIONER AINGE - SO, OKAY.

ROBERT MOORE, DEPUTY COUNTY ATTORNEY - WELL LET ME CLARIFY THAT I THINK THEY ARE SIMILAR ACTIONS.

RICHARD NIELSON – OKAY.

ROBERT MOORE - SO NUMBER SIX WOULD ACTUALLY BE TO WITHDRAW, TO RELEASE THE BOND. NUMBER NINE IS ACTUALLY TO APPROVE THE BOND, WHICH YOU'VE ALREADY DONE. AS MENTIONED BY RICHARD, IN EARLY JANUARY THE COMMISSION APPROVED THE BOND AND THE IMPROVEMENT AND WARRANTY AGREEMENT WITH THE BOND AMOUNT ON THE CONDITION THAT IT WOULD NOT BE RELEASED UNTIL THE AS MENTIONED, UNTIL THE EARTHEN DITCH IS RESOLVED. SO, THE ISSUE THAT I SEE THAT'S OUTSTANDING, IS THE IRRIGATION PLAN APPROVED BY THE COUNTY, THE MOST RECENT ONE, STILL SHOWS THAT EARTHEN DITCH WHICH IS A, WHAT DO YOU CALL THAT?

RICHARD NIELSON - IT'S A DRAINAGE DITCH.

ROBERT MOORE – DRAINAGE DITCH. THERE'S TWO DIFFERENT KINDS OF DITCHES ON THIS PROPERTY OR IN THE SUBDIVISION. ONE OF THEM IS THIS DRAINAGE DITCH WHICH HAS BENEFICIARIES OF PROPERTIES THAT ARE NOT WITHIN THE SUBDIVISION, WHO UTILIZED THAT DITCH. SO, THIS PROPOSAL WHICH YOU'VE ADOPTED IN JANUARY IS ACTUALLY VERY HEALTHY FOR THE DEVELOPER BECAUSE IT ALLOWS THE DEVELOPER TO CONTINUE MOVING FORWARD WITH THE PROJECT WITHOUT HAVING ANY, WITH THE BOND IN PLACE, ALLOWS HER TO CONTINUE TO MOVE FORWARD. THE ALTERNATIVE TO THAT IF WE WERE TO RELEASE THE BOND THEN MOST LIKELY WHAT WOULD HAPPEN IS A NOTICE TO COMPLY WOULD BE ISSUED ON THE SUBDIVISION BECAUSE THE SUBDIVISION IS NOT BUILT IN ACCORDANCE WITH THE IRRIGATION PLAN WHICH IS ON FILE. AND IF THAT BE THE CASE AND THEN BY ACCORDANCE WITH 1727 A 802 SUB TWO THE COUNTY WHICH WE'VE TYPICALLY DONE, WILL WITHHOLD ALL BUILDING PERMITS ON THIS PROPERTY. SO, SHE WOULDN'T, SO AS SHE SELLS THESE LOTS, THEY WOULD NOT BE ELIGIBLE FOR PERMITS. AND SO, THE PROCESSES BEFORE YOU, THE BOND AGREEMENT, I THINK IS ACTUALLY VERY BENEFICIAL TO HAVE THIS EARTHEN DITCH BONDED BECAUSE IT ALLOWS HER TO CONTINUE ON WITH THE PROJECT WITHOUT HAVING THE PROBLEMS THAT GO ALONG WITH THE NOTICE TO COMPLY AND THOSE THINGS. SO, BECAUSE, AND THEN GOING BACK TO AGAIN THE APPROVED IRRIGATION PLAN, WHICH STILL SHOWS THAT DITCH, AND I KNOW THAT BRYCE HAS BROUGHT THOSE DOCUMENTS HERE TODAY IF YOU'D LIKE TO LOOK AT THEM. BUT THAT'S KIND OF THE ISSUE THAT'S BEFORE AS WE'VE DISCUSSED IT TRYING TO FIGURE THE BEST WAY HERE SO THAT MISS CARTER THOMAS CAN CONTINUE ON HER PROJECT WITHOUT ANY FURTHER INTERRUPTIONS. I THINK WHAT YOU GUYS DID IN JANUARY MAKES SENSE BECAUSE IT ALLOWS HER TO DO THAT. YOU HAVE QUESTIONS FOR ME?

COMMISSIONER AINGE - WELL SO I'M CURIOUS, IF YOUR PERSPECTIVE IS THAT IT'S BENEFICIAL TO KEEP THIS IN PLACE...

ROBERT MOORE - I THINK IT'S BENEFICIAL TO HER.

COMMISSIONER AINGE – RIGHT, SO WHY, WHAT HAS, WHY IS THIS COMING BEFORE US AGAIN?

ROBERT MOORE - LET ME TELL YOU WHY. I THINK THERE WAS A COMMUNICATION ISSUE BETWEEN HELINA CARTER THOMAS AND MEMBERS OF THIS, OF THE COUNTY. I KNOW THAT COMMISSIONER LEE SENT AN EMAIL TO ME AND OTHERS MENTIONING THIS AND ASKED THAT IT BE PUT ON AND SO THAT'S WHY NUMBER NINE IS ON HERE TODAY. IN THE MEANTIME, I TALKED TO RICHARD AND HE ALSO THOUGHT THAT IT NEEDED TO COME BACK ON, BUT HIS PROPOSAL OR NOT HE PULLS HIS AGENDA REQUEST IS TO RELEASE THE BOND. THAT'S THE OPTION THAT IS ALSO AVAILABLE TO YOU GOING FORWARD ON REGULAR AGENDA.

RICHARD NIELSON - AND THAT'S BECAUSE ALL OF THE OTHER ITEMS THAT WERE INITIALLY IDENTIFIED IN THAT BOND REQUEST HAVE BEEN COMPLETED.

ROBERT MOORE - WHAT'S LEFT IS THIS DITCH WE'RE TALKING ABOUT, WHICH AGAIN IN YOUR JANUARY, 1ST OF JANUARY...

COMMISSIONER AINGE - I MEAN THAT WAS THE WHOLE THING THOUGH, RIGHT? I MEAN THE WHOLE REASON WHY THIS WAS INITIALLY CONTINUED AND WHY THIS WAS AN EXTRAORDINARY ITEM WAS BECAUSE OF THE DITCH.

RICHARD NIELSON - THE DITCH ISSUE THAT HAD COME UP, THAT CAUSED THE CONTINUANCE.

COMMISSIONER AINGE - SO WHY ARE YOU, SO BUT DID YOU JUST SAY THAT EVERYTHING WAS DONE?

RICHARD NIELSON - EVERYTHING OTHER THAN THAT DITCH.

COMMISSIONER AINGE - WHICH IS THE MAIN THING.

RICHARD NIELSON - ALL OF THE OTHER, WELL THERE'S SEVERAL OTHER ITEMS WERE INCLUDED IN THE BOND, THAT'S THE BULK OF THE MONEY IN THE BOND, THOSE ARE ALL COMPLETED.

COMMISSIONER LEE - THE REASON WHY I ASKED THIS TO COME BACK ON THE AGENDA, IS BECAUSE MY VOTE WAS UNDERSTANDING THAT EVERYONE WAS IN AGREEANCE, AND THEN IT TURNS OUT THAT THAT WAS NOT THE CASE OR AT LEAST IT WAS PRESENTED TO ME AS NOT BEING THE CASE, AND SO I THOUGHT WE WERE HAVING A DISCUSSION WITH EVERYBODY HERE IN THE ROOM SO WE CAN HAVE THAT DISCUSSION ALL THE WAY THROUGH.

RICHARD NIELSON - SO MY UNDERSTANDING FROM AS WE WERE GOING THROUGH AND I HAD A SHORT CONVERSATION WITH HELINA, I KNOW SOME OF MY STAFF HAD ALSO TALKED TO HER AS WELL, SHE WAS AWARE OF THE DITCH ISSUE. WE HAD NOT HAD ANY CONVERSATIONS ABOUT THE BOND QUESTION THAT CAME UP ON THAT, I MEAN THAT WAS A CONVERSATION I HAD WITH COMMISSIONER IVIE THAT MORNING, JUST AS A THOUGHT IN ORDER TO GET THE BOND AGREEMENT IN PLACE SO THAT SHE COULD PROCEED FORWARD WITHOUT BEING HELD UP WHILE WE WERE FIGURING IT OUT.

COMMISSIONER IVIE - AND THAT WAS WHERE THERE WAS SOME MISCOMMUNICATION. MY UNDERSTANDING FROM MY CONVERSATION WITH RICHARD WAS THAT HE HAD SPOKEN WITH HELINA AND SHE'S LIKE OH THIS MAKES SENSE BECAUSE...

RICHARD NIELSON - I HAD NOT HAD THAT CONVERSATION...

COMMISSIONER IVIE - WE CAN CONTINUE TO MOVE FORWARD, BUT HE'D SIMPLY TALKED TO HER ABOUT THE DITCH BUT THERE WASN'T THE CONCURRENCE THAT THIS IS WHAT MAKES THE MOST SENSE.

COMMISSIONER LEE - SO IT'S APPROPRIATE FOR US TO HAVE THIS CONVERSATION NOW AND BRING IT BACK UP SO WE CAN...

ROBERT MOORE – ABSOLUTELY. I THINK AS I MENTIONED AT THE VERY BEGINNING, I THINK IT'S IMPORTANT UNDERSTAND THEY HAVE BENEFITED OF THIS BOND FOR THIS DEVELOPMENT BECAUSE AGAIN IF YOU WANT TO PULL IT RELEASE THE BOND THEN THE DEVELOPMENT IS IN VIOLATION OF THE IRRIGATION PLAN WHICH HAS BEEN APPROVED BY THE COUNTY AND WITH THAT BEING THE CASE THEN WE'RE LOOKING AT A NOTICE TO COMPLY AND WE GO THROUGH THAT PROCESS WHICH IS NOT BENEFICIAL TO THE FUTURE OF THE DEVELOPMENT, BECAUSE WE WITHHOLD ALL PERMITS, MOVE THROUGH THAT PROCESS THAT WE NORMALLY GO THROUGH WITH EVERY OTHER APPLICANT THAT'S IN VIOLATION.

RICHARD NIELSON - OTHER QUESTIONS FOR US AT THIS POINT? OR YOU WANT TO HEAR FROM HELINA, SHE'S HERE AND CAN YOU SPEAK TO HER SIDE OF IT.

HELINA CARTER THOMAS - SO YOU GUYS CARE? I'M HAVING ISSUES THAT MAKE ME REALLY WEAK AND HAVE HEADACHES, DO YOU CARE IF I SIT DOWN HERE?

COMMISSIONER IVIE – NOT AT ALL.

HELINA CARTER THOMAS – I'M SORRY IF I SEEM A LITTLE WEIRD, THAT'S FINE.

RICHARD NIELSON – WE DON'T WANT TO GET ANY FEEDBACK.

HELINA CARTER THOMAS – THAT'S FINE. SO, IF I CAN JUST KIND OF QUICKLY...

KELLY ADAMS - CAN YOU JUST QUICKLY STATE YOUR NAME?

HELINA CARTER THOMAS - I'M SORRY, I'M HELINA CARTER THOMAS. SO, IF I CAN JUST KIND OF TELL YOU, YOU KNOW FROM MY STANDPOINT WHAT'S HAPPENED, BECAUSE I'M CONFUSED BY ALL THE STATEMENTS HONESTLY, NOT ALL, BUT MOST OF WHAT THEY JUST SAID. AND SO, I'M GLAD WE'RE HERE TO TALK ABOUT THIS AND TO BE HONEST I FEEL LIKE I AM VERY DISAPPOINTED AND FRUSTRATED THAT WE'RE EVEN HERE, BECAUSE I THINK IT'S A WASTE OF TIME FOR ALL OF US AND COMPLETELY UNNECESSARY. THIS ALL SHOULD HAVE BEEN TAKEN CARE OF A LONG TIME AGO, MY OPINION. ANYWAY, SO I DON'T KNOW IF YOU GUYS REMEMBER, AND TO BE HONEST I DON'T KNOW EXACTLY WHAT THE DATE WAS, BUT I THINK IT WAS SOMETIME IN NOVEMBER THAT THE SUBDIVISION WAS APPROVED, AND JUST SO THAT YOU GUYS UNDERSTAND THE PROCESS YOU KNOW WHEN THAT HAPPENS YOU HAVE TO GO THROUGH A GRUELING YOU KNOW PROCESS WITH EVERY DEPARTMENT IN THE COUNTY WHERE THEY APPROVE EVERY ASPECT OF THE SUBDIVISION. AND ONE OF THOSE WAS WITH PUBLIC WORKS. AND I HAVE THAT A COPY OF THE IRRIGATION BOND THAT WAS SUBMITTED, AND I'M VERY CONFUSED ABOUT WHAT THEY'RE SAYING AS FAR AS I'M CONCERNED AND ACCORDING TO THIS, THIS AH SORRY IMPROVEMENT WHAT IS IT? LAYOUT IMPROVEMENT AND DRAINAGE IRRIGATION PLAN. IT SAYS HERE THAT WE'LL INSTALL THE NEW CONCRETE LINED DITCH WITH TURNOUTS AND THE LINED DITCH THE EARTH LINED DITCH WILL BE REMOVED AS DITCH PAD IS BUILT FOR THE NEW DITCH. IT SAYS IT RIGHT HERE. AND SO, I'M CONFUSED ABOUT ME NOT BEING IN

COMPLIANCE, BECAUSE I THOUGHT I WAS DOING EVERYTHING EXACTLY LIKE I HAD AGREED TO. AND WHEN I GOT, IN FACT, THE LIST OF ITEMS FROM PUBLIC WORKS THAT I SIGNED THE BOND AGREEMENT WITH, IT WAS VERY SPECIFIC. I HAVE IT HERE IF YOU'D LIKE TO SEE IT, BUT VERY SPECIFIC ABOUT THE THINGS THAT WE BOTH AGREED TO, RIGHT? AND THAT I WAS ASKED TO DO, AND THIS WAS NOT ONE OF THEM. NOW EARLIER ON, I'LL GO BACK SO BEFORE THE, SO LET ME JUST KIND OF EXPLAIN. THIS SUBDIVISION THAT THE IRRIGATION DITCH THAT RUNS THROUGH THIS SUBDIVISION ONLY SERVICES THE SUBDIVISION. IT'S A PRIVATE DITCH. IT'S NOT OVERSEEN BY THE WATER COMPANY. THE WATER COMPANY DELIVERS WATER TO THE BEGINNING OF THE SUBDIVISION AND THEN IT'S PRIVATE FROM THEN ON. AND SO, THE IRRIGATION COMPANY BASICALLY YOU KNOW JUST SAID, AND THEY HAD TO SIGN LETTERS THAT PROCESSES YOU KNOW WITH PUBLIC WORKS AND EVERYTHING SAYING THIS IS WHAT THE DEAL IS HERE, SO THEY BASICALLY YOU KNOW JUST SAID IT DOESN'T RUN THROUGH YOU, IT DOESN'T SERVICE ANYBODY ELSE, WE DON'T CARE WHAT YOU DO. WE ALSO LOOKED FOR YOU KNOW AS PART OF THIS PROCESS THERE'S, I MEAN ANY EASEMENT THAT IS OF RECORD IS OF COURSE PUT ON THE SUBDIVISION PLAT, RIGHT? AND ALSO ANYTHING PRESCRIPTIVE THAT I COULD HAVE THAT I MEAN I ALWAYS TRY TO LOOK AT EVERYTHING, AND I DID. SO, THIS LITTLE DITCH THING WAS BROUGHT UP WHEN THEY WERE PUTTING THE NEW DITCH PAD IN. IT WAS BROUGHT UP BY ONE OF THE CONTRACTORS AND THE CONTRACTOR SAID, 'DO YOU KNOW WHAT THIS IS?' AND I SAID NO, I DON'T KNOW WHAT IT IS. SO, I CHECKED AROUND, I LOOKED FOR EASEMENTS FIRST, NO EASEMENTS. I CHECKED AROUND WITH NEIGHBORS. I CHECKED AROUND WITH THE PREVIOUS OWNER. ONLY THING THAT, I CHECKED WITH THE IRRIGATION COMPANY AGAIN, AND THE ONLY THING THAT ANYONE COULD FIGURE OUT OR TOLD ME ABOUT WAS THAT THEY THOUGHT THAT, THAT IN I THINK THE '50S OR THE '70S THEY HAD RE-ROUTED THE IRRIGATION DITCHES THERE, AND THEY THOUGHT THAT THAT WAS MAYBE THE REMNANTS OF THE OLD, THE OLD WAY THAT SOME OF THE PROPERTIES WERE IRRIGATED BEFORE THEY PUT IN THESE NEW CEMENT DITCHES WHICH WE IN TURN ENDED UP TEARING OUT AND PUTTING NEW ONES IN AGAIN. BUT REGARDLESS, THAT A LONG TIME AGO, THAT IS WHAT YOU KNOW WE WERE TOLD. AND SO, I JUST SAID WELL I DON'T KNOW WHAT IT IS THERE. I FELT LIKE I HAD LOOKED INTO EVERYTHING, CHECKED INTO EVERYTHING. SO, THEN A NEIGHBOR APPARENTLY, SO THE SUBDIVISION WAS BEING APPROVED, RIGHT AROUND, WELL IT WAS AFTER THAT, BUT WAS IT NOVEMBER? MID-NOVEMBER? SO DURING THAT TIME, SORRY. I'M SORRY BUT I'M STRUGGLING THINKING. DO YOU CARE IF WE JUST DON'T DO THAT FOR A MINUTE? IS IT IMPERATIVE? I'M SORRY BUT IT'S JUST, OH IS THAT WHAT YOU'RE DOING?

COMMISSIONER AINGE - WELL AS LONG AS THE AUDIO IS BEING RECORDED.

COMMISSIONER IVIE – AS LONG AS THE AUDIO IS RECORDED.

HELINA CARTER THOMAS – SORRY. I'M STRUGGLING THINKING ANYWAY AND THAT FAN KEEPS DISTRACTING ME. SO BACK WHEN THE SUBDIVISION WAS BEING APPROVED AND WAS APPROVED WITH THIS PLAN RIGHT HERE, THE DITCH WE, YOU KNOW, WE THOUGHT WE CROSSED EVERY T DOTTED EVERY I

AND DIDN'T THINK THERE WAS A NEED TO PUT THAT ON THE PLAT, THE COUNTY ALSO OBVIOUSLY DIDN'T THINK THERE WAS A NEED EITHER BECAUSE WE DIDN'T, IT WASN'T PUT ON THERE. IT SHOULD HAVE BEEN PUT ON THERE AT THAT POINT. THERE'S ALSO A NOTE ON THE PLAT THAT SAYS EVERY PROPERTY, ANY WATER, I CAN'T REMEMBER THE EXACT WORDING, BUT BASICALLY EVERYONE IS RESPONSIBLE FOR THEIR OWN WATER, WHICH IS ALSO IN THE BYLAWS OF THE IRRIGATION COMPANY. SO THAT'S WHY WE HAD TO PUT BERMS IN AND THINGS LIKE THAT.

COMMISSIONER AINGE - I'M GOING TO HAVE TO ASK YOU TO KIND OF ACCELERATE THIS. WE HAVE A NUMBER OF ITEMS STILL ON THIS AGENDA AND THEN WE HAVE ANOTHER PUBLIC HEARING AFTER.

HELINA CARTER THOMAS – OKAY.

COMMISSIONER AINGE - SO AND MAYBE TRY TO THINK ABOUT WHAT'S MOST CRITICAL. I MEAN ON ONE HAND WE HAVE OUR COUNTY ATTORNEY SAYING THAT THERE IS AN ISSUE OF NON-COMPLIANCE OR THERE WOULD BE A NOTICE TO COMPLY, RIGHT? AND MY UNDERSTANDING IS THAT THERE'S A BOND THAT YOU SIGNED THAT STILL REQUIRES YOU TO FIX THIS DITCH ISSUE.

HELINA CARTER THOMAS - THAT'S NOT TRUE. DO YOU WANT TO SEE THAT AND MAYBE THAT'LL CLEAR IT UP?

COMMISSIONER AINGE – WELL I THOUGHT THAT WAS SOMETHING EVERYONE HAD AGREED TO.

RICHARD NIELSON - SO LET ME JUST CLARIFY ON THE BOND, THAT THE BOND DID NOT INCLUDE ANYTHING ON THE ON THE DRAINAGE DITCH, BECAUSE ON THE IRRIGATION PLAN IT DOESN'T CALL OUT FOR IT BEING CHANGED IN ANY WAY. SHOWS THE CONCRETE DITCH BEING PLACED ADJACENT TO IT, BUT IT STILL SHOWS BOTH OF THE OLD ORIGINAL DITCHES THERE. SO, THE ASSUMPTION WOULD BE THAT THAT DITCH WOULD HAVE REMAINED, SO IT'S NOT ON THE BOND IN ANY WAY.

HELINA CARTER THOMAS – RICHARD, I'M JUST WONDERING, DO YOU WANT TO LOOK AT THIS?

RICHARD NIELSON - I LOOKED AT IT THIS MORNING.

HELINA CARTER THOMAS – ARE YOU SURE IT'S THE RIGHT ONE?

RICHARD NIELSON - I LOOKED AT THE APPROVED ONE.

HELINA CARTER THOMAS – WAS IT THIS ONE?

RICHARD NIELSON - I HAVE NO IDEA, I LOOKED AT THE APPROVED ONE.

HELINA CARTER THOMAS – THAT'S WHY I'M WONDERING IF YOU SAW THE ONE FROM BEFORE WE PUT IN THE IRRIGATION DITCHES.

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RICHARD NIELSON – I NEED BIGGER GLASSES. YUP, THIS IS THE ONE I LOOKED AT, THE DITCH IS SHOWN RIGHT THERE ON THE TOP OF LOT 8, RIGHT THERE, THE DITCH AND DITCH.

HELINA CARTER THOMAS - SO WHAT ARE YOU...

RICHARD NIELSON - AND TO ME, THE WAY I WOULD INTERPRET THE NOTE HERE THAT SAYS ABOUT THE CONCRETE DITCH FOLLOWING THE EARTHEN DITCH, IS THAT WOULD BE THE IRRIGATION DELIVERY DITCH, IT WOULDN'T AFFECT THE DRAINAGE DITCH THAT'S PARALLEL TO IT AT ALL, THE WAY I WOULD INTERPRET IT.

COMMISSIONER IVIE - THAT WAS GOING TO BE MY QUESTION, IS IF THAT WOULD BE CONCURRENT WITH THE DITCH THAT DELIVERS THE WATER.

RICHARD NIELSON - THAT'S HOW I WOULD INTERPRET THAT, THAT NOTE ON THE PLAN.

HELINA CARTER THOMAS - SO IF IT WAS A DRAINAGE DITCH, JUST CURIOUS LIKE I MEAN WE HAVE TO PUT NOTES ON THE PLAT FOR EVERYTHING. WHY DID THAT NOT HAPPEN? IF YOU WANTED IT TO BE ONE WAY, WHY DIDN'T WE DO IT THAT WAY?

RICHARD NIELSON – GOOD QUESTION.

HELINA CARTER THOMAS - I LIKE, I MADE THIS STATEMENT TO RICHARD, I SAID RICHARD, I WOULDN'T HAVE CARED. LIKE I'M IF YOU'D HAVE WANTED THE THING, WHATEVER, JUST TELL ME HOW YOU WANT IT AND I'LL DO IT THE WAY YOU WANT IT. I WOULD HAVE.

RICHARD NIELSON - THE FIRST PLAT THAT WAS SUBMITTED IT WAS ON THERE, SO THE SECOND PLAT IT WAS REMOVED. SO, THE SECOND VERSION OF THE PLAT IT WAS REMOVED. FIRST PLAT IT WAS ALREADY ON THERE, SHOWING A DRAINAGE EASEMENT ON THE FIRST VERSION.

HELINA CARTER THOMAS - A DRAINAGE EASEMENT?

RICHARD NIELSON - YES, A 25-FOOT IRRIGATION AND DRAINAGE EASEMENT ON LOT 8. THAT WENT DOWN TO I BELIEVE IT'S A 15-FOOT IRRIGATION EASEMENT THAT'S CONSISTENT ON ALL OF THE LOTS.

HELINA CARTER THOMAS – I THINK THAT THAT WAS, I DON'T THINK THAT THAT WAS BECAUSE OF THIS BY ANY MEANS.

RICHARD NIELSON – I'LL DISAGREE WITH YOU ON THAT.

HELINA CARTER THOMAS - BUT THAT WAS HONESTLY, I DON'T KNOW ANYTHING ABOUT THAT TO BE HONEST WITH YOU.

COMMISSIONER IVIE - SO LET ME ASK YOU THIS QUESTION. OUR ACTION THAT WE TOOK THE OTHER DAY WAS TO GIVE YOU THE OPPORTUNITY TO CONTINUE MOVING FORWARD, TO ENSURE THAT YOU COULD OBTAIN YOUR BUILDING PERMITS AND THAT YOU COULD SELL YOUR PROPERTIES. AND SO, OUR ACTION THAT WE TOOK FROM OUR CONVERSATION WITH OUR LEGAL DEPARTMENT AND OUR ENGINEERING DEPARTMENT WAS THAT THIS ACTION WOULD ENABLE YOU TO CONTINUE TO MOVE FORWARD, THERE WOULD BE NO PROBLEMS GETTING YOUR HOUSES, YOUR BUILDING PERMITS, GETTING THINGS BUILT, GETTING YOUR LOT SOLD, WE WOULD JUST AT SOME POINT IN TIME NEED TO PUT THIS DIRT DITCH BACK INTO PLACE.

HELINA CARTER THOMAS – NO, THAT’S NOT THE CASE THOUGH NATE, YOU DON’T HAVE THE ABILITY TO DO THAT. THE TIME FOR YOU TO PUT THAT ...

COMMISSIONER IVIE - BUT WHAT I'M ASKING YOU, IS WE TOOK AN ACTION THAT WAS GOING TO KEEP YOU OUT OF NON-COMPLIANCE BECAUSE AS HAS BEEN MENTIONED BY ROB MOORE, THERE'S AN APPROVED IRRIGATION PLAN WITH THAT DITCH REMOVED FROM, THAT YOU'RE IN NON-COMPLIANCE WITH.

HELINA CARTER THOMAS - THAT'S NOT TRUE THOUGH.

COMMISSIONER IVIE – OKAY, SO ROB,

HELINA CARTER THOMAS – CAN I SHOW YOU THESE?

COMMISSIONER IVIE - I'M CURIOUS IS, SO ROB IS GIVING US MISINFORMATION ABOUT THAT?

HELINA CARTER THOMAS – YES.

COMMISSIONER IVIE – OKAY.

HELINA CARTER THOMAS - I'M NOT IN NON-COMPLIANCE. I CAN SHOW YOU THE BOND AGREEMENT WITH THE EMAIL WITH THE LIST OF ITEMS THAT I AGREED TO, AND I CAN SHOW YOU THE IMPROVEMENT PLAN THAT THEY APPROVED. IF THIS WAS TO BE PUT ON, IT SHOULD HAVE BEEN PUT ON WHEN THE SUBDIVISION WAS APPROVED. YOUR ACTION WITH THIS, THIS PROCESS IS REALLY BAD BY THE WAY, ANYWAY THIS BOND THING SHOULD BE APPROVED AT THE TIME OF BEING PLAT APPROVAL, BECAUSE THIS AFTER, THERE'S NOT, IT'S EITHER AND I'VE READ THE ORDINANCE AND YOU GUYS CAN READ IT YOURSELVES OR GET LEGAL COUNSEL WHATEVER YOU WANT, BUT THIS BOND, I AGREED TO BOND A CERTAIN WAY AND I HAVE IT SIGNED. I SIGNED WHAT I SIGNED. THAT'S IT. THERE'S NOT OKAY, WELL WE'RE GONNA PUT A CONDITION ON WHAT YOU SIGNED. NO. YOU COME TO ME AND SAY HEY WE WANT THIS TO BE A DIFFERENT WAY SO WILL YOU SIGN IT THIS WAY, AND I SAY YA, I'LL SIGN IT THAT WAY OR I SAY NO AND THEN WE DON'T MOVE FORWARD. YOU DON'T LIKE TAKE WHAT I AGREED TO BOND FOR AND THEN PUT A CONDITION ON TOP OF IT. THAT DOES, IT DOESN'T WORK THAT WAY. AND I'VE TALKED TO LEGAL COUNSEL SO.

ROBERT MOORE – OKAY, REAL QUICKLY, I’M THE ATTORNEY, I’VE TALKED TO RICHARD AND TO BRYCE AND OTHERS, THIS DOCUMENT SHE’S REFERRING TO STILL SHOWS THE EARTHEN DITCH, THE DRAINAGE DITCH ON THAT DOCUMENT AND THAT’S, SHE MAY DISPUTE THAT, BUT IT’S ON THERE AND YOU CAN LOOK AT YOURSELF.

HELINA CARTER THOMAS – WHERE IS THAT ROB?

ROBERT MOORE – IT’S RIGHT HERE. RICHARD CAN SHOW IT TO YOU.

HELINA CARTER THOMAS - SO DOES IT SAY DRAINAGE DITCH?

ROBERT MOORE - IT ACTUALLY SAYS TWO DITCHES.

HELINA CARTER THOMAS - CAN YOU SHOW ME WHERE IT SAYS DRAINAGE DITCH?

ROBERT MOORE – IT SHOWS DITCHES, IT SAYS RIGHT HERE, IT SAYS EARTHEN DITCH 2. CAN YOU READ THAT LANGUAGE? IT’S TOO SMALL? YOU CAN’T?

HELINA CARTER THOMAS - I CAN’T READ IT.

ROBERT MOORE – IT SAYS EXISTING EARTHEN DITCH.

HELINA CARTER THOMAS – THAT’S NOT A DRAINAGE DITCH.

ROBERT MOORE – IN FACT, IT SAYS IS EXISTING EARTHEN DITCHES.

HELINA CARTER THOMAS – IT SAYS EXISTING EARTHEN DITCH.

COMMISSIONER AINGE – OKAY, SO OBVIOUSLY TODAY IS NOT, WE ARE NOT TAKING ANY ACTION TODAY THIS IS A WORK SESSION. IT CANNOT, THERE CANNOT BE ANY ACTION TAKEN.

HELINA CARTER THOMAS – I KNOW. SO, I THOUGHT WE WOULD HAVE PLENTY OF TIME TO GO THROUGH THIS.

COMMISSIONER AINGE - SO I THOUGHT THIS WAS THIS WOULD BE HELPFUL YOU KNOW BECAUSE THERE’S SEVERAL ITEMS LIKE THIS, SO I THINK THAT OF COURSE ALWAYS SUBJECT TO WHATEVER COMMISSIONERS’ ADDITIONAL QUESTIONS OR DISCUSSION THEY HAVE...

COMMISSIONER LEE – CAN I ASK ONE QUESTION?

COMMISSIONER AINGE - I WANT TO LIMIT IT TO JUST WHAT THE COMMISSIONERS WANT TO ASK.

COMMISSIONER LEE - CAN I ASK ONE QUESTION ROB?

ROBERT MOORE – SURE.

COMMISSIONER LEE - WHEN IT COMES TO THE BONDING AND WHAT INDIVIDUALS WERE BONDING FOR, AND THE COUNTY IS BONDING FOR, HOW DETAILED IS THAT LIST?

ROBERT MOORE - WELL THERE IS A LIST THERE AND WE COULD YOU KNOW WE COULD MODIFY IT TO INCLUDE THIS. I THINK IT'S TO HER BENEFIT TO DO SO, BECAUSE AS I MENTIONED TO YOU JUST A FEW MINUTES AGO, IF WE DON'T DO THAT, IF WE DON'T INCLUDE THIS AS PART OF THAT THEN, AND WE RELEASE THE BOND, THEN WE'RE GOING TO BE LOOKING AT A NOTICE TO COMPLY, RIGHT? AND THEN WE'RE GOING TO GO THROUGH THAT PROCESS WHICH IS GOING TO STOP THE WHOLE DEVELOPMENT.

COMMISSIONER LEE - AND THAT MAY BE, BUT I GUESS MORE POINTED ON MY QUESTION, IF THE BONDING DOCUMENTS HAVE EVERYTHING DETAILED OUT IN WHAT WAS NEEDED TO GET THEIR BOND BACK, AND THAT WAS FULFILLED, DO WE HAVE ANY RIGHT TO HOLD THAT UP?

ROBERT MOORE - WELL BY MOTION YOU TIED THIS TO THE BOND, IN JANUARY, EARLY PART OF JANUARY WHEN YOU APPROVED THE BOND THAT YOU DID SAY AND WILL NOT BE RELEASED UNTIL THE EARTHEN DITCH IS PUT BACK.

HELINA CARTER THOMAS – CAN I GIVE YOU THIS LIST?

COMMISSIONER LEE - WHICH WAS UNDER THE ASSUMPTION THAT EVERYONE AGREED, RIGHT?

ROBERT MOORE - THAT MAY HAVE BEEN THE CASE. I DIDN'T KNOW ANYTHING ABOUT THAT EITHER. ALL, I MEAN ALL I'VE BEEN ASKED TO DO IS LOOK AT THE IRRIGATION PLAN AND TALK WITH RICHARD ABOUT THIS.

COMMISSIONER LEE - I MEAN THAT WAS EASY KNOWING THAT EVERYONE AGREED, AND SO IT'S LIKE WELL YEAH, OF COURSE, LET'S GO THIS WAY.

ROBERT MOORE – ABSOLUTELY.

COMMISSIONER IVIE - AND SO MY QUESTION HELINA, NOW COMING BACK TO YOU, MY INTEREST HERE TODAY IN THIS WORK SESSION SETTING IT IS TO UNDERSTAND WHAT YOUR THOUGHTS ARE ON SOLVING THE CONCERN.

HELINA CARTER THOMAS – WELL, ONE...

COMMISSIONER IVIE - SO I MEAN WE CAN GET INTO A LOT OF LEGAL ARGUMENTS, WE CAN TALK ABOUT WHO'S RIGHT AND WHO'S WRONG,

HELINA CARTER THOMAS – SURE, ABSOLUTELY.

COMMISSIONER IVIE - WHETHER WE MISCOMMUNICATED OR NOT, MY QUESTION IS, IS HOW CAN WE ENSURE THAT WE HAVE THIS EARTHEN DITCH IN PLACE, THAT OUR ENGINEERING DEPARTMENT FEELS IS CRITICAL TO PROTECT YOUR PROPERTY RIGHTS AND THOSE OF OTHERS, AND MAKE SURE WE'RE NOT

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FLOODING AND HAVING A LOT OF PROBLEMS IN THE AREA, AND AT THE SAME TIME MAKE SURE THAT YOU GET TO MOVE FORWARD WITH YOUR DEVELOPMENT. THAT'S MY SOLE INTEREST TODAY IS MAKING SURE THAT THAT'S IN PLACE SO THAT WE HAVE THAT AS IT'S DRAWN ON THE PLOT THERE, AND IT'S IN PLACE.

HELINA CARTER THOMAS – I APPRECIATE THAT.

COMMISSIONER IVIE - AND THAT YOU CAN MOVE FORWARD.

HELINA CARTER THOMAS – I APPRECIATE THAT NATE, BUT I DON'T THINK IT'S...

COMMISSIONER IVIE - WHAT WOULD BE YOUR SUGGESTION ON HOW WE CAN DO THAT?

HELINA CARTER THOMAS – ... FAIR OF YOU GUYS TO HOLD ME HOSTAGE WHEN YOU ALREADY APPROVED IT.

COMMISSIONER IVIE – I'M NOT TRYING TO HOLD YOU HOSTAGE. I'M TRYING TO SOLVE THE PROBLEM.

HELINA CARTER THOMAS – OKAY, LET ME HAND THIS TO YOU. THIS IS THE DOCUMENT. THIS IS THE BOND AGREEMENT. THIS IS A LIST OF ITEMS. DO YOU SEE LIKE ANYTHING ABOUT AN EARTHEN DITCH ON THERE?

COMMISSIONER IVIE - I'M NOT TRYING TO HOLD YOU HOSTAGE. I'M AM TRYING TO ASK WHAT YOU BELIEVE THE SOLUTION IS.

HELINA CARTER THOMAS - THE SOLUTION IS THAT IF YOU GUYS WANT TO, THAT YOU GUYS NEED TO RELEASE MY BOND, BECAUSE YOU DON'T HAVE ANY RIGHT TO KEEP IT. LIKE THEY SAID I'VE DONE EVERYTHING THAT I AGREED TO AND THAT WAS A PART OF THAT BOND AGREEMENT. AND AS FAR, I THINK THAT YOU NEED TO RELEASE MY BOND AND THEN IF YOU GUYS WANT TO TRY TO WORK SOMETHING OUT IN THE NEXT MONTH, I WILL NOT SELL A LOT #8 WHICH IS THE ONE THAT THIS WOULD AFFECT, IT'S NOT, IT SHOULD NOT BE UP TO ME TO GO THROUGH THIS WHOLE PROCESS OF AMENDING THE PLAT, WHICH IS WHAT THIS WOULD TAKE, A PLAT AMENDMENT TO MAKE THIS RIGHT, TO PUT WHATEVER YOU GUYS WANT ON THE PLAT AT THIS POINT TO ENSURE THAT THE PUBLIC KNOWS WHAT THE DEAL IS WITH THIS, I MEAN I DO WANT TO JUST TELL YOU ONE THING ABOUT THIS DRAINAGE DITCH SO CALLED, BUT REGARDLESS IT NEEDS, IT WOULD REQUIRE A PLAT AMENDMENT AND THAT'S THE ONLY WAY TO MAKE THIS RIGHT WITH NOTES ON THE PLAT AS TO WHAT IT IS AND WHOSE BENEFIT, WHO IS IT TO BENEFIT? WHO IS IT TO BENEFIT?

COMMISSIONER IVIE - MY UNDERSTANDING IS IT'S CURRENTLY ALREADY ON THERE, NO? CORRECT?

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ROBERT MOORE – WELL, IT'S ON THE IRRIGATION PLAN, YES. AND IT BENEFITS THE PROPERTY OWNERS TO THE EAST THAT ARE NOT IN THE SUBDIVISION, MR. ALAN SWENSON, AND WAS THE OTHER ONE?

RICHARD NIELSON – MONT WILLIAMS.

HELINA CARTER THOMAS – MONT WILLIAMS?

ROBERT MOORE – ALAN SWENSON AND MONT WILLIAMS.

HELINA CARTER THOMAS - SO IT'S AN EASEMENT TO BENEFIT THEM?

ROBERT MOORE - IT'S AN EXISTING DRAINAGE DITCH THAT HAS BEEN HISTORICALLY USED TO BENEFIT THOSE PROPERTY OWNERS, YES.

HELINA CARTER THOMAS - OKAY SO IT'S NOT, SO WHO'S GOING TO MAINTAIN THIS THING?

RICHARD NIELSON – IT'S PRIVATE.

ROBERT MOORE - IT IS A PRIVATE DITCH, THAT'S WHAT WE UNDERSTAND AS WELL.

HELINA CARTER THOMAS - WHOSE PRIVATE DITCH IS IT?

RICHARD NIELSON - THE LANDOWNERS.

HELINA CARTER THOMAS – THE LANDOWNERS. BUT IT'S NOT FOR THEIR BENEFIT.

RICHARD NIELSON – (UNINTELLIGIBLE)

HELINA CARTER THOMAS - BUT THERE'S NOTHING OF RECORD AND SO WHY IS THAT ANY OF THE COUNTY'S BUSINESS? AND IT'S, I DON'T, LIKE I SAID, I WOULDN'T HAVE CARED BUT I'LL TELL YOU WHAT THIS IS, AND NATE'S BEEN OUT THERE, I DON'T KNOW IF EITHER OF YOU HAVE AND I HAVE SOME PICTURES, BUT THIS, THERE'S A HOLE, THERE'S A PIPE THAT GOES UNDERNEATH THE COUNTY ROAD AND TO BE HONEST, I DIDN'T, I HAD NEVER EVEN LOOKED AT THIS AT ALL BEFORE, I HAD NO IDEA THAT THIS EVEN EXISTED. BUT AFTER THIS ALL GOT BROUGHT UP, I WENT AND FOLLOWED THE WHOLE THING AND THE OTHER DAY GLENN AND RICHARD AND I WENT FOR A LITTLE FIELD TRIP AND LOOKED AT THE WHOLE THING, WHICH I GOT I UNDERSTOOD MORE OF WHERE IT GOES WHICH SURPRISED ME, IT HEADS SOUTH, WHICH IS WEIRD TO ME, I THOUGHT IF IT'S DRAINING TO THE LAKE,

COMMISSIONER IVIE – IT HEADS TOWARD THE SLOUGH THOUGH.

HELINA CARTER THOMAS – SOUTH, RIGHT?

COMMISSIONER IVIE - THAT PARTICULAR PART OF THE COUNTY DRAINS TOWARD TO SLOUGH TO THE SOUTH.

HELINA CARTER THOMAS – OKAY. SO, AND I DIDN'T REALIZE THAT BUT REGARDLESS OF THAT, IT'S BLOCKED OFF. THERE'S NO WAY THAT IT CAN CURRENTLY GET THROUGH. IF IT DID, IF THERE WAS A FLOOD, IT WOULD GO THROUGH LOT #8, IT WOULD GO DOWN AND IT WOULD FLOOD EITHER THE RAILROAD TRACKS OR THE HOUSE THAT'S RIGHT IN FRONT OF THE RAILROAD TRACKS. THE THING IS THOUGH, IT DOESN'T, IT COMES FROM, THE ONLY THING IT COMES FROM IS SOME GUY'S FIELD. IT'S HIS FIELD, IT'S THE LOW PART OF HIS FIELD. THEN THERE'S A PIPE IT GOES UNDER THE ROAD AND DOWN THE ROAD AND THE IRRIGATION COMPANY'S BY-LAW IS THAT EVERYONE IS RESPONSIBLE FOR THEIR OWN WATER. YOU CANNOT LET YOUR WATER RUN ON TO SOMEBODY ELSE. YOU KNOW THAT, RIGHT NATE?

COMMISSIONER IVIE – YOU ARE RESPONSIBLE FOR YOUR WATER.

HELINA CARTER THOMAS – OKAY, SO THE ONLY THING THAT I HAVE BEEN TOLD THAT THIS IS USED FOR IS THE GENTLEMAN, REGARDLESS OF WHY THIS HAPPENS I'VE BEEN TOLD MANY STORIES, BUT APPARENTLY, HE DOESN'T WATCH HIS WATER VERY WELL AND HE LETS IT RUN AND IT RUNS DOWN, AND THIS IS HOW HE GETS RID OF HIS IRRIGATION WATER. THERE'S NOT A CHANNEL OR A DITCH OR ANYTHING BEFORE THAT. THERE'S NOTHING. IT'S JUST THE LOW END OF HIS FIELD THAT RUNS INTO THIS PIPE THAT THEN GOES DOWN ON TO OTHER PEOPLE. SO, IF THE COUNTY WANTS, AND THAT'S WHAT I'VE SAID ALL ALONG, WHO'S GOING TO TAKE RESPONSIBILITY FOR IT? YOU WANT IT TO BE THE BENEFIT OF MONT WILLIAMS AND ALAN SWANSON, THEN THEY NEED TO BE RESPONSIBLE FOR IT AND THERE NEEDS TO BE AN EASEMENT GIVEN TO THEM FOR THEM TO MAINTAIN AND YADDA YADDA YADDA. AND IT NEEDS TO BE ON THE SUBDIVISIONS PLAT. IT'S NOT THERE.

COMMISSIONER IVIE – SO HELINA, TO MY UNDERSTANDING FROM YOUR COMMENTS IS THAT YOU'D LIKE US TO REMOVE THE BOND SO THAT YOU BECOME IN NON-COMPLIANCE AND CAN'T BUILD YOUR HOUSES.

HELINA CARTER THOMAS – NO, NATE. I'D LIKE YOU TO, YOU WEREN'T RIGHT IN PUTTING A CONDITION ON MY BOND. I DID NOT SIGN A BOND, I DIDN'T AGREE TO A BOND WITH ANY OF THIS INFORMATION, THIS CONDITION ON IT.

COMMISSIONER IVIE - WHICH WE'RE TRYING, ACKNOWLEDGING AS PART OF A MISCOMMUNICATION THAT'S BEEN ACKNOWLEDGED.

HELINA CARTER THOMAS – I WAS NOT NOTIFIED EITHER.

COMMISSIONER IVIE - BUT WHAT I'M SAYING AND WHAT I'M SAYING IS, IS THE FOLLOW UP, MY UNDERSTANDING IS THE FALL OUT OF YOUR REQUEST IS THAT YOU'LL BECOME IN NON-COMPLIANCE AND WON'T BE ABLE TO OBTAIN YOUR BUILDING PERMITS.

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HELINA CARTER THOMAS - WELL THEN, I GUESS I'LL HAVE TO HIRE AN ATTORNEY AT THAT POINT. IF THAT'S WHAT YOU GUYS WANT TO DO, THAT'S WHAT'S GOING TO HAPPEN.

COMMISSIONER IVIE - IS NOT WHAT I WANT TO DO. WHAT I'D LIKE TO DO IS FIND A RESOLUTION.

HELINA CARTER THOMAS - SO WOULD I, BUT IT'S NOT MY PROBLEM.

COMMISSIONER IVIE - AND I FELT THAT WE HAD ONE, AND THAT WAS SIMPLY PUTTING, REOPENING THE DITCH AND WE'RE DONE.

HELINA CARTER THOMAS - WELL IF YOU GUYS WANT, THIS IS THE PROBLEM. WE REOPEN THE DITCH THAT ALAN SWENSON RUNS HIS WATER DOWN ON TO THESE PEOPLE IN THE SUBDIVISION AND OTHERS DOWN BEYOND AND IN THE SUBDIVISION, ON THE SUBDIVISION PLAT IT SAYS SPECIFICALLY THAT YOU CANNOT DO THAT. SO THEN IS IT RIGHT FOR THE PEOPLE IN THE SUBDIVISION TO BE ABLE TO DO THAT TOO? WHEN WE'VE GOT A NOTE ON THE PLAT THAT SAID YOU CAN'T?

COMMISSIONER AINGE - SO I DON'T HAVE ANY FURTHER QUESTIONS. YOU'VE ASKED AND HAD SOME ANSWERED. COMMISSIONER LEE, DO YOU HAVE ANY FURTHER QUESTIONS AT THIS POINT?

COMMISSIONER LEE – WELL, A LOT OF QUESTIONS BUT I THINK THAT I'LL ASK THEM LATER.

COMMISSIONER AINGE – YEAH, I THINK THAT YOU'VE RAISED A LOT OF INFORMATION WE ALL WILL HAVE THE OPPORTUNITY TO REVIEW WITH STAFF SOME OF THIS INFORMATION SEE HOW IT COMES ON THE AGENDA IN THE FUTURE. SO, THANK YOU.

ROBERT MOORE - THANK YOU.

HELINA CARTER THOMAS - YOU GUYS ALL WANT A COPY OF THE DRAINAGE PLAN AND THE LIST OF ITEMS THAT I AGREED TO?

RICHARD NIELSON – I HAVE A COPY.

HELINA CARTER THOMAS – I JUST WANT TO MAKE SURE YOU HAVE THE RIGHT ONE.

COMMISSIONER LEE – I'D LIKE A COPY.

HELINA CARTER THOMAS – YOU'D LIKE A COPY?

COMMISSIONER LEE – SURE.

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7. APPROVE AND AUTHORIZE THE ADOPTION AND IMPLEMENTATION OF A NEW COUNTY STORMWATER ORDINANCE

-Richard Nielson, Public Works Director-

RICHARD NIELSON – I ASKED GLEN TO COME UP HERE WITH ME ON THIS ONE, FOR THE STORM WATER ORDINANCE.

COMMISSIONER AINGE - THANK YOU.

RICHARD NIELSON - A FEW YEARS AGO THE STATE AND EPA CREATED SOME NEW STORMWATER RULES AND REGULATIONS THAT LOCAL MUNICIPALITIES HAVE TO ABIDE BY. WE'RE NOT EXEMPT FROM THAT AND WE HAVE TO DO THAT. GLEN AND SOME OF THE ENGINEERING STAFF HAD BEEN WORKING ON THIS FOR THE PAST MANY MONTHS AND WE HAVE A PROPOSED ORDINANCE THAT WILL GO BEFORE YOU THAT WOULD

ROBERT MOORE – CODE, CODE AMENDMENT. COUNTY CODE IS NOT REALLY AN ORDINANCE.

RICHARD NIELSON – IS THAT WHAT IT IS?

ROBERT MOORE - SO I THINK IT WAS DETERMINED THAT WOULD BE BETTER UNDER THE COUNTY CODE, IS WHAT IT WAS DETERMINED.

RICHARD NIELSON - SO THIS WOULD PROVIDE THAT COMPLIANCE FOR HAVING THE COUNTY ORDINANCE OR CODE THAT ADDRESSES STORMWATER ISSUES AND INSPECTIONS OF SITES AND THINGS OF THAT NATURE OTHER THINGS, GLEN YOU WANT TO?

GLEN TANNER, ASSOCIATE DIRECTOR, PUBLIC WORKS - YEAH THIS BASICALLY IS IT PUTS US IN THE PROCESS OF BECOMING COMPLIANT WITH MS4 PERMITTING WHICH WE NEED TO BECOME COMPLIANT FOR, SO WE DON'T BECOME FINED AND PENALIZED.

COMMISSIONER AINGE - FROM THE STATE?

GLEN TANNER - FROM THE STATE EPA. IT'S EPA DIRECTED BUT THE STATE IS THE ONE THAT HAS THE MANDATE TO ENFORCE IT.

COMMISSIONER IVIE - FOR ENFORCEMENT.

GLEN TANNER – YEP. SO, THIS IS KIND OF HEADING IN THE APPROPRIATE DIRECTION AND THIS IS ONE OF THE BIG STEPS THAT WE HAVE TO GET THROUGH IS ADOPTING A CODE OR ORDINANCE. WE DECIDED TO GO THE CODE WAY.

COMMISSIONER AINGE - SO THIS IS ENTIRELY NEW OR?

GLEN TANNER - THIS IS AN ENTIRELY NEW SECTION THAT WOULD BE ADDED TO THE CODE AND THAT'S THE WAY IT WAS KIND OF ADDRESSED. WE WORKED

WITH THE ATTORNEY'S OFFICE TO FIX THE FORMATTING AND EVERYTHING. I THINK WE'RE WHERE IT NEEDS TO BE. THIS KIND OF FOLLOWS THE FORM OF MOST ALL THE OTHER COUNTIES AND CITIES IN THERE, YOU KNOW NOT JUST IN OUR COUNTY, BUT SURROUNDING COUNTIES TO BECOME COMPLIANT WITH THAT. YEAH, WE HAD, SO THE ORIGINAL FORMAT OF THIS WAS, WE HAD AN ENGINEERING FIRM THAT HAS BEEN THROUGH THIS PROCESS WITH OTHER CITIES AND COUNTIES, THEY HELPED US BEGIN THE PROCESS OF WRITING THIS, SO A LOT OF THIS DOCUMENT WAS ORIGINALLY BORROWED FROM OTHER ENTITIES WITH WHOM

RICHARD NIELSON – WE WON'T SAY IT WAS PLAGIARIZED.

GLEN TANNER - TO HELP US MOVE ALONG QUICKER THEN WE WENT THROUGH IT AND WE EDITED IT AND ADJUSTED IT TO FIT OUR COUNTY AND THEN WE HAD THE ATTORNEY'S OFFICE MAKE SOME REVISIONS, JUST KIND OF WENT BACK AND FORTH OVER THE LAST ABOUT YEAR AND NOW WE FEEL LIKE WE FINALLY HAVE SOMETHING THAT WE COULD PROCEED WITH. THE ONE NOTE ON THIS IS, TO DRAW YOUR ATTENTION TO, IT DOES HAVE SOME FINES AND PENALTIES THAT WOULD BE ASSOCIATED WITH THAT TO BE COMPLIANT WITH THE DIRECTION OF THE STATE. SO, IF THIS WAS ADOPTED, WE'D BE FOLLOWING THIS WITH THE FEE SCHEDULE FOR THOSE FINES AND PENALTIES AS WELL AS PERMITS. IT WOULD ALSO REPLACE THE CURRENT, IS IT GRADING PERMIT, RIGHT? IN THE LAND USE ORDINANCE THIS WOULD BECOME A LAND DISTURBANCE PERMIT. AGAIN, IT WOULD HAVE REMOVED THE GRADING PERMITS CURRENTLY PART OF THE ORDINANCE AND PUT US AGAIN MORE COMPLIANT AND MORE FUNCTIONING AS THE OTHER CITIES AND COUNTIES DO SO AS PEOPLE COME INTO THE COUNTY, THEY UNDERSTAND WHAT THEY NEED TO BE DOING.

COMMISSIONER LEE - EVEN THOUGH WE'RE UNDER THE 10,000?

GLEN TANNER – YEAH.

COMMISSIONER LEE – THE 10,000 POPULATION WE'RE UNDER THAT?

GLEN TANNER – YES.

COMMISSIONER LEE - BUT WE STILL HAVE TO COMPLY?

GLEN TANNER - SO ON ABOUT I'M GOING TO SAY I'M GOING TO TAKE A GUESS HERE BOUT 2001, THE STATE GRANTED US AN EXEMPTION BECAUSE WE FELL UNDER THAT. THAT LASTED FOR ABOUT THE FIRST FIVE OR SIX YEARS AND THEN THE STATE DECIDED THEY WOULD NOT GRANT US THAT EXEMPTION AND THEY GAVE US FIVE YEARS TO COMPLY. AND WE MET THAT FIVE YEARS AND WE'RE ON BORROWED TIME. SO THAT'S WHY WE'RE TRYING TO GET THESE THINGS IN PLACE.

RICHARD NIELSON - THE STATES POSITION, EVEN THOUGH WE'VE ARGUED WITH THEM THAT WE ARE UNDER 10,000 IN THE UNINCORPORATED

POPULATION, THEIR ARGUMENT IS WE'RE A COUNTY OF 650,000 PEOPLE AND THEREFORE THAT'S THE UMBRELLA WE HAVE TO FOLLOW.

COMMISSIONER IVIE – THAT’S THE UMBRELLA WE HAVE TO FOLLOW.

COMMISSIONER LEE - EVEN THOUGH THE REST OF THE STORM WATER DRAINS ARE ALL IN THE CITIES WHICH THEY ARE COMPLYING ANYWAY? THEY ARE ALL COMPLYING.

GLEN TANNER - YEAH, WE BROUGHT THEM THE STATE DOWN AND DID A FIELD TRIP HOPING TO MAKE THAT ARGUMENT AND THEY JUST FELT BECAUSE OF THE ADJOINING AREAS THAT WE NEED TO BE COMPLIANT AS WELL. AND WITH THE NEW DEVELOPMENT OF WHAT THEY CALL THE LOW IMPACT DEVELOPMENT, THEY FELT LIKE THAT'S WHAT WE'RE DOING, AND WE NEED TO BE FOLLOWING THAT REQUIREMENT.

RICHARD NIELSON - THE VAST MAJORITY OF STORMWATER SYSTEMS IN THE COUNTY ARE WITHIN THE CITIES AND NOT THE COUNTY HAS VERY FEW FACILITIES THAT DEAL WITH STORMWATER DIRECTLY SO.

COMMISSIONER LEE – RIGHT.

COMMISSIONER AINGE – SO, ON THIS, I ACTUALLY, IT'S UNFORTUNATE THAT WE HAVE ANOTHER PUBLIC HEARING BECAUSE MY EXPECTATION FOR ORDINANCE CHANGES OF THIS NATURE, WOULD BE KIND OF A FULL DEBRIEFING AND OVERVIEW.

RICHARD NIELSON – WE CAN CERTAINLY DO THAT AT ANOTHER TIME.

COMMISSIONER AINGE – I GUESS I'M GOING TO HAVE TO GO THROUGH THAT AND DO THAT WITH YOU. THAT JUST SO PEOPLE KNOW, I MEAN THAT'S ONE OF THE PURPOSES OF THIS, IS BECAUSE IF YOU HAVE AN ORDINANCE CHANGE, WE'RE TRYING TO BE RESPECTFUL OF YOUR TIME SO THAT YOU DON'T HAVE TO HAVE ONE ON ONE MEETINGS WITH EACH OF US RIGHT WHERE WE EACH ASKED THE SAME QUESTIONS RIGHT?

RICHARD NIELSON – AND THIS COULD EASILY BE CONTINUED TO YOUR NEXT WORK SESSION WITHOUT A PROBLEM

COMMISSIONER IVIE – NEXT WORK SESSION.

COMMISSIONER AINGE - BECAUSE THIS IS REALLY HELPFUL TO KNOW THE CONTEXT RIGHT AND I APPRECIATE THAT IT MAKES A LOT OF SENSE AND THEN THE NEXT LEVEL IS JUST MAKING SURE WE ACTUALLY KNOW WHAT WE'RE PASSING AND ENACTING INTO THE CODE. SO, THANK YOU.

COMMISSIONER IVIE - AND I GUESS THIS SOME THOUGHTS AS WE MOVE FORWARD INTO NEXT WEEK IS AND AS I'VE READ THROUGH THIS BECAUSE I KIND OF WORK WITH YOU ON IT PREVIOUSLY, YOU KNOW, MY BIGGEST CONCERN WITH THIS IS MAKING SURE THAT WHERE APPROPRIATE WE MIGHT

TIGHTEN SOME THINGS AND THEN MAKE SURE WE'RE AS LOOSE IN OTHER AREAS AS WE CAN. AND I THOUGHT THE BENEFIT OF HAVING IT CODIFIED FOR US WAS THAT WE COULD MAKE THOSE LOCAL ADAPTATIONS WHILE STILL REMAINING WITHIN THE FRAMEWORK OF THE DIRECTION FROM EPA AND STATE. AND SO, I'LL HAVE PROBABLY A FEW QUESTIONS IN REGARDS TO SPECIFIC AREAS TO SAY WOULD IT BE APPROPRIATE TO MAYBE TIGHTEN THIS DOWN A LITTLE BIT HERE IN A COUPLE AREAS WHERE I THINK IS THERE ANY FLEXIBILITY IN OPENING THIS UP A LITTLE MORE.

GLEN TANNER - AND COMMISSIONER, MAYBE WHAT WOULD HELP US, IS IF YOU HAVE THOSE, IF WE CAN GET AN EMAIL, SO WE CAN SHOW YOU WHERE, BECAUSE SOME OF THESE AREAS ARE DRIVEN, STATE, YOU KNOW THEY'RE REQUIREMENTS, SO THAT WE CAN COMPARE THOSE.

COMMISSIONER IVIE – AND THOSE WERE, YOU KNOW WHAT I MEAN BECAUSE I LOOKED THROUGH IT THOSE WERE THE QUESTIONS I HAD. IS THIS, ARE WE AT THIS STRUCTURE BECAUSE THIS IS THE MINIMUM OF THE STATE OR ARE WE AT THIS STRUCTURE BECAUSE

RICHARD NIELSON – IF SO MANY OF YOU HAVE THOSE SPECIFIC QUESTIONS, LET US KNOW.

COMMISSIONER IVIE – WE THINK THAT IT'S ACTUALLY GOING TO BE BETTER FOR OUR CITIZENS TO DO THIS WAY.

RICHARD NIELSON - WE CAN WORK WITH THE ATTORNEY'S OFFICE AND MAKE SURE WE'RE, WE MAKE WHATEVER TWEAKS WE CAN BUT STILL KEEP US COMPLIANT WITH THAT THE LAWS THAT WE'RE HAVING TO ABIDE BY.

COMMISSIONER IVIE – RIGHT. I APPRECIATE THAT.

8. APPROVE AND AUTHORIZE COMMISSION APPROVAL AND SIGNATURE OF THE ELIGIBLE USER ADDENDUM AND DATA SHARING ADDENDUM WITH BANJO, INC. FOR PUBLIC SAFETY AND EMERGENCY EVENT MONITORING

-Mike Smith, Utah County Sheriff-

SHAUN BUFTON, UTAH COUNTY SHERIFF'S OFFICE – SO, THIS WAS FOR THE, I DON'T KNOW IF SHERIFF SMITH HAS TALKED TO YOU ABOUT THE BANJO PROGRAM. IT DOESN'T COST US ANYTHING. OTHER AGENCIES AROUND ARE USING IT. SPANISH FORK, PROVO, I DON'T KNOW, WELL, I THINK PROVO IS, ANYWAY, IT'S I REALLY DON'T KNOW THAT MUCH ABOUT IT. THE SHERIFF'S KIND OF BEEN WORKING ON THAT ONE. BUT I HAVE SAT IN A COUPLE OF MEETINGS, WE WENT THROUGH THE THINGS THAT THEY CAN OFFER FOR EMERGENCY NOTIFICATIONS AND STUFF AND IT LOOKS LIKE A REALLY GOOD SYSTEM. BUT YEAH, IT'S NOT ANYTHING WE HAVE TO PAY FOR.

COMMISSIONER IVIE – OKAY.

COMMISSIONER AINGE – OKAY, THERE'S NO BUDGETARY IMPACT WE KNOW, BUT THIS IS SHARING SOME DATA?

SHAUN BUFTON - IT IS SHARING DATA AND, IN SOME CASES, EVEN SOME VIDEO. I THINK THEY'VE WORKED WITH *UDOT* AND THEY HAVE SEVERAL CAMERAS THROUGHOUT THE COUNTY THAT THEY CAN HONE IN ON, SO IT'S A GOOD SYSTEM. I'VE SAT THROUGH ONE OF THE LITTLE PRESENTATIONS.

COMMISSIONER AINGE – OKAY. I MEAN I WOULD PERSONALLY LIKE TO HEAR WHY WE THINK THIS IS GOOD, EXACTLY HOW IT WORKS, SOME OF THAT INFORMATION.

SHAUN BUFTON – YEAH. THERE'S, I'M NO EXPERT ON BANJO. I JUST SITTING THROUGH THE VERY BRIEF PRESENTATION THEY DID. IT CAN GIVE US TRACKING LET'S SAY A KIDNAPPING, IT CAN HONE IN ON CARS THAT WE NEED TO FIND QUICKLY LET'S SAY ON AN AMBER ALERT, ANYTHING LIKE THAT. ARMED ROBBERY, WHERE WE MAY HAVE LET'S SAY A VEHICLE DESCRIPTION AND SO THAT WE CAN GET ON BANJO AND IT CAN GET ON ALL THESE OTHER DIFFERENT SITES AND IT CAN FEED US INFORMATION.

COMMISSIONER IVIE - SO THAT LIKE ANY OTHER AGENCY THAT SUBSCRIBES OR PARTICIPATES IN THIS, SO IT WOULD BE LIKE PROVO, SALT LAKE COUNTY.

SHAUN BUFTON – YEAH, I DON'T, THERE'S A LOT OF AGENCIES THAT DO IT. I DON'T KNOW THEM ALL. I KNOW SPANISH FORK DOES BECAUSE CHIEF ADAMS WAS THE ONE THAT KIND OF BROUGHT IT TO US.

COMMISSIONER IVIE – OKAY.

SHAUN BUFTON - OUR DISPATCH CENTER,

COMMISSIONER IVIE - SO IT REALLY, FROM IT'S GETTING ALLOW THE FLOW OF INFORMATION FROM AGENCY TO AGENCY TO OCCUR QUICKER IF WE'RE INVOLVED IN SOME TYPE OF A...

SHAUN BUFTON - EMERGENCY RESPONSE.

COMMISSIONER IVIE – EMERGENCY RESPONSE, OR SOME TYPE OF INVESTIGATION THAT'S DEALING WITH YOU KNOW MULTIPLE JURISDICTIONS.

SHAUN BUFTON – YEAH.

REPRESENTATIVE OF THE SHERIFF'S OFFICE - AND JUST FOR YOUR BACKGROUND BANJO IS A STATE AGREEMENT THAT THE STATE ENTERED INTO AND WE'RE JUST PIGGYBACKING ON THAT SO.

COMMISSIONER IVIE – OK.

SHAUN BUFTON - THE STATE PAYS FOR EVERYTHING.

REPRESENTATIVE OF THE SHERIFF'S OFFICE - THE STATE PAYS FOR EVERYTHING.

COMMISSIONER AINGE - SO WHICH WAY IS THE INFORMATION FLOWING? ARE WE...

SHAUN BUFTON - BOTH WAYS.

COMMISSIONER AINGE – BOTH WAYS. WE'RE SHARING INFORMATION WITH BANJO THEY'RE SHARING INFORMATION WITH THE SHERIFF'S DEPARTMENT.

SHAUN BUFTON - YES.

COMMISSIONER IVIE - AND YOU KNOW PART OF THE QUESTION I'D HAVE WITH THIS WOULD BE MORE RELATED TO THE ORGANIZATION ITSELF. YOU KNOW WHAT I MEAN? WHAT TYPE OF RISK ARE WE EXPOSED TO? I MEAN IS THIS A SYSTEM THAT'S IS VERY CLOSED AND SECURE? WHAT SAFETY MEASURES DO THEY TAKE TO PROTECT INFORMATION? RIGHT? I THINK IT'S EASY TO ALWAYS GET EXCITED ABOUT SHARING INFORMATION BECAUSE IT'S GOING TO DO GOOD THINGS, BUT I ALSO WOULD WANT TO MAKE SURE THAT WE'RE PUTTING OUR TRUST IN AN ORGANIZATION THAT IS SAFEGUARDING THAT DATA TO MAKE SURE THAT IT'S NOT BEING HACKED OR ACCESSED BY THIRD PARTIES THAT WOULD ACTUALLY COMPROMISE WHAT WE'RE TRYING TO DO. SO, DO WE HAVE ANY TYPE OF REPORTING MECHANISMS OR SECURITY THAT THIS PARTICULAR, THIS BANJO HAS THE RIGHT FIREWALLS OR WHATEVER THE CORRECT *IT* TERMINOLOGY IS TO SAFEGUARD OUR INFORMATION SO THAT IT'S NOT GETTING INTO THE WRONG PEOPLE?

REPRESENTATIVE OF THE SHERIFF'S OFFICE - I'M NOT FAMILIAR WITH THOSE KINDS OF THINGS BUT I DID TALK WITH STEVE STRONG AT THE SHERIFF'S OFFICE AND JUST TO MAKE SURE THAT WE WEREN'T GIVING OUT ANY PROTECTED OR CONFIDENTIAL INFORMATION, THERE ISN'T ANY GOING OUT FROM US.

SHAUN BUFTON - I KNOW IN THE PRESENTATION THEY SAID THEY HAVE ALL THE SECURE THINGS IN PLACE AND I REALLY, I THINK IT'S MORE OF THEM SHARING STUFF WITH US RATHER THAN I MEAN IF WE HAVE LET'S SAY WE HAVE AN AMBER ALERT I MEAN WE WOULD SHARE THAT AND THEN EVERYBODY THAT'S ON THE BANJO SYSTEM WOULD GET THAT INFORMATION OF EVERY DEPARTMENT IF YOU WANTED TO PUT AN ATL ON VEHICLE OR SUSPECT OR SOMETHING LIKE THAT.

COMMISSIONER IVIE – OKAY.

SHAUN BUFTON - THAT'S THE KIND OF STUFF.

COMMISSIONER IVIE – THAT'S THE KIND OF STUFF AND I APPRECIATE THAT.

COMMISSIONER AINGE - IS THERE LIMITS ON WHAT IT'S USED FOR RIGHT? AND NOT LIKE LAW ENFORCEMENT IN GENERAL? IN TERMS OF...

SHAUN BUFTON – AS FAR AS I KNOW IT'S JUST FOR LAW ENFORCEMENT.

COMMISSIONER AINGE - ... CAMERAS? I JUST KNOW A LOT OF JURISDICTIONS I MEAN THAT'S THE PROBLEM IS WE HAVEN'T REALLY RECEIVED A TECHNICAL OVERVIEW OF WHAT'S HAPPENING HERE, BUT ON THE OTHER END OF THE SPECTRUM WHICH I DON'T THINK IS, YOU GOT CAMERAS AND IT'S ISSUING TICKETS OR INFORMATION FOR SPEEDING.

SHAUN BUFTON - AND THAT'S NOT THE KIND OF THING THAT IT DOES. AND I THINK THAT'S WHY THE STATE IS SO IN FAVOR OF IT, AND IT'S THEY'VE KIND OF GIVEN ALL THE *UDOT* CAMERAS, THEY'VE GIVEN BANJO ACCESS ON AN EMERGENCY TO GET INTO THOSE. MAYBE NOT EVERY ONE OF THEM, BUT CERTAIN ONES.

COMMISSIONER AINGE - AND DO THEY HAVE THEIR OWN AS WELL THOUGH? OR ARE THEY ONLY ACCESSING THE STATES?

SHAUN BUFTON - THEY WOULD ACCESS THE STATES, THE *DOT* CAMERAS.

COMMISSIONER AINGE - OK SO THEY DON'T HAVE THEIR OWN.

SHAUN BUFTON – NO, THEY DON'T HAVE LIKE CAMERAS SETUP AROUND THE COUNTY, SO YEAH, THEY WOULD ACCESS *DOT'S* AND THEN IT'S NOT, YOU HAVE TO PUT INFORMATION IN TO GET INFORMATION BACK. THEY HAVE A WAY OF DOING IT THAT THEY CAN IF YOU PUT OUT IN ATL FOR A MISSING CHILD OR SOMETHING THEN THAT THEY'VE JUST GOT A WAY OF THROUGH THEIR COMPUTER SYSTEMS OF SHOOTING THAT TO DIFFERENT AGENCIES WHO USE BANJO, AND THEN THE PRESENTATION I SAT THROUGH, THE INFORMATION COMES TO US WAY FASTER THAN IT DOES EVEN THROUGH DISPATCH. SO, WE CAN GET SOME INITIAL INFORMATION REALLY, REALLY FAST ON THAT KIND OF STUFF.

9. APPROVE AND AUTHORIZE THE SIGNING OF A SUBDIVISION IMPROVEMENT AND WARRANTY AGREEMENT BETWEEN UTAH COUNTY AND HELINA CARTER THOMAS FOR THE SANDHILLS MEADOW PLAT A IN THE AMOUNT OF \$67,761.25
-Robert J. Moore, Deputy Attorney-

SEE DISCUSSION UNDER NUMBER 6.

10. APPROVE PROPERTY TAX ACTIONS ON RECOMMENDATION LETTER 2020-1

COMMISSIONER AINGE – OKAY, THANK YOU. LOOKS LIKE WE GO TO NUMBER TEN, WHICH IS NOT, THERE'S NO ACTION TO BE TAKEN TODAY, THAT'S AN ACCIDENT TO BE ON THERE OR WAS THERE ANY REASON?

COMMISSIONER IVIE - DID YOU HAVE QUESTIONS? I MEAN WE CAN ASK QUESTIONS ON IT TODAY IF WE HAVE ANY.

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ROBERT MOORE - PAUL WANTED IT ON THERE FOR THE LEGISLATIVE SESSION.

COMMISSIONER IVIE – OKAY. I KNOW HISTORICALLY BILL...

COMMISSIONER AINGE – GOT IT. I WASN'T SURE IF THAT WAS JUST AN ACCIDENT OR...

ROBERT MOORE - COMPLETELY UP TO THE BOARD THOUGH. IF YOU DON'T WANT TO HEAR IT TODAY YOU DON'T HAVE TO, IF YOU'D LIKE TO YOU CAN.

COMMISSIONER LEE – I'M FINE.

COMMISSIONER AINGE – I'M PROBABLY, NOT TODAY.

COMMISSIONER IVIE – NOT TODAY.

COMMISSIONER AINGE - OKAY, THANK YOU ALL.

ROBERT MOORE – I KNOW THAT FREEDOM PREPARATORY ACADEMY IS HERE I THINK BUT.

COMMISSIONER IVIE - SO IF SOMEONE IS HERE TO SPEAK ON AN ISSUE, I'D BE HAPPY TO HEAR FROM HIM.

COMMISSIONER AINGE – OKAY, WE CAN HEAR IT. I DIDN'T REALIZE THERE WAS SOMEONE HERE.

COMMISSIONER IVIE - I DIDN'T REALIZE THERE IS SOMEONE HERE FOR THIS ISSUE OR ONE OF THE ISSUES WITHIN THIS, I'D LOVE TO HEAR FROM THEM IF THEY ARE.

COMMISSIONER AINGE – OKAY.

ROBERT MOORE – WELL, YOU CAN LET ME KNOW HOW MUCH INFORMATION YOU WANT FOR ME THERE'S ONLY ONE ITEM ON THE TAX RECOMMENDATION LETTER AND OF COURSE THERE'S NO DECISION TO BE MADE TODAY. IT IS A LEGISLATIVE ACTION WHICH IS WHY WE PUT ON THE WORK SESSION. IF YOU DON'T WANT TO SEE THEM ON WORK SESSION IN THE FUTURE, WE CAN JUST PUT THEM ON THE REGULAR MEETING. IT'S UP TO THE BOARD. IN THIS CASE, FREEDOM PREPARATORY ACADEMY IS A CHARTER SCHOOL HERE IN UTAH COUNTY AND THEY PAID PROPERTY TAXES IN, THEY PAID PROPERTY TAXES FOR YEARS 2014 AND 2015 BECAUSE THEY WERE BUILDING A BUILDING IN THOSE YEARS AND THEY'RE ASKING FOR A REFUND OF THOSE PROPERTY TAXES. IN 2014 AND 2015 THE PROPERTY AND THE BUILDING WAS OWNED BY A PRIVATE LLC DEVELOPER, AND THE SCHOOL WAS PROBABLY PLANNING ON RENTING THE PROPERTY. I DON'T KNOW IF THEY HAD A RENTAL AGREEMENT AT THE TIME, THEY COULD PROBABLY ANSWER THAT. AT ANY RATE THE PROPERTY WAS OWNED PRIVATELY BY AN LLC NOT AN EXEMPT ENTITY AND MY RECOMMENDATION THEREFORE IS TO IS TO DENY THE REQUEST. AND IF YOU HAVE ANY QUESTIONS.

COMMISSIONER LEE - SO WE'VE DEALT WITH THIS BEFORE AND SO WHAT'S THE DIFFERENCE?

ROBERT MOORE – RIGHT. GOOD QUESTION. WE DID DEAL WITH A CHARTER SCHOOL AND I CAN'T REMEMBER THE NAME OF THE CHARTER SCHOOL A FEW MONTHS AGO, AND THE BOARD OF COMMISSIONERS GRANTED THEIR REQUEST TO ABATE TAXES AT THAT TIME, AND I THINK FREEDOM ACADEMY WANTS PROBABLY SIMILAR TREATMENT. CERTAINLY, AT THAT TIME CHARTER SCHOOL PREVIOUSLY HADN'T PAID THE TAXES AND SO IT WAS AN ABATEMENT AS OPPOSED TO A REFUND. IN THIS CASE THE TAXES HAVE LONG SINCE BEEN PAID OVER THREE YEARS AGO. AND FRANKLY MY RECOMMENDATION AT THE TIME OF THE OTHER CHARTER SCHOOL WAS TO DENY THAT REQUEST AND MY RECOMMENDATION IS AGAIN TO DENY THIS REQUEST. AGAIN, IT LOOKS LIKE A PRETTY COMMON PRACTICE FOR CHARTER SCHOOLS, DUE TO THEIR FINANCIAL SITUATION, THEY, I'M GOING TO SAY RARELY, OWN THE PROPERTY AS THEY BEGIN TO BUILD THEIR SCHOOLS OR DEVELOP THEIR SCHOOLS AND IT'S OWNED BY DEVELOPERS WHO ARE MAKING A PROFIT AND WHO PAYS THE PROPERTY TAXES IS AN ISSUE TO BE DEALT WITH BETWEEN THE PARTIES, BETWEEN THE LAND DEVELOPER AND THE TENANT. AND OF COURSE, THE LAND DEVELOPER IS THERE TO MAKE A PROFIT AND IT'S THEIR OBLIGATION TO PAY THOSE TAXES.

COMMISSIONER AINGE - AND IF I RECALL, THERE WAS A DIFFERENT, ONE OF THE WEIRD FACT PATTERNS AND THE OTHER SITUATION WE DEALT WITH WAS THAT REALLY THAT TAX SHOULD HAVE BEEN ASSESSED THROUGHOUT ON THAT OTHER CHARTER SCHOOL. AND I SUPPORTED THEM PAYING THAT TAX, BUT THE PROBLEM WAS THAT WE AS A COUNTY DID NOT ASSESS UNTIL WELL AFTER THE FACT.

ROBERT MOORE – RIGHT.

COMMISSIONER AINGE – YEAH, SO THERE WAS, AS THEY WENT THROUGH THE DUE DILIGENCE PROCESS AND THEY DID WHAT YOU WOULD NORMALLY DO, YOU DO TAX SEARCHES AND EVERYTHING, THERE WAS NO TAX BEING OWED. SO, THEY WENT THROUGH THE REFINANCING AND THEN AFTER THE FACT, THAT TAX ATTACHED.

ROBERT MOORE - RIGHT UP TO THAT POINT.

COMMISSIONER AINGE - SO I THINK THERE IS A DISTINCTION THERE IN THE FACT PATTERN. LOOKS LIKE MAYBE OUR ASSESSORS' OFFICE, OH, I THOUGHT THEY'RE JUST MAD AT ME, I THOUGHT YOU WOULD SAY THAT YOU WANTED TO COME UP AND TALK, BUT HE'S JUST LEAVING IN DISGUST.

ROBERT MOORE - YOU'RE RIGHT. SO USUALLY THE COUNTY GETS NOTICE OF BUILDING PERMITS, BUT WE DON'T GET THOSE NOTICES WHEN IT COMES TO BUILDINGS THAT ARE PERMITTED TO THE STATE SUCH AS SCHOOLS. YEAH, BURT'S HERE, HE CAN JUMP IN ANY POINT HERE. AND SO, WE DID CAPTURE THAT IMPROVEMENT VALUE AND IT WAS ASSESSED AT A LATER DATE RIGHT BEFORE THEY HAD GONE INTO THE, TO DO THEIR BONDING.

COMMISSIONER AINGE – RIGHT, IT WAS WITHIN HOURS AND MINUTES OF THE CLOSING OF THE BOND.

ROBERT MOORE – SOMETHING, SO AGAIN AT LEAST ONE THING THAT WAS SIMILAR IN THIS CASE IS AGAIN THE IMPROVEMENT WAS ESCAPED FOR THE TWO YEARS 14 AND 15. AND IT WAS ASSESSED IN 2016. NOW THEY GOT OWNERSHIP IN THE FALL OF 2017 SO THERE WERE THERE WERE A NUMBER OF MONTHS POSSIBLY UP TO A YEAR BETWEEN THE TIME OF THE ADDITIONAL ASSESSMENT FOR THE ESCAPED VALUE AND THE TIME THAT THEY TOOK OWNERSHIP IN SEPTEMBER OF 2017. YEAH, THE ADDITIONAL ASSESSMENT HIT IN SEPTEMBER OF 16 AND SO IT WAS A YEAR BEFORE FREEDOM TOOK OWNERSHIP OF THE SCHOOL SEPTEMBER OF 2017.

BURT GARFIELD, CHIEF DEPUTY, COUNTY ASSESSOR - SO THE FACTS ARE BASICALLY AS WE SAY WITH THE PRIOR CHARTER SCHOOL, WE DIDN'T PICK IT UP IN THE ASSESSORS' OFFICE. AS SOON AS WE DID, WE ASSESSED IT. IT STILL WAS UNDER THE OWNERSHIP OF THE LLC BUT IT WAS ABOUT TO TRANSFER TO THE SCHOOL SO THERE WAS A MATTER OF DAYS, SO I ADMIT IT WAS LATE, IT WAS REALLY LATE IN THE GAME, BUT AT THE TIME IT WAS STILL IN THE LLC'S NAME.

ROBERT MOORE - AND THAT WAS WITH THE PREVIOUS CHARTER SCHOOL.

BURT GARFIELD - AS WITH THE PREVIOUS CHARTER SCHOOL.

ROBERT MOORE - THIS ONE THERE WAS ABOUT A YEAR IN TIME BETWEEN THE TWO.

COMMISSIONER AINGE - THANK YOU. SO, I TEND TO AGREE WITH YOUR RECOMMENDATION, BUT WE CERTAINLY HAVE PEOPLE HERE, HAPPY TO HEAR THEIR THOUGHTS.

CHRIS HELVEY - THANK YOU MY NAME IS CHRIS HELVEY, I'M THE BUSINESS MANAGER FOR FREEDOM PREPARATORY ACADEMY. WE HAVE ...

COMMISSIONER AINGE - AND CHRIS CAN I JUST PAUSE JUST FOR ONE HOUSEKEEPING ITEM? WHO HERE, WHO IS HERE FOR THE CHANGE OF GOVERNMENT PUBLIC HEARING? SO WE HAVE TWO INDIVIDUALS, JUST SO YOU KNOW WE WERE JUST GOING OVER OUR WORK SESSION BUT WILL LIKELY, WE'LL GET TO THAT PUBLIC HEARING WHENEVER WE FINISH THIS WORK SESSION.

CHRIS HELVEY - THANK YOU. WE HAVE THREE CAMPUSES HERE IN UTAH COUNTY, TWO IN PROVO ONE IN VINEYARD. WE'VE KIND OF DISCUSSED THIS WITH YOU GENTLEMEN BEFORE THE COMMISSIONERS AND PAUL AND SOME OF THE OTHERS IN THE ATTORNEY'S OFFICE, BUT WE ARE LOOKING FOR A REFUND OF THOSE TAXES OF \$130,000 AND THEN MR. MCCONNELL WILL GO THROUGH SOME OF THE DETAILS, BUT FROM THE ACADEMY STANDPOINT BECAUSE WE PAID THE TAXES BECAUSE WE WERE ABLE TO BOND NOT FEELING LIKE JUST BECAUSE WE HAD THAT ABILITY THAT THEY SHOULD GO AHEAD

AND PAY FOR THEM SINCE THEY'VE BEEN PAID ANYWAYS. WE DID OUR PROCESS THROUGH THE STATE OF UTAH TO GET OUR BUILDING PERMITS AND THEY DO ALL THE PERMITTING PROCESS IS PROPERLY AND IT APPEARS THAT THE COUNTY, AS THE ASSESSOR JUST INDICATED, CAUGHT THE ASSESSMENTS AT A LATER DATE AND SO NOW WE'RE BEING PENALIZED BY \$130,000 TO MAKE THOSE UP AND WE'VE HAD TO ROLL THOSE INTO BONDING OR TAKE HIM OUT OF OUR OWN CASH. WE HAVE FREEDOM PREP'S BEEN IN THE VALLEY SINCE 2003 AND WE HAVE ABOUT 1900 STUDENTS ROUGHLY 1870 RESIDE HERE IN UTAH COUNTY.

COMMISSIONER AINGE - SO BUT WHY WOULDN'T YOU BE THE RIGHTFUL PAYOR OF THAT TAX?

CHRIS HELVEY - WE ARE TAX EXEMPT UNDER THE IRS 170 AND WE'RE ALSO A NONPROFIT 501C3 AND WE'VE BEEN THAT ALMOST SINCE DAY ONE.

COMMISSIONER AINGE - WELL BUT THE LLC THAT OWNED AND BUILT THE PROPERTY WAS NOT A 501C3.

CHRIS HELVEY - IF YOU GO THROUGH THE COUNTY RECORDS AND LOOK AT SOME OF THE PRIVATE SCHOOLS THAT ARE ALSO IN EXISTENCE RIGHT NOW AND THE OTHER CHARTER SCHOOL IT APPEARS THAT THEY ARE ALSO LLC'S. SO, WE'RE TRYING TO DETERMINE OR TRYING TO FIGURE OUT WHAT MAKES THEIR LLC DIFFERENT THAN OURS.

COMMISSIONER AINGE - WELL SO I JUST, I'LL MAKE MY POSITION CLEAR THAT I FELT LIKE THE LLC'S SHOULD PAY THE TAX AS THEY'RE GOING, OR AS PART OF THE BONDING, IT'S WRAPPED UP INTO THE BOND. BUT THE PROBLEM IS WHEN WE HAVE THIS DETACHMENT. YOURS WOULD HAVE BEEN DONE OR WAS DONE WELL BEFORE THAT FINAL BOND, TO KIND OF ROLL INTO THE BOND BUT I THINK THAT IF THERE'S A PRIVATE DEVELOPMENT THAT'S TAKING PLACE THAT'S MAKING IMPROVEMENTS, PRIOR TO IT BEING I MEAN I FEEL LIKE THAT'S THE OBLIGATION SO ANYWAY THAT'S MY POSITION ON IT. IT SOUNDS LIKE THE CRUX OF YOUR ARGUMENT IS GOING TO BE THAT THERE HAVE BEEN SOME DIFFERENT TREATMENTS, WHICH I THINK IS FAIR.

CHRIS HELVEY – WE ARE JUST ASKING TO BE TREATED THE SAME.

KERRY MCCONNELL - YEAH AND THEN I AGREE. KERRY MCCONNELL. I'M CURRENTLY THE GOVERNING BOARD CHAIR AND I THINK THOSE ARE SOME OF THE SAME THINGS THAT WE HAD TALKED ABOUT MAYBE INDIVIDUALLY AND AS A BOARD THAT YOU KNOW PART OF THE LEASE AGREEMENT WAS THAT AN EXEMPT ENTITY PAYING PROPERTY TAXES, THIS IS A PUBLIC SCHOOL PAYING TAXES WITH PUBLIC FUNDS. AS CHRIS MENTIONED THAT THIS BUILDING HAS ALWAYS BEEN USED AND IS CURRENTLY BEING USED EXCLUSIVELY FOR EDUCATIONAL PURPOSES AND SO WE MEET THE REQUIREMENTS OF A NONPROFIT. THE ONE THING THAT I THINK THAT YOU KNOW WE JUST WANT TO BE TREATED FAIRLY AS CHRIS HAD MENTIONED, THAT THE PREVIOUS CHARTER THAT WAS MENTIONED IS UNDER AN LLC CURRENTLY. IT'S 320 E GAMMONS RD LLC. IT'S NOT EVEN IN THE SCHOOL'S NAME AND WAS TREATED

DIFFERENTLY. I LOOK AT AMERICAN HERITAGE SCHOOL INC. THESE ARE EDUCATIONAL BUILDINGS BEING USED EDUCATE WITH WELL MAYBE NOT AMERICAN HERITAGE BUT AT LEAST EAST GAMMONS OR YOU MAY HAVE KNOWN IT AS FRANKLIN SCHOOL, THEY'RE USING PUBLIC FUNDS TO EDUCATE THE CHILDREN. SO THAT'S WHY WE ARE ASKING FOR, IS WE JUST WANT TO BE TREATED FAIRLY.

COMMISSIONER AINGE – PAUL, CAN I ASK SOME TECHNICAL QUESTIONS ON THIS? BECAUSE I'VE FORGOTTEN HOW THIS WORKS AS IT RELATES TO, SO IN THE OTHER CHARTER SCHOOL EXAMPLE, ONCE IT IS A WELL NO, I THINK I KNOW THE ANSWER, THAT ULTIMATELY THE 501C3 THAT IS THE CHARTER SCHOOL, GOES THROUGH THEIR BONDING AND AT THAT TIME THEY ACTUALLY PURCHASED THE BUILDING.

PAUL JONES, DEPUTY COUNTY ATTORNEY – RIGHT.

COMMISSIONER AINGE - IN WHICH CASE IT'S GOING TO BE TAX EXEMPT RIGHT?

ROBERT MOORE - ONCE THEY GET OWNERSHIP IT'S TAX EXEMPT AND ACTUALLY SCHOOLS, PUBLIC SCHOOLS ARE AUTOMATICALLY EXEMPT SO WHETHER THEY HAVE AN EDUCATIONAL, THEY ARE KIND OF LIKE A GOVERNMENTAL ENTITY WHEN IT COMES TO TAX TREATMENT. NOW WITH THE SCHOOL LIKE THE ONE THAT KERRY MENTIONED, AMERICAN HERITAGE, I BELIEVE THERE ARE NON-PROFIT ORGANIZATION, AND THEY QUALIFY BECAUSE OF THE EXCLUSIVE EDUCATIONAL USE.

COMMISSIONER AINGE - BUT YOU DO HAVE TO BE A 501C3. SO, FOR EXAMPLE IF AN LLC BUILDS THIS PROPERTY AND INSTEAD ENTERS INTO A TRIPLE NET LEASE WITH THE SCHOOL TO OPERATE THE SCHOOL THAT LLC IS STILL GOING TO BE PAYING PROPERTY TAX.

ROBERT MOORE - EXACTLY YEAH. WHICH IS WHAT HAPPENS HERE SO IT'S A PRIVATE ENTITY, IT'S A FOR PROFIT ENTITY. YOU KNOW THESE DEVELOPERS DEVELOP IT, THAT'S THEIR BUSINESS RIGHT THERE ARE DOING IT FOR A PROFIT AND IF THEY CAN GET THE CHARTER SCHOOL TO PAY THE TAXES WELL THEN, THEY JUST MAKE MORE PROFIT.

COMMISSIONER AINGE - SO IN OUR COUNTY THE STANDARD IS SUPPOSED TO BE THAT YOU HAVE TO BE A TAX EXEMPT ENTITY AND HAVE AN EDUCATIONAL USE IN ORDER TO BE TAX EXEMPT.

ROBERT MOORE – YES, OR BE A CHARTER SCHOOL, RIGHT? THAT'S LIKE A DIFFERENT CATEGORY.

COMMISSIONER AINGE – OH, BUT CHARTER SCHOOL IS EXEMPT EVEN IF THEY'RE FOR PROFIT?

PAUL JONES – NO, BECAUSE THEIR GOVERNMENTAL.

ROBERT MOORE - RIGHT THEY'RE GOVERNMENT.

COMMISSIONER AINGE – OKAY, SO DO WE AGREE BECAUSE IT SEEMS LIKE THERE WAS SOME DISTINCTIONS BROUGHT UP THAT THERE WERE SOME FOR PROFIT ENTITIES THAT ARE BEING TAX EXEMPT. SO, DO WE WANT TO CLARIFY THAT BECAUSE WHAT I THOUGHT I HEARD IS THAT THERE ARE SOME THERE'S A COUPLE OF REFERENCES TO FOR PROFIT ENTITIES OR LLC'S, THAT ARE BEING TAX EXEMPT.

ROBERT MOORE – WELL, HE BROUGHT UP FRANKLIN SCHOOL WHICH WAS THE GAMMON RD LLC.

PAUL JONES - BUT THEY'RE A CHARTER SCHOOL BUT IT'S A WHOLLY OWNED LLC AND IF THEY DO, IT'S A NON-PROFIT LLC AND CAN STILL QUALIFY FOR THE EXEMPTION.

ROBERT MOORE - IT'S A DISREGARDED ENTITY.

PAUL JONES – EVEN THOUGH IT'S AN LLC, IT HAS TO BE WHOLLY OWNED BY...

ROBERT MOORE - THE CHARTER SCHOOL.

PAUL JONES - A NONPROFIT ENTITY.

ROBERT MOORE - SO IT'S KIND OF LIKE A KIND OF GOVERNMENTAL LLC AND IT'S, THEY CALL IT A DISREGARDED ENTITY FOR TAX PURPOSES.

PAUL JONES – RIGHT. AND I THINK THAT'S WHY, WHEN THEY DO THIS RESEARCH, THEY'LL FIND SOME THAT IN FACT DO HAVE OWNERSHIP IN AN LLC, BUT IT SHOULD BE AND BETTER BE ONE OF THESE QUALIFYING DISREGARDED LLC'S.

ROBERT MOORE – YEAH, OWNED BY THE CHARTER SCHOOL AND THEREFORE GOVERNMENTAL AND EXEMPT.

COMMISSIONER AINGE - SO IS THERE A CLEAR, BECAUSE IF IT WAS A NONPROFIT ORGANIZATION AND THEY HAD BOUGHT GROUND, AND THEY AND HERE'S THE CHALLENGE BECAUSE IN THIS CASE I KNOW THAT THERE ARE PRIVATE DEVELOPERS THAT WILL SPEC PROPERTY, OR THEY WILL BUILD A SCHOOL AND THEN TRY TO GET A CHARTER SCHOOL IN AS A TENANT ESSENTIALLY. AND I DON'T THINK OUR GOVERNMENT SHOULD BE IN THE BUSINESS OF SUBSIDIZING THOSE PRIVATE DEVELOPERS BY CALLING IT A TAX EXEMPT ACTIVITY. ON THE OTHER HAND, WE HAVE OUR POLICY ON THE TAX EXEMPT SIDE IF YOU'RE NONPROFIT AND YOU OWN THE SCHOOL, YOU OWN THE DIRT, AS SOON AS YOU START BUILDING IT, YOU'RE TAX EXEMPT FROM DAY ONE.

ROBERT MOORE - THAT'S RIGHT.

KERRY MCCONNELL – WE ARE TAX EXEMPT THE DAY WE BUY THE PROPERTY.

PAUL JONES - BUT THAT'S WHY THEY QUALIFIED AS SOON AS THEY CLOSED.

ROBERT MOORE - YEAH SO I THINK THE DISTINCTION HERE IS THAT HAD FREEDOM PREP OWNED THE PROPERTY IN 14 AND 15 THERE WOULD BE NO TAX. BUT THEY DIDN'T, IT WAS AN LLC, AND IT WAS A FOR PROFIT LLC. BUT YOU'RE RIGHT IF THERE WAS A NON-PROFIT THAT HAD THE MONEY, AND THEY COULD COME IN AND BUILD IT AT THE MOMENT...

COMMISSIONER AINGE - I GUESS I WAS THINKING ABOUT THIS BACKWARDS. SO, IN THEORY, THE FOR PROFIT LLC THAT SOLD IT DURING THE BONDING, THEY'RE THE ONES...

ROBERT MOORE - THE OBLIGATION OF THE BOND.

COMMISSIONER AINGE - THIS IS MY CHALLENGE WITH OUR AND I RECOGNIZE THE DIFFERENCE WITH THE STATE BUT AS A COUNTY, WE HAVE TO FIND A SOLUTION TO SOLVE THIS PROBLEM. BECAUSE IT SEEMS LIKE THE MOST APPROPRIATE PERSON TO PAY THIS TAX IS THE DEVELOPER.

ROBERT MOORE – ABSOLUTELY.

COMMISSIONER AINGE - AS THEY TRANSFER THIS PROPERTY.

ROBERT MOORE - ABSOLUTELY BUT THEY CONTRACT IT.

PAUL JONES - IN REALITY THE DEVELOPER DID PAY THE TAXES. IT WAS ASSESSED TO THE DEVELOPER, THE DEVELOPER PAID THE TAXES, BECAUSE IT'S SIMPLY A CONTRACTUAL AGREEMENT THAT WAS BETWEEN THE DEVELOPER AND THE SCHOOL TO TRANSFER FUNDS, BUT THAT'S JUST THE LEASE TERM.

CHRIS HELVEY - IT CAME OUT OF OUR CHECKING ACCOUNT.

PAUL JONES - BECAUSE IT WAS ASSESSED AGAINST THE DEVELOPER.

ROBERT MOORE – RIGHT. BETWEEN THE COUNTY AND THE PROPERTY OWNER IT'S THE PROPERTY OWNER'S OBLIGATION TO PAY THE PROPERTY TAX. NOW THE PROPERTY OWNER ARRANGED WITH THE SCHOOL TO PAY IT, BUT THAT HAS NOTHING TO DO WITH THE COUNTY.

COMMISSIONER AINGE - IN THE OTHER INSTANCE THOUGH I ACTUALLY THINK IT WAS ASSESSED AGAINST, IT WAS NOT ASSESSED AGAINST THE PROPERTY OWNER, IT WAS ASSESSED AGAINST THE SCHOOL.

ROBERT MOORE – IT WAS ASSESSED TO THE PROPERTY OWNER RIGHT BEFORE THE BONDING.

PAUL JONES - RIGHT BEFORE THE BONDING. RIGHT BEFORE THEY TOOK OWNERSHIP.

COMMISSIONER AINGE - GOT IT. BUT THEN ONCE AS THE NEW OWNER I MEAN THEY INHERITED THAT LIABILITY, RIGHT? THEY DIDN'T HAVE I MEAN THAT'S PART OF THE PROCESSES AS WE WOULD SAY, YOU SHOULD PASS THIS BACK ON,

WE'RE NOT WE'RE NOT RESPONSIBLE FOR WHAT YOUR CONTRACTUAL RELATIONSHIPS ARE WITH THE PROPERTY DEVELOPER, RIGHT?

ROBERT MOORE - IN FACT IT'S NOT IT'S NOT UNIQUE TO CHARTER SCHOOLS. I MEAN THE COUNTY OURSELVES, I THINK WE'RE TENANTS IN SOME YOU KNOW THE HEALTH DEPARTMENT HAS OFFICES IN AMERICAN FORK OR IN PAYSON WITH FOR PROFIT ENTITIES WHO PAY PROPERTY TAX.

PAUL JONES - WITH TRIPLE NET, THE COUNTY ITSELF PAYS TAXES.

ROBERT MOORE – YEAH, SO YEAH, THE COUNTY COULD ARGUE HEY WE SHOULDN'T HAVE TO PAY THE TAXES BECAUSE WE'RE DOING THIS GREAT YOU KNOW GOVERNMENT WORK AND YET WE'RE TENANTS IN YOU KNOW PRIVATE STRIP MALLS OR WHATEVER AND THAT TAX OBLIGATION REMAINS, REGARDLESS OF WHETHER THE COUNTY'S PAYING IT IN THEIR RENT OR HOWEVER THE TAX GETS PAID. IN FACT, I THINK THAT WAS A CONSTITUTIONAL AMENDMENT PROPOSAL ABOUT TWO YEARS AGO WITH THE STATE AND IT WAS REJECTED.

CHRIS HELVEY - THEY WERE ABLE TO DO COPIERS AND SMALL THINGS.

COMMISSIONER LEE - PART OF THE CONFLICT I HAVE WITH IT IS THAT AS FAR AS I UNDERSTAND YOU CAN CORRECT ME IF I'M WRONG WITH IT, BUT YOU ENTER INTO A CONTRACT WITH A DEVELOPER ON THIS THING TO BUILD THIS SCHOOL FOR YOU AND SO ALL ALONG IT'S FOR THE CHARTER SCHOOL. IT'S NOT LIKE IT'S A LEASE OR RENTAL SO THAT LATER ON YOU CAN JUST ABANDON IT AND GO ON, ITS SPECIFICALLY FOR THE SCHOOL. AND SO THAT'S WHERE IT GETS CONFUSING TO ME BECAUSE IT'S SCHOOL PROPERTY IN ESSENCE, EXCEPT FOR ON THE LEGAL STANDPOINTS OF THAT YOU HAVE A CONTRACTOR WHO'S BUILDING AT THE VERY BEGINNING.

PAUL JONES - THAT'S A STATE LAW REQUIREMENT DETERMINED BY OWNERSHIP BY LEGAL OWNERSHIP.

ROBERT MOORE - AND FRANKLY THAT LEASE AGREEMENT COULD EXIST FOR THE NEXT 100 YEARS AND THE PROPERTY OWNER IS MAKING A HANDSOME PROFIT FOREVER AND YOU KNOW FROM THE CHARTER SCHOOL. AND THEY'RE GOING TO BE LIABLE TO PAY THE TAXES YOU KNOW I KNOW WHAT YOU'RE SAYING, IS THAT THE INTENTION IS TO SELL TO THE CHARTER SCHOOL AT SOME POINT AND HOPEFULLY AS SOON AS POSSIBLE, BUT THAT MIGHT BE FIVE, TEN, TWENTY YEARS, WE DON'T KNOW WHEN.

COMMISSIONER LEE – RIGHT.

ROBERT MOORE - WHEN THE OWNERSHIP WILL SWITCH HANDS.

CHRIS HELVEY - BUT IT WASN'T. WE ACTUALLY PAID CASH FOR THE PROPERTY FIRST. THE DEVELOPERS CAME IN AND HELPED US GET THE CASH BACK WHILE THEY WERE DEVELOPING IT, SO THE SCHOOL COULD HAVE THAT MONEY BACK

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IN THEIR COFFERS TO EDUCATE. WE MADE THE DEAL WITH THE DENTIST AT THE TIME WHO OWNED THE PROPERTY AND PAID HIM CASH FOR IT.

COMMISSIONER LEE - UP FRONT?

CHRIS HELVEY – YES, WE SCRAPED AND SCRIMPED TO BE ABLE TO GET, THE TREASURES OFFICE NOW HAS PROVIDED A GREAT VEHICLE TO CHARTER SCHOOLS TO BE ABLE TO BOND, BUT IT WASN'T UP AND RUNNING AT THE TIME WE PURCHASED THE PROPERTY.

COMMISSIONER LEE - SO YOU PURCHASED THE PROPERTY THE VERY BEGINNING, BUT IT WASN'T IN YOUR NAME?

CHRIS HELVEY - IT WAS IN OUR NAME YES,

PAUL JONES - BUT THEN THEY SOLD IT TO THE DEVELOPER.

CHRIS HELVEY - BUT IT WAS A SHORT PERIOD.

COMMISSIONER LEE – OH, I SEE.

CHRIS HELVEY - AND THEN HE TOOK OVER, GAVE US THE CASH BACK WHILE THEY WERE BUILDING PROPERTY OR DEVELOPING THE PROPERTY FOR US.

COMMISSIONER LEE – OKAY.

CHRIS HELVEY – BUT YOU'RE RIGHT, IT'S ALWAYS BEEN FOR EDUCATION.

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

-Shaun Bufton-

SHAUN BUFTON, UTAH COUNTY SHERIFF'S OFFICE - SO WE HAVE BETWEEN US AND PUBLIC WORKS WE IN OUR NEW LEXIPOL POLICY WE WANT TO MAKE SURE THAT IT WAS JIVING WITH THE COUNTY POLICY ON THE VEHICLE USE, SO GLEN AND I AND CORT HAVE WORKED ON THIS FOR...

GLEN TANNER, PUBLIC WORKS - LET ME MAYBE GIVE SOME BACKUP ON THIS AS WELL. I BELIEVE LAST YEAR APPROXIMATELY THIS TIME I BELIEVE THE COMMISSION REQUESTED THAT WE LOOK AT THE MOTOR VEHICLE POLICY. I THINK THE INTENT WAS ORIGINALLY THEY FELT THAT PUBLIC WORKS HAD WROTE THAT POLICY, WE HAD NOT AT THE TIME. SO, I BELIEVE RALF BARNES FROM THE HUMAN RESOURCE DEPARTMENT, HE GOT INVOLVED AND UNDER HIS DIRECTION WE HAD ORIGINALLY IT WAS PUBLIC WORKS AND THE SHERIFF'S OFFICE GOT INVOLVED, AND WE STARTED REVISING AND LOOKING OVER THE ORIGINAL MOTOR VEHICLE POLICY. THAT WENT THROUGH QUITE A FEW ALTERATIONS BACK AND FORTH AND IN OCTOBER OF LAST YEAR IT WAS SENT BACK TO PUBLIC WORKS WITH THE DECISION TO PROCEED WITH

BRINGING IT FORWARD. AND THEN AT THAT TIME, I DON'T BELIEVE THE SHERIFF OR UNDERSHERIFF WAS AWARE OF WHAT WAS GOING ON AND SO THEY STARTED LOOKING AT IT TO MAKE IT MORE COMPLIANT WITH ALSO WITH THEIR VEHICLE USE POLICY. AND ABOUT I'M GOING TO SAY A MONTH AGO, DOES THAT SOUND RIGHT?

SHAUN BUFTON – PROBABLY, ABOUT A MONTH AGO.

GLEN TANNER - YOU GUYS STARTED WORKING WITH CORT ON A REVISION OF THE OLD POLICY SO WE FINALLY GOT TOGETHER WE'RE ALL ON THE SAME PAGE I BELIEVE, AND WE MERGED ALL THESE ADDITIONS OR EDITS, AND THIS IS THE POLICY BEFORE YOU. THAT SOUND RIGHT CORT?

CORT GRIFFIN, DEPUTY COUNTY ATTORNEY – SOUNDS RIGHT. AND SO, WHAT I JUST HANDED THE COMMISSION IS A RED LINE VERSION OF THE OLD POLICY VERSUS THE CURRENT POLICY VERSUS THE PROPOSED POLICY. AND I WONDER IF IT WOULDN'T BE, I MEAN THERE'S A LOT OF RED LINES IN THERE, BUT WHICH ARE STYLISTIC, BUT IT MAY BE OF SOME BENEFIT JUST TO POINT OUT THE SUBSTANTIVE CHANGES THAT ARE IN THE POLICY IF THAT'S THE WAY THE COMMISSION WOULD LIKE TO PROCEED.

COMMISSIONER AINGE - I THINK THEY'D BE HELPFUL.

CORT GRIFFIN - SO THE, IN ITEM NUMBER 2 CATEGORY 2, AND I DON'T KNOW IF GLEN WANTS IT TO SPEAK TO THAT ONE.

GLEN TANNER - GO AHEAD.

CORT GRIFFIN - IT BASICALLY TAKES, REVISES THE 12,000 MILE PER YEAR REQUIREMENT TO HAVE A VEHICLE AND LEAVES IT UP TO THE DISCRETION OF PUBLIC WORKS, THE DEPARTMENT WITH RECOMMENDATIONS TO THE COUNTY COMMISSION.

COMMISSIONER AINGE - AND SO I'LL JUST MAKE ONE COMMENT ON THAT. WHEN I HAVE ASKED FOR INFORMATION FROM THE PUBLIC WORKS DEPARTMENT AS RELATES TO THE FLEET, WHICH IS STILL ONGOING AND WE'RE STILL AWAITING A LOT OF ANSWERS, THE INTENTION WAS THAT WE MIGHT FIND VEHICLES THAT ARE BEING UNDERUTILIZED OR WE MIGHT FIND VEHICLES WHERE THEY'RE NOT REALLY NEEDED TO TRY TO REDUCE COSTS TO THE COUNTY. AND THIS TAKES AWAY THAT. NOW I DON'T KNOW IF 12,000 IS THE RIGHT NUMBER, RIGHT? WE NEED TO DO THE MATH. BUT I WOULD BE HESITANT TO APPROVE SOMETHING THAT GIVES MORE FLEXIBILITY HERE ESPECIALLY UNTIL WE'VE FINISHED THAT INITIAL AUDIT. BECAUSE MY CONCERN IS THAT WE MIGHT HAVE TOO MANY VEHICLES. WE MIGHT HAVE VEHICLES THAT WE DON'T NEED AT CERTAIN TIMES.

GLEN TANNER - AND COMMISSIONER I THINK THE CONCERN WITH THE MILEAGE THING, AND ALL THIS USED FOR AN INSTANCE, WE HAVE A SPECIALTY PIECE OF EQUIPMENT, AND THAT'S WHAT WE'RE NOTICING THE ONES WITH LOWER MILEAGE SOMETIMES ARE THOSE PIECES OF EQUIPMENT THAT ARE

SPECIALIZED SUCH AS A BUCKET TRUCK OR A BOX TRUCK THAT ARE NOT SEEING A LOT OF MILEAGE, WE'VE GOT A LIFE SPAN ON TO ACCOMMODATE THAT, BUT MY CONCERN IS TO SAY WE DON'T NEED IT IS BASED ON MILEAGE IS PROBABLY NOT THE APPROPRIATE WAY TO GO.

COMMISSIONER AINGE - I THINK THAT'S FAIR, THAT'S PROBABLY FAIR WAY TO GET TO ANOTHER CATEGORY OF YOU KNOW BY STILL HAVING SOME SORT OF MILEAGE REQUIREMENT ON A PASSENGER VEHICLE OR ON YOU KNOW YOU HAVE CATEGORY, A DEFINITION FOR WHAT YOU'RE TALKING ABOUT, RIGHT?

GLEN TANNER – OKAY.

COMMISSIONER AINGE - AND AGAIN THAT OPINION MIGHT CHANGE IF WE HAD THE DATA IN FRONT OF US, WHICH WE STILL DON'T HAVE, WHICH IS LOOKING AT THE FLEET. LOOKING AT HOW MUCH MILEAGE IS PUTTING ON. WHAT THEY'RE BEING USED FOR, RIGHT? WHETHER THERE ARE ANY ASSIGNED COUNTY VEHICLES THAT ARE USED FREQUENTLY NOT ON COUNTY BUSINESS, RIGHT? THOSE ARE BIG QUESTIONS THAT IF WE HAD ANSWERS TO THEM, IT MIGHT CAUSE A DIFFERENCE TO THIS. I'M JUST BEING OPEN, RIGHT, AS LONG AS THOSE QUESTIONS ARE, IT'S GOING TO BE A LOT HARDER TO GO PRETTY STRAIGHTFORWARD ON THESE POLICIES.

GLEN TANNER - AND I THINK I FELT COMFORTABLE TO PROVIDE A LOT OF THAT INFORMATION, MORE THAN HAPPY TO COME SIT DOWN WITH YOU AND I THINK WE'VE GOT SOME OF THAT DATA FROM WHEN WE PUT TOGETHER THE BUDGET ON THE DIFFERENCE BETWEEN REIMBURSEMENT TO AN EMPLOYEE TO DRIVE THEIR OWN VEHICLE AND WHETHER IT'S BENEFICIAL TO HAVE A COUNTY VEHICLE.

COMMISSIONER LEE - WHICH I FIND INTERESTING TOO BECAUSE I, UNDER ONE AREA IT SAYS, YOU KNOW THE OLD WAY, SAID THE COUNTY COMMISSION SHALL REVIEW THE SEMI-ANNUAL BASIS UTILIZATION OF VEHICLES AND I I'VE NEVER SEEN THAT. I'VE NEVER SEEN THAT YOU KNOW ANALYSIS. AND SO, I THINK AS WE GO DOWN THE ROAD IF WE HAVE THESE IT WOULD BE HELPFUL.

GLEN TANNER – COMMISSIONER, WE'RE TRYING TO REVISE THIS POLICY SO THAT IF THE VERY BEGINNING OF THIS ONE THE FIRST CHANGES WAS THAT PUBLIC WORKS WOULD BE RESPONSIBLE FOR THE POLICY AS WELL AS PROVIDING THESE DOCUMENTS. SO, I KNOW OUR ROAD PROGRAM, OUR FLEET PROGRAM, RIGHT NOW IS HOPEFULLY GOING TO BE ABLE TO PROVIDE THAT INFORMATION SO THAT WE CAN PROVIDE IT IN A TIMELY WAY SO YOU GUYS CAN SEE WHAT'S GOING ON WITH THE FLEET.

COMMISSIONER LEE - YEAH BECAUSE WHAT WE DON'T KNOW, WE JUST DON'T KNOW.

GLEN TANNER - SO THAT'S STILL IN THERE.

COMMISSIONER LEE - I MEAN IT'S STILL IN THERE. IT'S IN THERE AND IT'S I THINK THAT IT'S ONE THAT YOU KNOW AS I READ DOWN THROUGH THE ITEMS LIKE WOW,

GLEN TANNER – YEAH, ITEM C, ON A SEMI-ANNUAL BASIS.

COMMISSIONER LEE - I'D LIKE TO HAVE THIS ON A SEMI-ANNUAL BASIS.

GLEN TANNER – YEP.

COMMISSIONER LEE - THE OTHER ONE IF I CAN KIND OF BRING IT UP THAT I'M STRUGGLING WITH IS THIS UNAUTHORIZED USE OF COUNTY VEHICLES AND MOTORIZED EQUIPMENT.

GLEN TANNER – OKAY.

COMMISSIONER LEE - AS I READ DOWN THROUGH IT, IT APPEARS TO ME THAT THIS IS SECTION,

GLEN TANNER – WHAT SECTION?

COMMISSIONER LEE – SIX.

GLEN TANNER - HE'S REALLY JUMPED, OKAY.

COMMISSIONER LEE - IT APPEARS TO ME THAT WE STATE NOT JUST THERE BUT ALSO THE AT THE BEGINNING THAT THIS IS SUPPOSED TO BE USED FOR COUNTY PURPOSES ONLY AND THAT AND I BELIEVE IN THE VERY BEGINNING UNDER THE DIRECTION UP HERE IT SAYS THAT THERE SHOULDN'T BE ANY REASON FOR ANY OTHERS THAT ARE IN THE VEHICLES UNDERSTANDING THAT THERE'S DRIVE ALONG, RIDE-ALONGS AND SO FORTH LIKE THAT, THERE'S THAT'S A SEPARATE ISSUE, BUT THEN IT GOES ON DOWN AT THE BOTTOM OF ON ONE, SAYS UNLESS AUTHORIZED BY DEPARTMENT HEAD OR DESIGNEE FOR IMMEDIATE FAMILY MEMBERS, WHILE ON CALL OR ON DUTY OR FOR APPROPRIATE OFF DUTY COUNTY VEHICLE USE. I DON'T EVEN KNOW, IF I ALSO TAKE THAT BACK AND SAY YOU KNOW WHAT'S APPROPRIATE OFF DUTY COUNTY VEHICLE USE? WELL WHAT IS THAT? I DON'T EVEN KNOW WHAT THAT IS.

SHAUN BUFTON - LET'S SAY THAT ONE OF OUR, ON OUR DAY OFF, ONE OF OUR DEPUTIES WANTS TO TAKE HIS TRUCK DOWN THE CAR WASH AND CLEAN IT UP OR MAYBE HE'S GOTTA RUN TO THE OFFICE AND GRAB SOMETHING OR HE'S GOING TO TAKE IT DOWN AND VACUUM IT OUT. HE'S OFF DUTY. HE'S NOT GETTING PAID FOR THAT. BUT IN A SHERIFF'S VEHICLE, WHEN YOU, WHEN YOU'RE IN IT, YOU ARE ESSENTIALLY ON CALL. IF YOU'RE GOING TO DRIVE A SHERIFF'S VEHICLE YOU HAVE TO BE ABLE TO RESPOND TO EMERGENCY IF DISPATCH NEEDS YOU. SO THAT'S WHEN THEN OUR GUYS WILL CHECK, IT'S CALLED 1011, WHICH MEANS I'M NOT ON DUTY BUT IF YOU NEED ME FOR AN EMERGENCY I'LL RESPOND.

RICHARD NIELSON, PUBLIC WORKS - ANOTHER EXAMPLE OF APPROVED OFF DUTY USE WOULD BE IF THEY TOOK THE VEHICLE FOR TO TRAVEL TO A TRAINING, BUT THEN AT THE END OF THE DAY THERE ARE GOING TO GO OUT TO DINNER IN SAINT GEORGE OR WHATEVER LIKE THAT THEY MAY HAVE A FAMILY MEMBER WITH THEM, THAT WOULD BE THE APPROVED OFF DUTY USE. THEY'RE STILL DOING COUNTY BUSINESS BUT IF THAT'S THE VEHICLE THEY TAKE TO GO TO THAT TRAINING YOU KNOW THEY'VE GOT TO BE ABLE TO DO THEIR INCIDENTAL RUNNING AROUND WHILE THEY'RE THERE. NOW WOULD BE THE APPROVED OFTEN THESE ARE WHAT I WOULD SEE SOMETHING LIKE THAT.

COMMISSIONER LEE - SO JUST ON A PROCEDURAL BASIS, SO THERE WOULD BE A CALL, AN EMAIL, A WRITTEN NOTIFICATION BEFOREHAND? BEFORE THE USE IS TAKEN PLACE? I'M JUST WONDERING HOW THAT WORKS IT SEEMS KIND OF ODD TO ME.

GLEN TANNER – SO I'M GOING TO SPEAK ON JUST A COUPLE THINGS, THEN SHERIFF BUFTON WILL KIND OF SPEAK ON, BUT I THINK ON LIKE THAT NUMBER, IF YOU CARRY ON IN THAT LITTLE SECTION THERE YOU GO TO ITEM NUMBER FOUR AND ONE OF THE THINGS THEY DID, I BELIEVE IS WHAT THE SHERIFF DID, HE TOOK OUT THEIR CHIEF DEPUTY AND I BELIEVE IT'S UNDER SHERIFF AND SHERIFF NOW THAT CAN APPROVE THAT, OURS IS THE DEPARTMENT HEAD, SO IT BE A COMMUNICATION DIRECTLY WITH FOR INSTANCE RICHARD WITH PUBLIC WORKS IF THAT WAS GRANTED.

COMMISSIONER LEE - SO JUST FOR PROTECTION ON THE COUNTY BASIS, IF HEAVEN FORBID SOMETHING HAPPENS, WE SAW IT HAPPEN WITH PLEASANT GROVE, THEY ARE AUTHORIZED TO DRIVE EVEN ON CALL AND GET IN AN ACCIDENT AND THE INDIVIDUAL SAYS WELL I HAVE AUTHORIZATION TO DO SO. HOW DOES HOW DOES THE CITY OR IN THIS CASE THE COUNTY, HOW DO WE GO BACK AND SAY YES, THIS DID FOLLOW OUR PROCEDURES AND POLICIES, AND WE GOT WRITTEN NOTIFICATION, WE GOT SO THAT I COULD USE THIS DURING THIS PERIOD OF TIME. HOW DO WE?

SHAUN BUFTON - I CAN SPEAK FOR THE SHERIFF'S OFFICE. I DON'T KNOW HOW, I DON'T KNOW HOW WE COULD EVER DO THAT, THAT YOU WOULD HAVE TO HAVE A WRITTEN EVERY TIME THE DEPUTY GOT IN HIS TRUCK OR HIS VEHICLE WHEN HE WAS EITHER OFF DUTY OR 1011 OR LIKE RICHARD SAYS YOU KNOW OUR GUYS ARE IN SAINT GEORGE TOOK CONFERENCE AND THEY ARE GOING TO DINNER AND THEY PUT THEIR WIFE IN THE CAR WITH HIM AND TAKE HIM TO THE DINNER, IT'S STILL ESSENTIALLY COUNTY BUSINESS. BUT I THINK THE PLEASANT GROVE THING WAS A LITTLE BIT NOT QUITE THE SAME MAYBE IS WHAT WE'RE TALKING ABOUT HERE. AGAIN, FOR OUR DEPUTIES, WHEN, IF YOU'RE IN THE VEHICLE YOU'RE ON CALL. IF DISPATCH NEEDS YOU, YOU HAVE TO RESPOND. SO, I DON'T KNOW IF THAT ANSWERS YOUR QUESTION KIND OF?

COMMISSIONER LEE - SORT OF.

SHAUN BUFTON - I DON'T KNOW HOW WE COULD GET SIGNATURES EVERY SINGLE TIME.

COMMISSIONER LEE – I'M JUST TRYING TO LOOK DOWN THROUGH IT ON LIABILITY.

GLEN TANNER – YEAH, ON LIABILITY, WE'D HAVE TO LEAN ON THE ATTORNEY'S OFFICE A LITTLE MORE. I CAN'T SPEAK TO WHAT THE LIABILITY WOULD BE.

SHAUN BUFTON - AND I THINK WHAT WE NEED TO LOOK AT TOO IS WHAT'S COMMON PRACTICE. WELL REALLY WHAT WE'RE SAYING IS COMMON PRACTICE. THAT'S WHAT'S BEEN HAPPENING EVER SINCE I STARTED HERE IN 1994. YOU CALL, IF GLEN'S MY SUPERVISOR, I SAY HEY GLENN CAN I TAKE MY WIFE ON A RIDE ALONG TONIGHT? SURE, YOU BET, NO PROBLEM. OR YOU KNOW, GLEN DO YOU MIND IF I THIS WEEKEND I GO GET MY, I'M GOING TO TAKE MY TRUCK DOWN TO GET IT WASHED. AND AS A SUPERVISOR I MAY SAY IF YOU NEED TO GET YOUR TRUCK WASHED, GET IT WASHED. YOU DON'T NEED TO CALL ME EVERY TIME. YOU'RE BIG BOY, YOU KNOW, I TRUST YOU. NOW THAT DOESN'T MEAN THAT OUR DEPUTIES ARE GOING TO TAKE THEIR VEHICLE GROCERY SHOPPING WITH FAMILY. THAT'S NOT GOING TO BE AN APPROVED ACTIVITY.

COMMISSIONER AINGE - SO ONE THOUGHT ON THIS IS, JUST THAT BECAUSE I'M CERTAINLY SYMPATHETIC TO, YOU KNOW, ESPECIALLY THE MOST TRADITIONAL USE, WHERE YOU'VE GOT A DEPUTY IN A VEHICLE AND YOU CAN'T BE MICROMANAGED IN THIS AND THAT'S YOUR DAY-TO-DAY LIFE. AND SO, THIS GOES KIND OF A HAND IN HAND WITH SOME OF THE FINANCIAL AND THE PURCHASING APPROVALS THAT WE'VE CHANGED LAST YEAR, IS EVEN THOUGH I DON'T THINK IT'S THE RIGHT PLACE TO NECESSARILY MICROMANAGE EVERY SINGLE THING, WE DO NEED TO HAVE A PROCESS THAT MORE GLOBALLY ASSESSES AND MAKE SURE THAT COUNTY PROPERTY IS BEING USED APPROPRIATELY. AND SO, WE'VE BEEN ABLE TO DO THAT. I THINK IT'S MORE; IT'S STILL WORK IN PROGRESS BUT THERE'S LESS APPROVALS ON EVERY PURCHASE BUT OBVIOUSLY EVERYTHING IS STILL SUBJECT TO AUDIT. I THINK IT'S GOING TO BE HARD PERSONALLY IT'S GOING TO BE HARD FOR ME TO BE READY TO APPROVE THIS, BECAUSE AT THE MOMENT THERE HAVE BEEN QUESTIONS ASKED AND SOUNDS LIKE YOU HAVE SOME OF THE INFORMATION.

GLEN TANNER – I THINK SO.

COMMISSIONER AINGE - I HAVEN'T HAD IT. IN FACT, DURING THE BUDGET SEASON, I ASKED OVER AND OVER AND OVER AGAIN FOR INFORMATION AND I DIDN'T RECEIVE IT IN TIME FOR THE BUDGET. AND SO, I THINK THAT UNTIL WE LOOK AT THE EXISTING FLEET AND WE SAY, AND WE FEEL GOOD YEAH EVERYTHING THAT'S BEING IN HERE IS BEING USED WELL, BECAUSE SOME OF THE ANSWERS THAT I GOT BY THE WAY WHEN WE WENT THROUGH THIS WAS BY POLICY, WE'RE SUPPOSED TO REVIEW THIS EVERY YEAR BUT THE ANSWER I GOT WAS WE HAVEN'T EVER REVIEWED THEM. THAT THERE WERE DIFFERENT ANSWERS FROM DIFFERENT DEPARTMENTS THAT KIND OF SAID NO THESE HAVEN'T BEEN REVIEWED ON A YEAR-TO-YEAR BASIS. NO ONE THAT NO ONE'S LOOKING AT THAT.

GLEN TANNER - AND I'M GOING TO MAYBE SPEAK A LITTLE BIT OUT OF TURN HERE, BUT I CAN'T SAY THAT THE DEPARTMENTS HAVE NOT BEEN AWARE OF THEIR VEHICLES, SO I MAYBE DISAGREE WITH THAT STATEMENT.

COMMISSIONER AINGE - SO LET ME CLARIFY MY STATEMENT AND I'M NOT SAYING THEY'RE NOT AWARE OF THEIR VEHICLES. THE POLICY, THE OLD POLICY SAYS THAT EVERY YEAR THERE IS SUPPOSED TO BE A REVIEW OF THE UTILIZATION OF THE VEHICLE AND WHETHER IT'S USED FOR APPROPRIATE GOVERNMENT USE AND WHETHER IT IS STILL NECESSARY. AND WHEN I LOOKED AT THE VARIOUS WHETHER IT WAS OUR FINANCE OR OUR PUBLIC WORKS OR ANY THERE WAS NO ONE WHO SAID YEAH, I DO THAT EVERY YEAR. AND SO THAT'S WHAT I STILL WANT TO SEE THAT WE'RE DOING, BEFORE WE TALK ABOUT MODIFYING IT. NOW AS WE MODIFY IT, I THINK THAT THERE SHOULD BE SOME REASONABLE AMOUNT OF LEEWAY FOR PEOPLE, FOR OUR DEPUTIES DO THEIR JOBS AND NOT HAVE TO ASK THEIR SUPERVISOR EVERY TIME THEY NEED TO DO SOMETHING, RIGHT? BUT I DO, UNTIL WE HAVE THAT INITIAL DUE DILIGENCE ON OUR EXISTING FLEET AND THERE'S BEEN SOME QUESTIONS RAISED, I THINK IT'S FOR EVERYONE'S BENEFIT TO JUST GET THAT ANSWERED AND SO THEN WE CAN MOVE FORWARD AND THEN WE CAN AMEND POLICY. THAT'S MY VIEW ON THIS.

COMMISSIONER LEE - I DID CALL OUR INSURANCE COMPANY ON IT AND JUST KIND OF ASKED HIM A FEW QUESTIONS ABOUT IT. THEIR INSIGHTS WERE INTERESTING. OBVIOUSLY, THEY WANT TO KEEP RISK AS LOW AS POSSIBLE.

GLEN TANNER - I GET IT.

COMMISSIONER LEE - BUT SOMETIMES YOU HAVE TO DO THINGS BECAUSE YOU HAVE TO DO THEM, AND I GET THAT TOO. SO, I JUST THINK THAT THIS WILL BE A GOOD CONVERSATION TO HAVE ALL THE WAY THROUGH SO THAT WE KNOW WHAT THOSE POLICIES AND PROCEDURES ARE AND THE, ON A SEMI-ANNUAL BASIS, WE CAN REVIEW THEM, AND WE KNOW WHAT WE'RE AT BECAUSE RIGHT NOW WE'RE TRYING TO JUST FIND OUT WHAT'S HAPPENING.

GLEN TANNER - AND MAYBE YOU KNOW THE I GUESS THE MISCOMMUNICATION WAS, MY UNDERSTANDING IS THAT THIS HAD BEEN SOMEWHAT DISCUSSED WITH THE COMMISSION, HUMAN RESOURCES WEIGHED IN ON IT, THE SHERIFF'S OFFICE AT THE TIME IT WEIGHED IN ON IT AND PUBLIC WORKS WEIGHED IN ON IT.

COMMISSIONER LEE – WHEN? WHEN IT WAS THAT?

GLEN TANNER - LIKE THE EMAIL WE GOT BACK WAS OCTOBER, THAT CAME FROM THE HUMAN RESOURCE DEPARTMENT AND I BELIEVE THAT ORIGINALLY IT CAME AS A REQUEST FROM YOUR OFFICE COMMISSIONER LEE.

COMMISSIONER LEE – RIGHT, BECAUSE I ASKED HUMAN RESOURCES TO LOOK INTO IT, TO MAKE SURE THAT OUR JOBS WERE ALIGNED APPROPRIATELY OR ELSE BECAUSE IF IT'S NOT, THEN WE HAVE A DIFFERENT ISSUE THAT WERE

YOU WERE TALKING ABOUT. SO, I SAID MAKE SURE THAT THEIR JOBS ARE ALIGNED APPROPRIATELY FOR IT.

GLEN TANNER - SO MAYBE THAT'S SOME OF THE DIRECTION BUT I'M MORE THAN HAPPY TO CONTINUE DISCUSSION I MEAN THAT'S, BUT THIS IS WHAT WE CAME UP WITH.

COMMISSIONER AINGE – AND JUST FROM MY PERSPECTIVE, I DIDN'T HAVE ANY COORDINATION OR INSIGHT OR DISCUSSION ABOUT ANY OF THESE CHANGES OR POLICIES UNTIL IT SHOWED UP ON THE AGENDA A COUPLE OF WEEKS AGO.

GLEN TANNER - AND I THINK THAT'S WHY THE WORK SESSION. WE'RE JUST TRYING TO WORK IT OUT.

COMMISSIONER AINGE - NO AND I APPRECIATE THAT AND THAT'S WHY BUT TO ME LIKE THERE'S A LOT THAT WE COULD DEBATE AND I'M JUST SAYING IT'S GOING TO BE A LOT EASIER FROM MY PERSPECTIVE IF WE HAVE THE DATA ABOUT THE EXISTING FLEET.

GLEN TANNER - I THINK WE CAN DO THAT.

COMMISSIONER AINGE - BECAUSE JUST LIKE ANY POLICY, THE POLICY IS ONLY AS GOOD AS OUR ABILITY TO ACTUALLY ENFORCE IT AND MANAGE IT, RIGHT?

GLEN TANNER - AND I THINK THAT WAS THE GOAL OF THIS REVISION, WAS TO TRY IT TO PUT IT INTO MORE PLAY OF WHAT WE CAN MANAGE AND ENFORCE.

SHAUN BUFTON - SO DO YOU HAVE ANY, LIKE FOR US, AND I WOULD LIKE TO VERY START WITH GLENN ON THE MILEAGE STUFF. I DON'T KNOW IF THAT'S REALLY THE BEST WAY TO GAUGE IT. BECAUSE EVEN AT THE SHERIFF'S OFFICE WE HAVE, JUST LIKE GLENN HAS AT PUBLIC WORKS, WE HAVE LET'S JUST FOR INSTANCE THE SWAP TRUCKS OR THE BEAR CAT, THOSE VEHICLES THERE'S NO WAY THEY'RE GOING TO GET 12,000 MILES A YEAR ON STUFF LIKE THAT.

COMMISSIONER AINGE – RIGHT.

SHAUN BUFTON - SO I DON'T KNOW.

COMMISSIONER AINGE - AND THOSE AREN'T REALLY EVEN ASSIGNED. I MEAN I THINK THERE'S NO QUESTION THOSE ARE IN A DIFFERENT CATEGORY.

SHAUN BUFTON - YOU ARE CONSIDERED MORE OF LIKE JUST PASSENGER VEHICLE KIND OF STUFF? IS THAT?

COMMISSIONER AINGE - YEAH AND AGAIN I'M NOT EVEN SURE THAT THE MILEAGE IS ON THERE, RIGHT? I JUST, RIGHT NOW THERE'S NEVER BEEN A PRESENTATION WITH A DEGREE OF CONFIDENCE THAT SAYS HEY, HERE'S OUR FLEET. WE'VE REVIEWED THIS, ALL THESE USES ARE ROCK SOLID. BECAUSE ONCE WE GET THAT THEN IT'S OKAY, LET'S EXCLUDE THE BIG THINGS LIKE THE *MRAP* LIKE TRUCK AND LET'S LOOK AT PASSENGERS AND HAVE A

REASONABLE POLICY LIKE THIS. I DON'T SEE YOU KNOW; I THINK OUR INSURANCE PERSPECTIVE IS IMPORTANT ON THIS BECAUSE THAT HAS ANOTHER EXPENSE AND THEN WE'VE TALKED ABOUT A COUPLE OF ISSUES THE REST OF THE CHANGES IT SEEMS LIKE YOU'RE JUST TRYING TO DO AS YOU STATED.

GLEN TANNER - AS FAR AS THE VEHICLE AUDIT, THAT WAS KIND OF WHAT BROUGHT ABOUT THE BUDGET WHY WE ELIMINATED THOSE ONES THAT WE DID. SO PUBLIC WORKS WE HAVE STARTED THAT PROCESS AND IT'S A HEFTY PROCESS, HENCE THE REASON WE WANTED THE NEW FLEET PROGRAM. SO HOPEFULLY WITH THE NEW PROGRAM COMING ONLINE WE COULD PROVIDE THIS DATA A LOT MORE TIMELY AND MORE ACCURATELY. SO, I DO SEE THAT YOU GETTING YOUR INFORMATION THAT YOU NEED TO MAKE YOUR

COMMISSIONER AINGE – SORRY, WHAT ARE YOU REFERRING TO WITH THE NEW FLEET PROGRAM?

GLEN TANNER - SO OUR ASSET WORKS IS THE NEW FLEET PROGRAM, THIS CAN BE TRACKING THE FLEET SO WE CAN SEE WHAT'S GOING ON.

COMMISSIONER AINGE - AND GLEN, I'LL JUST CLOSE THE LOOP ON THAT. AT THE END ON I WAS GLAD THAT SOME WERE IDENTIFIED, RIGHT? BUT THE WAY THAT WAS PRESENTED TO ME AT THE END OF THE BUDGET WAS NOT HERE'S THE INFORMATION ON THE FLEET.

GLEN TANNER - IT CAME BACK...

COMMISSIONER AINGE - AS HEY WE'RE NOT DONE LOOKING AT IT, WE DON'T HAVE SUMMARY OF ALL THE DATA BUT WE DO KNOW THAT THERE'S THESE FOUR VEHICLES THAT ARE NOT NECESSARY AND SO WE WENT AND ACTED ON THAT BUT RIGHT I'D STILL LIKE TO SEE THAT WHOLE REPORT.

GLEN TANNER – BUT RIGHT NOW ALL THAT'S BEEN COMPLETED BECAUSE WE HAVE A LOT MORE CONTROL OF COURSE IN PUBLIC WORKS SO WITH WORKING WITH RICHARD, AND NOW WE'RE REACHING OUT TO THE OTHER DEPARTMENTS, SUCH AS THE SHERIFF'S DEPARTMENT AND WE CORRELATE WITH THEM BECAUSE I HATE TO SAY IT, I CAN'T TELL YOU WHAT IS VALUABLE TO THEM AND WHAT THEY USE IT FOR. I CAN TELL YOU ITS PUBLIC WORKS. SO THAT'S WHAT WE'RE DOING.

SHAUN BUFTON – WE HAVE INTERNALLY LOOKED AT THAT BECAUSE WE KNEW THAT YOU WOULD BE WANTING THAT, SO WE'VE LOOKED AT IT AND I MEAN WE KNOW WHICH VEHICLES WE HAD AND MAYBE THAT'S I GUESS OVER THE YEARS MAYBE EACH DEPARTMENT JUST KIND OF TAKEN CARE OF THEIR OWN BUSINESS AND THEY KNOW WHAT THEY NEED BUT YEAH, I DON'T THINK IT'S GOING TO BE HARD FOR US TO WORK IN AN HOUR AND FIGURE OUT YOU KNOW DO WE HAVE EXCESS OR NOT. BUT WE DO KEEP TRACK OF THAT ALL THE TIME SO.

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COMMISSIONER AINGE - THANK YOU. THERE WAS ALSO A TRAVEL POLICY, BUT I GUESS I DON'T KNOW IF YOU WANT TO COMMENT ON THAT. THAT WAS ALSO ON THE WORK SESSION.

PAUL JONES, UTAH COUNTY ATTORNEY'S OFFICE - I THINK THAT'S LARGELY DEPENDENT ON WHAT YOU DO ON THE MOTOR VEHICLE POLICY SO I THINK WE COULD PASS IT FOR NOW.

COMMISSIONER AINGE – OKAY, ALRIGHT SOUNDS GOOD, THANK YOU. OKAY, SO WE GO INTO THE PROCESS OF NOTATING IF ANY OF THESE ITEMS WE WANT DIRECTLY PASSED ONTO OUR AGENDA.

COMMISSIONER LEE - SO I'VE GOT #1, #2, #7...

COMMISSIONER AINGE – CONTINUED?

COMMISSIONER LEE - YES RIGHT, CONTINUE TO THE NEXT WORK SESSION. I'LL JUST NOTE THAT, CONTINUE TO THE NEXT WORK SESSION. WHAT ARE WE DOING ON #8? IS THAT ONE THAT WE SHOULD JUST CONTINUE ON, PUT ON THE AGENDA?

COMMISSIONER IVIE – I'M GOOD WITH THAT.

COMMISSIONER AINGE – I'M FINE WITH THAT GOING ON.

COMMISSIONER LEE – OKAY SO THAT GOES ON. AND NUMBER 10?

COMMISSIONER IVIE – UM HUH.

COMMISSIONER LEE - NUMBER 10.

DANENE JACKSON - ALSO FIVE.

COMMISSIONER AINGE – WELL, FIVE, NOT IN ITS CURRENT FORM.

DANENE JACKSON – RIGHT, JUST WITH THE \$50,000, I'M GOING TO SUBMIT THE RESOLUTION.

COMMISSIONER IVIE – A MODIFICATION.

COMMISSIONER LEE - SO THAT ONE YEAH, NOT IN ITS CURRENT FORM, BUT YOU CAN JUST GO AHEAD AND CHANGE IT AND PUT IT ON THE AGENDA AS WE DISCUSSED.

DANENE JACKSON, FINANCE MANAGER – YEAH, EXACTLY.

RICHARD NIELSON - AND THEN 6 AND 9, WHAT DID YOU DECIDE ON THOSE? ARE WE HOLDING THOSE?

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COMMISSIONER LEE – THEY’RE OFF.

RICHARD NIELSON – THEY ARE ON HOLD? WE ARE HOLDING THEM FOR NOW? WE’RE NOT PUTTING THEM ON THE REGULAR AGENDA CORRECT?

COMMISSIONER LEE – CORRECT. THAT'S MY MOTION. THERE'S NO MOTION SORRY. THERE'S NO MOTION, WE HAVE SUGGESTIONS.

COMMISSIONER AINGE – OKAY, THAT'S THE CONCLUSION OF OUR WORK SESSION. NOW WE'LL MOVE TO...

COMMISSIONER LEE - ANY PUBLIC COMMENT SINCE WE HAVE IT LISTED?

COMMISSIONER IVIE -ANY PUBLIC COMMENT?

COMMISSIONER AINGE - IS THERE ANY PUBLIC COMMENT RELATED TO THE WORK SESSION. NO COMMENTS.

PUBLIC COMMENTS

N/A

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

ATTEST:

DocuSigned by:
Alice Black

293107591144PR/
Deputy Clerk/Auditor

DocuSigned by:
Tanner Ainge

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TANNER AINGE
Commission Chair