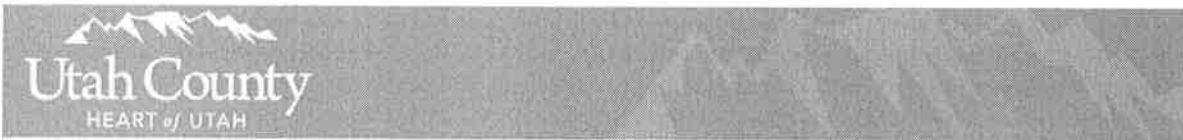


BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH
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PUBLIC NOTICE IS HEREBY GIVEN THAT THE

BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH

WILL HOLD A PUBLIC MEETING
IN THE COMMISSION CHAMBERS – ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
100 East Center Street, Provo, Utah
September 09, 2020 – 3:00 P.M.

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

The public may participate electronically by calling (385) 323-8760.

~COMMISSION MEETING MINUTES~

PRAYER/READING/THOUGHT: **Commissioner Ivie**

PLEDGE OF ALLEGIANCE: **Commissioner Lee**

Commissioner Ivie and Commissioner Lee in Attendance
Commissioner Ainge in attendance via teleconference

(Meeting called to Order: 3:01 pm)

CONSENT AGENDA

1. RECOGNIZE SEPTEMBER 2020 EMPLOYEE OF THE MONTH

-PJ Maughan

COMMISSIONER IVIE – RECOGNIZED EMPLOYEE OF THE MONTH, ANNETTE DYER. READ NOMINATION:

We are incredibly lucky to have some of the best county employees working at the Children’s Justice Center. There is one employee who I feel is deserving of special recognition for her superior work and ability to manage quite the interesting job assignment. I would like to nominate Annette Dyer for Utah County Employee of the Month. Annette’s job title does not fully capture the many hats she wears here at the CJC. Annette is the coordinator over our two main volunteer programs: our Onsite Victim Assistance Program as well as our Mentor Program. Annette is continually recruiting, training, and supervising volunteers who generously give their time to the CJC and help in its primary mission to reduce the trauma of the child abuse investigation and help the child feel safe to reveal the truth. Having our center in a heavily populated college town means we have frequent turn over with our volunteers who are not permanent residents or are getting involved as part of a school assignment. If volunteers are not able to come in for their assigned two-hour weekly shift, Annette will try and contact a substitute, but more times than not, acts as the volunteer during that shift spending her time

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with children down in our waiting rooms keeping them engaged in fun activities while they wait for their interview and investigative officials to meet with their parents. Annette has a natural comfort with children and can engage with kids of all ages, with varied backgrounds, behaviors, and needs. She can very quickly gauge the kids' interest. I've walked in on fun imaginative Lego creation projects and intense games of Jenga.

In addition to recruiting and maintaining the onsite program, Annette is keeping track of multiple families and mentors participating in our Mentor Program. Mentors are community volunteers who go through 40 hours of training and commit to working one-on-one with a child whose been through our center for a 6-month period. 3 times a year she organizes the training (inviting the speakers, preparing the materials, advertising the training, hosting the training, etc.) This is a huge project undertaking and this training always receives such high words of praise for both content as well as overall experience. She is very invested in not only the success of the program, but the experience for the child, the family, as well as the mentor. She follows-up regularly with both the family and the mentor during the placement to ensure a successful match has been made.

As if dealing with 50+ volunteers (and their communications, needs, and personalities) isn't enough she is also the first person who volunteers to help cover phones, help a walk in, do an intake with a family when appointments have been double/triple booked, read someone's grant report and offer constructive feedback and assistance, clean up and log a donation, etc. She is one of the hardest working, most dedicated staff at the center and we're lucky to have her with us.

I could go on and on for pages and pages about the amazing things Annette does. I feel she is deserving of this recognition and our appreciation.

2. RATIFICATION OF WARRANT REGISTER FOR SEPTEMBER 9, 2020, INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM.

-Alice Black

APPROVED ON CONSENT

3. APPROVAL OF THE PAYROLL WARRANT SUMMARY FOR PAY PERIOD 18, 2020.

-Alice Black

APPROVED ON CONSENT

4. APPROVE AND AUTHORIZE COMMISSION TO SIGN MEMORANDUM FOR THE DECLARATION OF ITEM TO BE SOLD THROUGH PUBLIC AUCTION OR TRADED IN.

-Rebecca Martell

APPROVED ON CONSENT

5. RATIFY COMMISSION SIGNATURE ON CROSSMATCH CHANGE ORDER FOR IMPLEMENTATION OF FINGERPRINTING MACHINE AT THE UTAH COUNTY JAIL.

-Jerad Jarvis

APPROVED ON CONSENT

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6. ABATE PERSONAL PROPERTY ACCOUNTS ATTACHED FOR THE YEARS INDICATED HAVING BEEN IDENTIFIED AS UNCOLLECTIBLE. THERE ARE NO ASSETS AVAILABLE FOR SEIZURE AND SELL.

-Jeanne Bowen

CONTINUED TO NEXT WORK SESSION

7. APPROVE AND AUTHORIZE THE SIGNING ASSOCIATED RETAIL OPERATIONS CREDIT APPLICATION AGREEMENT BETWEEN UTAH COUNTY AND MACEY'S ASSOCIATED FOOD STORES IN UTAH.

-Rebecca Martell

APPROVED ON CONSENT

COMMISSIONER AINGE - COMMENTED THAT THE COUNTY SHOULD NOT HAVE TO SIGN CREDIT AGREEMENTS WITH SMALL RETAILERS. THEY SHOULD KNOW THAT THAT COUNTY IS A CREDIT WORTHY AGENCY. DOESN'T THINK THESE SHOULD BE ON THE AGENDA.

BEN VAN NOY, UTAH COUNTY ATTORNEY – ANYTIME THERE'S A TERMS AND CONDITIONS, A DEPARTMENT DOESN'T HAVE THE AUTHORITY TO BIND THE COUNTY. THAT IS TYPICALLY WHY THEY ARE PUT ON THE AGENDA.

8. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER 60420 DATED 09/03/2020

-Jims

APPROVED ON CONSENT

9. TO APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER #20443

-Randilyn Warner

APPROVED ON CONSENT

10. APPROVE SUNDANCE REC RESORT, PLAT "A", 4TH AMENDED AND RESTATED, SUBJECT TO THE CONDITIONS IN THE STAFF REPORT

-Greg Robinson

APPROVED ON CONSENT

11. APPROVE VIVIAN PARK SUBDIVISION, PLAT "G", SUBJECT TO THE CONDITIONS IN THE STAFF REPORT

-Greg Robinson

APPROVED ON CONSENT

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12. APPROVE SUNDANCE REC RESORT, PLAT "L," SUBJECT TO THE CONDITIONS IN THE STAFF REPORT

-Greg Robinson

APPROVED ON CONSENT

13. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH ROBERT I MERRILL TO REMOVE AND REPLACE RUSTED RESTROOMS DOORS AT VARIOUS COUNTY PARKS.

-Richard Nielson

APPROVED ON CONSENT

14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A LICENSE AGREEMENT WITH THE CITY OF SARATOGA SPRINGS FOR THE PLACEMENT OF FLOOD CONTROL DEVICES

-Richard Nielson

APPROVED ON CONSENT PENDING LEGAL REVIEW

15. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH GSBS ARCHITECTS FOR REPAIRS TO THE HEALTH & JUSTICE BUILDING PARK STRUCTURE AND EFIS REPAIRS FOR THE UTAH COUNTY SECURITY CENTER IN THE AMOUNT OF \$45,397.00

-Richard Nielson

COMMISSIONER LEE - STATED THAT WHEN HE SEES AN AGREEMENT THAT DOESN'T GO THROUGH AN RFP PROCESS, SCRUTINIZES IT A LITTLE BIT HARDER. WHY SHOULDN'T WE NEED TO GO THROUGH A BIDDING PROCESS WITH THIS?

RICHARD NIELSON, DIRECTOR OF PUBLIC WORKS – THERE'S TWO DIFFERENT PROJECTS TIED TO THIS CONTRACT:

1) HEALTH & JUSTICE BUILDING PARKING STRUCTURE - THERE IS A BRICK VENEER ON THE BUILDING THAT IS STARTING TO DELAMINATE FROM THE STRUCTURE, AND IT NEEDS TO HAVE SOME REPAIR WORK DONE. WHAT THE GSBS CONTRACT WOULD DO IS DESIGN THE FIX AND DO ALL THE BIDDING DOCUMENTS TO BE ABLE TO GO OUT TO A CONTRACTOR TO HAVE THE WORK DONE.

2) EFIS REPAIRS ON THE SECURITY CENTER IN SPANISH FORK - THE STUCCO IS AGING OUT AND NEEDS TO HAVE SOME REPAIRS DONE ON IT.

GSBS ARE THE ARCHITECTS THAT DID THE DESIGN ON BOTH. IN DISCUSSING WITH ROBERT BAXTER AND DISCUSSING OPTIONS, WE FELT IT WAS IN THE BEST INTEREST OF THE COUNTY TO GO BACK TO GSBS BECAUSE THEY HAD DONE

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THE ORIGINAL DESIGNS AND IT WOULD LIKELY SAVE THE COUNTY MONEY, RATHER THAN GOING OUT TO A SEPARATE FIRM.

COMMISSIONER LEE – DID WE REACH OUT TO ANOTHER PARTY TO VERIFY THAT WOULD ACTUALLY SAVE US MONEY?

RICHARD NIELSON – NOT THAT I'M AWARE OF.

COMMISSIONER LEE – I'M ALWAYS A LITTLE BIT SENSITIVE TO THAT BECAUSE I WANT TO MAKE SURE THAT WE'RE DEFENDING WHY WE'RE GOING THIS WAY BECAUSE OTHERS MAY CALL UP AND SAY THAT THEY NEVER GOT A CHANCE TO BID. I WANT TO MAKE SURE WE'RE BEING AS OPEN AND TRANSPARENT AS POSSIBLE.

**COMMISSIONER LEE: MOTION TO APPROVE
COMMISSIONER IVIE: SECOND (RULES SUSPENDED DUE TO TECHNICAL DIFFICULTIES)
AYE: ALL IN FAVOR
PASSED: 2/0**

16. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH SPORTSITES TO PROVIDE ACCESS AND SUPPORT TO THEIR PARK RESERVATION SYSTEM FOR THE COST OF \$3,000 A YEAR.

-Richard Nielson

COMMISSIONER LEE – THIS IS KIND OF THE SAME SITUATION AS AGENDA ITEM #15 WHERE WE HAVE A LETTER OF DETERMINATION STATING THAT WE SHOULD GO WITH THIS COMPANY WITHOUT GOING THROUGH THE BID PROCESS. ONE OF THE QUESTIONS THAT I HAVE IS THAT I UNDERSTAND THAT THIS IS INTENDED FOR A ONE-YEAR PURPOSE AND THEN HOPEFULLY WE'LL HAVE OUR OWN BUILT. WASN'T THERE A COMPANY THOUGH, INSTANT PAY, THAT SAID THAT THEY'D DO IT FOR FREE? I'M JUST WONDERING WHEY WE'RE PAYING FOR SOMETHING IF WE'RE DOING IT FOR A ONE- YEAR PERIOD OF TIME IF WE'RE GOING TO REBUILD IT OURSELVES AT THE END OF THE ONE YEAR?

RICHARD NIELSON, DIRECTOR OF PUBLIC WORKS – INSTANT PAY I BELIEVE, COVERED THE PAYMENT SIDE OF IT. IT DID NOT COVER THE RESERVATION SIDE OF IT SO THIS WOULD MAKE AN ALL ONLINE SYSTEM FOR PARKS, RESERVATIONS PAVILIONS, CAMPING SITES – THINGS LIKE THAT. IT WOULD ALSO MAKE IT IS SO WE CAN DO THE ONLINE PAYMENT. WITH THE SUGGESTIONS FROM I.T. IS THAT WE GO WITH THIS IN A CONTRACT FOR A YEAR AND THEN HOPEFULLY WITHIN THAT YEARS' TIME, THEY WOULD HAVE THE BANDWIDTH TO BE ABLE TO GO IN AND ACTUALLY GET US A SYSTEM BUILT THAT WOULD ALLOW US TO DO ALL OF THE RESERVATIONS AND PAYMENTS ONLINE THROUGH A COUNTY SYSTEM.

COMMISSIONER LEE - I GUESS THE ULTIMATE QUESTION IS WHAT DETERMINES THAT WE DON'T NEED TO GO THROUGH THE REGULAR PROCESS? WHY IS THIS ONE SO DIFFERENT? I MEAN THERE'S PLENTY OF PEOPLE WHO DO THIS.

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RICHARD NIELSON – I.T. IS THE ONE THAT HAD BROUGHT THIS TO US FROM SPORTS SITES AND FELT LIKE IT WAS THE MOST COST-EFFECTIVE WAY TO GO. THERE ARE OTHER SITES OUT THERE THAT DO THIS BUT THEY WERE SUBSTANTIALLY MORE MONEY WHEN THEY HAD LOOKED INTO THEM.

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

17. APPROVE AND AUTHORIZE THE SIGNING OF A MEMORANDUM TO DECLARE VEHICLE #701796 AS A TOTAL LOSS BY THE INSURANCE COMPANY AND ALLOW THE VEHICLE TO BE DISPOSED OF AS JUNK.

-Richard Nielson

APPROVED ON CONSENT

18. APPROVE AND AUTHORIZE THE SIGNING OF A ROAD PROJECT AGREEMENT 20-RO-11041902-044 WITH THE USDA FOREST SERVICE FOR THE DIAMOND FORK PAVEMENT PRESERVATION PROJECT FOR AN AMOUNT NOT TO EXCEED \$85,334 FOR WORK TO BE COMPLETED ON OR BEFORE JUNE 30, 2022.

-Richard Nielson

APPROVED ON CONSENT

19. APPROVE AND AUTHORIZE THE SIGNING OF A COOPERATIVE AGREEMENT BETWEEN UTAH COUNTY AND STATE OF UTAH DEPARTMENT OF NATURAL RESOURCE FORESTRY FIRE AND STATE LANDS FOR \$60,000 FOR INVASIVE VEGETATION CONTROL ALONG THE SHORELINE OF UTAH LAKE BETWEEN JULY 1, 2020 AND JUNE 30, 2021.

APPROVED ON CONSENT

20. APPROVE AND AUTHORIZE THE SIGNING OF THE UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM STORM WATER PROGRAM SMALL MS4 REPORT AND APPROVE SUBMITTAL TO THE UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

-Richard Nielson

APPROVED ON CONSENT

21. APPROVE AND AUTHORIZE THE SIGNING OF A CHANGE ORDE3R FOR AGREEMENT #2019-147 WITH ASSETWORKS TO ELIMINATE THE FUEL INTERFACE REQUIRED WITH PETROVEND AND CHANGE TO INTEGRATE WITH THE ASSETWORKS FUEL PROGRAM

-Richard Nielson

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COMMISSIONER LEE – I’VE HAD PROBLEMS WITH ASSET WORKS AND OBVIOUSLY I VOTED AGAINST IT WHEN IT WAS FIRST BEING IMPLEMENTED. THERE WERE SOME PROMISES THERE THAT WE’D HAVE SOME THINGS THAT WOULD HAPPEN WITH ASSET WORKS AND IT’D BE ONLINE, AND WE’D GET SOME PROGRAMS OUT OF IT WHICH WE’RE STILL WORKING ON UNFORTUNATELY. WE’RE GETTING RID OF A PROGRAM TO GET ANOTHER PROGRAM WHICH HAS HARDWARE AND SOFTWARE BUT ALSO THERE IS SOME TRAINING THAT’S GOING INTO IT AS WELL. THIS IS NEW ENOUGH IN THE WAY OF THIS PROGRAM THAT I DON’T UNDERSTAND WHY WE DIDN’T KNOW ABOUT THIS WHEN WE WERE GOING THROUGH THE PURCHASING PROCESS. IS IT NEW? I DON’T UNDERSTAND WHY

IT’S A COMPONENT THEY HAD IN ASSET WORKS. AT THE TIME WE WERE NOT ANTICIPATING CHANGING IT OUT FROM PETROVAN. IN THE TIME THAT WAS TAKEN TO GET EVERYTHING UP AND RUNNING WITH ASSETS WORKS, WE’VE HAD SOME ISSUES WITH OUR PETROVAN SOFTWARE AND HARDWARE THAT WE NEED TO UPGRADE AND IF WE’RE GOING THROUGH THAT, WE FELT LIKE IT WAS THE MOST ADVANTAGEOUS TO HAVE IT SO IT’S ALL IN ONE SOFTWARE PACKAGE RATHER THAN TRYING TO MAKE THE TWO SOFTWARE PACKAGES MARRY TOGETHER IF WE’RE GOING TO HAVE TO SPEND THE MONEY ANYWAY. THAT’S THE MAIN REASON WHY WE’RE LOOKING AT DOING A CHANGE ORDER NOW BECAUSE WE HAVE HAD SOME SOFTWARE ISSUES ON OUR CURRENT SYSTEM THAT WE’RE GOING TO HAVE TO CHANGE OUT SOFTWARE AND HARDWARE ON WHETHER WE STAY WITH PETROVAN OR GO WITH ASSETS WORKS OR ANY OTHER VENDOR.

COMMISSIONER LEE – WE’VE HAD PETROVAN FOR TWO YEARS NOW?

RICHARD NIELSON – PETROVAN IS ACTUALLY THE ONE WE’VE BEEN USING FOR A NUMBER OF YEARS, PROBABLY 15-18 YEARS. BUT THE HARDWARE IS ‘END OF LIFE’. THE IDEA WOULD BE TO CHANGE IT TO THE ASSET WORKS HARDWARE AND SOFTWARE AND HAVE IT ALL ON ONE INTEGRATED SYSTEM THAN HAVE TWO DIFFERENT SYSTEMS WORKING TOGETHER.

COMMISSIONER LEE: MOVE TO APPROVE

COMMISSIONER AINGE: SECOND

AYE: ALL IN FAVOR

PASSED: 3/0

22. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH BEDROCKS ROADS TO PROVIDE LITHTEC4ROADS PRODUCTS @ \$12.71 A SQUARE YARD ALONG WITH FULL DEPTH RECLAMATION OF SAID MATERIAL BY BEDROCK ROADS PRE-APPROVED INSTALLER

-Richard Nielson

APPROVED ON CONSENT

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23. APPROVE AND AUTHORIZE THE SIGNATURE OF THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT BETWEEN UTAH COUNTY AND ELK RIDGE CITY FOR THEIR 2020 UTAH COUNTY MUNICIPAL RECREATION GRANT
-Ezra N/Elk Ridge

APPROVED ON CONSENT PENDING LEGAL REVIEW

24. APPROVE AND AUTHORIZE THE SIGNATURE OF THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT BETWEEN UTAH COUNTY AND SALEM CITY FOR THEIR 2020 UTAH COUNTY MUNICIPAL RECREATION GRANT
-Ezra N/Salem

APPROVED ON CONSENT PENDING LEGAL REVIEW

25. APPROVE AND AUTHORIZE THE SIGNATURE OF THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT BETWEEN UTAH COUNTY AND ALPINE CITY FOR THEIR 2020 UTAH COUNTY MUNICIPAL RECREATION GRANT
Ezra N/Salem

APPROVED ON CONSENT PENDING LEGAL REVIEW

26. APPROVE AND AUTHORIZE THE SIGNATURE OF THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT BETWEEN UTAH COUNTY AND HIGHLAND CITY FOR THEIR 2020 UTAH COUNTY MUNICIPAL RECREATION GRANT
-Ezra N/Highland

APPROVED ON CONSENT PENDING LEGAL REVIEW

27. APPROVE AND AUTHORIZE THE SIGNATURE OF THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT BETWEEN UTAH COUNTY AND PAYSON CITY FOR THEIR 2020 UTAH COUNTY MUNICIPAL RECREATION GRANT
-Ezra N/Payson

APPROVED ON CONSENT PENDING LEGAL REVIEW

28. APPROVE AND AUTHORIZE THE SIGNATURE OF THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT BETWEEN UTAH COUNTY AND EAGLE MOUNTAIN CITY FOR THEIR 2020 UTAH COUNTY MUNICIPAL RECREATION GRANT
-Ezra N/Em City

APPROVED ON CONSENT PENDING LEGAL REVIEW

29. APPROVE AND AUTHORIZE THE SIGNATURE OF THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT BETWEEN UTAH COUNTY AND LINDON CITY FOR THEIR 2020 UTAH COUNTY MUNICIPAL RECREATION GRANT
-Ezra N/Lindon

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APPROVED ON CONSENT PENDING LEGAL REVIEW

30. APPROVE AND AUTHORIZE THE SIGNATURE OF THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT BETWEEN UTAH COUNTY AND SPRINGVILLE CITY FOR THEIR 2020 UTAH COUNTY MUNICIPAL RECREATION GRANT
-Ezra N/Springville

APPROVED ON CONSENT PENDING LEGAL REVIEW

REGULAR AGENDA

1. APPROVE AND ADOPT AN ORDINANCE VACATING PUBLIC RIGHTS-OF-WAY IDENTIFIED AS “FAIRFAX DRIVE”, “VIVIAN WAY”, AND “BEVERLY WAY” WHICH MAY EXIST OR ARE ALLEGED TO EXIST IN OR ACROSS THE VIVIAN PARK SUBDIVISION IN PROVO CANYON IN THE UNINCORPORATED UTAH COUNTY, UTAH.
-Robert J. Moore, Deputy Attorney-

COMMISSIONER IVIE – REGULAR ITEMS #1, #2 AND #3 DO TIE TOGETHER.

(SPEAKING CONCERNING REGULAR AGENDA ITEMS #1, #2 AND #3)

COMMISSIONER LEE – I DON’T SEE ANYBODY HERE FROM THE ASSOCIATION SO I WOULD ASSUME THAT THEY’RE PROBABLY FINE WITH THIS AGREEMENT ALL THE WAY THROUGH.

ROB MOORE, UTAH COUNTY ATTORNEY – IT’S MY UNDERSTANDING THAT THEY ARE OAKY WITH THIS ONE.

* **#1: TO VACATE THE 3 RIGHTS-OF-WAYS WITHIN THE SUBDIVISION PLAT THAT CAME AT THE REQUEST OF THE HOA BACK IN FEBRUARY. WE HELD A PUBLIC HEARING ON THAT ISSUE AFTER BEING DULY NOTICED IN MAY OF THIS YEAR. WE HAD NO OBJECTION LEVIED AGAINST THE VACATION OF THOSE. IF DOES NOT REFERENCE IN THE DOCUMENT ITSELF BUT ITS SOMEWHAT CONTINGENT UPON THEM TAKING OVER THE OWNERSHIP AND MAINTENANCE OF THOSE ROADS WHICH IS MORE SPELLED OUT IN #2 (REAL ESTATE TRANSFER AGREEMENT)**

* **#2: REAL ESTATE TRANSFER AGREEMENT WAS DISCUSSED AT SOME LENGTH WITH THE COMMISSION AND MULTIPLE MEETINGS THAT THEY CAME AND DISCUSSED. ULTIMATELY THESE WOULD BECOME PRIVATE ROADS AND THE HOA WOULD TAKE OVER NOT ONLY THE OWNERSHIP BUT ALSO THE MAINTENANCE OBLIGATIONS OF THOSE ROADS. THE COUNTY UNDER THIS AGREEMENT WOULD GIVE THEM \$67,400 WHICH REPRESENT WHAT WE WOULD HAVE BEEN DOING IN THE NEXT COUPLE OF YEARS FOR MAINTENANCE PURPOSES ON THESE ROADS BECAUSE IT WAS UP FOR RENOVATION.**

* **#3: QUIT CLAIM DEED – I JUST NOTICED ONE MISTAKE HERE. IN #2 THE AGREEMENT, IT REFERENCES THE CONDITION OF TITLE AND IT IDENTIFIES EIGHT EXCEPTIONS THAT ARE SUPPOSED TO BE INCLUDED IN THE QUIT CLAIM DEED. I DO KNOW IN #3 THAT THE QUIT CLAIM DEED DOES NOT INCLUDE THE 8 EXCEPTIONS. SO, WE WOULD WANT TO MODIFY THAT TO INCLUDE THOSE 8**

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EXCEPTIONS WHICH HAVE ALREADY BEEN IDENTIFIED ON THE TRANSFER AGREEMENT (#2). AS I UNDERSTAND IT FROM AN EMAIL FROM THE HOA BACK IN JULY, THAT THEY HAD THEIR ANNUAL BOARD MEETING AND THEY APPROVED THE TRANSFER AGREEMENT IN JULY.

SO, THE CONDITIONS OF TITLE, THOSE EXCEPTIONS NEED TO BE ON THE QUIT CLAIM DEED ITSELF. SO, WE'LL NEED TO ADD THAT ON THERE. SO, IF YOU WOULD APPROVE #3 WITH THE ADDITION OF THE 8 EXCEPTIONS.

GARY RATCLIFFE, UTAH COUNTY SURVEYOR - I JUST WANT TO MAKE ONE CLARIFICATION. IT MAY NOT BE A BIG DEAL BUT BEFORE THINGS ARE FORMALLY RATIFIED, I THINK ON THE DOCUMENTS IT TALKS ABOUT THE NAME 'BEVERLY WAY'. ON THE OLD HISTORIC PLAT PLAN, IT'S CALLED 'BEVERLY DRIVE'. I DON'T KNOW IF THE CORRECT NAME IS THAT CRITICAL OF AN ISSUED IN THE LEGALITY OF THIS TRANSFER. ON THE OLD HISTORIC PLAT, ITS 'FAIRFAX DRIVE', 'VIVIAN WAY' AND 'BEVERLY DRIVE'.

COMMISSIONER AINGE – HOW MUCH TIME DOES THE VIVIAN PARK HOA HAVE TO COMPLETE THESE IMPROVEMENTS?

COMMISSIONER LEE – TWO YEARS.

ROBERT MOORE – EITHER WAY, 'BEVERLY WAY' OR 'BEVERLY DRIVE', NEITHER ONE OF THEM HAVE ACTUALLY BEEN BUILT. THEY WERE IDENTIFIED ON THE PLAN APPROVED IN 1917 BUT NOT EVERYTHING IDENTIFIED ON THAT PLAT WAS ACTUALLY BUILT.

I DON'T THINK THIS IS TIME SENSITIVE BY ANY MEANS. IT SOUNDS LIKE COMMISSIONER AINGE HAS SOME CONCERNS OR WANTED TO TALK ABOUT A COUPLE THINGS AND IT LOOKS LIKE THAT WE NEED TO MAKE A VERIFICATION OF THE 'BEVERLY WAY', 'BEVERLY DRIVE'. WE CAN MODIFY THAT DEED TO INCLUDE THOSE EXCEPTIONS. I WOULD SUGGEST CONTINUING TO THE NEXT MEETING. WE'D BE ABLE TO MAKE ALL THE CORRECTIONS AND I CAN CONFIRM WITH THAT HOA THAT THERE'S NO CONCERNS WITH ANY OF THESE CORRECTIONS.

**COMMISSIONER LEE: MOTION TO CONTINUE TO NEXT MEETING
COMMISSIONER AINGE: SECOND
AYE: ALL IN FAVOR
PASSED: 3/0**

**2. APPROVE AND AUTHORIZE THE SIGNING OF A REAL ESTATE TRANSFER AGREEMENT BETWEEN UTAH COUNTY, UTAH, AND THE VIVIAN PARK HOMEOWNER'S ASSOCIATION.
-Robert J. Moore, Deputy Attorney-**

(Regular Agenda Items #1, #2 and #3 discussed together in Regular Agenda item #1)

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COMMISSIONER AINGE: SECOND
AYE: ALL IN FAVOR
PASSED: 3/0

3. APPROVE AND AUTHORIZE A REPRESENTATIVE OF THE COMMISSION AND THE UTAH COUNTY CLERK/AUDITOR TO SIGN A QUIT-CLAIM DEED FROM UTAH COUNTY, UTAH, TO VIVIAN PARK HOMEOWNER'S ASSOCIATION.
-Robert J. Moore, Deputy Attorney-

(Regular Agenda Items #1, #2 and #3 discussed together in Regular Agenda item #1)

COMMISSIONER LEE: MOTION TO CONTINUE TO NEXT MEETING
COMMISSIONER AINGE: SECOND
AYE: ALL IN FAVOR
PASSED: 3/0

4. RATIFY THE SIGNING OF A CONSTRUCTION PROJECT REMOVAL-CASH BOND AGREEMENT BETWEEN UTAH COUNTY, UTAH, AND LANCE BATEMAN, BATEMAN LAND & LIVESTOCK, LLC, IN THE AMOUNT OF \$150,000.00.
-Benjamin C. Van Noy, Deputy Attorney-

AUTHORIZED ON CONSENT

5. APPROVE AND AUTHORIZE A LEASE ASSIGNMENT FROM UTAH COUNTY UTAH, TO WASATCH BEHAVIORAL HEALTH SPECIAL SERVICE DISTRICT FOR ALEASE WITH BARCELONA PROPERTIES, LLC.
-Benjamin C. Van Noy, Deputy Attorney

AUTHORIZED ON CONSENT

6. APPROVE AND ADOPT A RESOLUTION AMENDING THE UTAH COUNTY POLICY CONCERNING THE UTAH COUNTY ACCIDENT REVIEW BOARD POLICIES AND PROCEDURES
-David H. Shawcroft, Deputy Attorney-

AUTHORIZED ON CONSENT

7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A LETTER PROVIDING A NOTICE OF TERMINATION BETWEEN UTAH COUNTY, UTAH, AND WEST COAST CODE CONSULTANTS (WC3).
-Bill Lee, Utah County Commissioner-

COMMISSIONER LEE – WE’VE HAD SOME DISCUSSION ON THIS ISSUE WITH THE WEST COAST, WC3 IS WHAT THEY REFERRED TO. THERE’S PROBABLY A LOT OF MISCOMMUNICATION THAT WAS GOING ON DURING A PROCESS IN WHICH THE

BUSINESS WAS WORKING WITH OUR COMMUNITY DEVELOPMENT DEPARTMENT. IT WENT BACK AND FORTH IN THE SENSE OF THAT THIS COMPANY WAS TOLD THAT THEY HAD TO WORK WITH WC3. THAT WAS THE ONLY OPTION. AS THE REVIEW DOCUMENT PROVIDER FOR THE COUNTY SINCE WE DO HAVE A CONTRACT WITH WC3. THEN IN TALKING WITH THE PLANNING COMMISSION, RICHARD AND ROB, THEY'RE EXPRESSING THAT WAS NEVER THE INTENT. SO, I THOUGHT IT WOULD BE GOOD FOR US TO CLARIFY WHAT THEY'RE DOING AND WHAT WC3 ACTUALLY DOES AND THEN ADJUST FROM THERE ACCORDINGLY.

THERE ARE TWO PARTS TO THIS:

*** 1. THE INSPECTIONS THAT GO ON WITH THE HOMES. THEY HAVE SOME PRETTY STRICT GUIDELINES IN STATE CODE. THERE'S 14 DAYS IN WHICH THE PLANNED REVIEWS HAVE TO BE DONE. IF IT'S NOT DONE WITHIN THAT 14-DAY PERIOD OF TIME IT IS DEEMED APPROVED. WE WANT TO MAKE SURE AND GO THROUGH THAT PROCESS APPROPRIATELY. WITH THE STAFF THAT WE HAVE WE POTENTIALLY COULD RUN UP AGAINST A PROBLEM. SO, WE CONTRACTED WITH A COMPANY LIKE WC3 NOW AND IN THE PAST YOU NOW TO PICK UP SOME OF THE SLACK. IF THAT HAPPENS THEN WE CAN CALL ON THEM. THEY CAN MAKE SURE AND GO OUT THERE AND DO IT. BECAUSE WE ARE UNDER CONTRACT WITH THEM, THEY WOULD GET THAT TAKEN CARE OF. IT WAS INTERESTING TO NOTE THAT THAT HAS NOT HAPPENED AT ALL THIS YEAR.**

RICHARD NIELSON, DIRECTOR OF PUBLIC WORKS - WE HAVEN'T HAD A NEED FOR IT THIS YEAR. WE HAVE USED IT IN THE PAST. WE USED THEM TWO YEARS AGO FOR THE ENTIRE YEAR BECAUSE OF BEING DOWN AN INSPECTOR.

*** 2. THIS IS ON A COMMERCIAL BASIS. THERE'S A PLAN REVIEW PROCESS TO GO THROUGH AND GOING THROUGH THAT PLAN AND REVIEW PROCESS, WC3 IS JUST ONE OF THE VENDORS THAT IS AN OPTION. I THINK THERE WAS SOME CONFUSION BECAUSE SOME THOUGHT IT WAS A SOLE PROVIDER OR THEY WERE THE ONLY ONES THEY COULD GO THROUGH. THEN ON THE COUNTY SIDE THEY HAVE A DIFFERENT VERSION OF THAT. IN TALKING WITH RICHARD, HE CAME UP WITH AN IDEA TO HOPEFULLY MITIGATE THIS INTO THE FUTURE, KEEPING THIS CONTRACT IN PLACE WITH WC3 BUT ALLOWING FOR WHAT YOU'RE GOING TO EXPRESS.**

RICHARD NIELSON - THIS MORNING STEVE KITCHEN, OUR BUILDING OFFICIAL HAS WRITTEN UP A SHORT DOCUMENT WHICH EXPLAINS – IF A COMMERCIAL BUSINESS DOES NEED TO HAVE A PLAN REVIEW DONE AND IT'S BEYOND THE SCOPE OF WHAT OUR CAPABILITIES ARE HERE, THEY CAN GO OUT TO A PRIVATE THIRD-PARTY (A LISTED OF CONSULTANTS IS LISTED AS WELL). STEVEN HAS ADDED CONTACT INFORMATION. THERE IS ALSO A PARAGRAPH STATING THAT IF THEY HAVE ANOTHER CONSULTANT THEY WOULD LIKE TO USE THAT THERE IS A PROCESS THEY WOULD NEED TO GO THROUGH SO THAT THE COUNTY CAN MAKE SURE THEY ARE QUALIFIED TO MEET THE CODE REVIEW REQUIREMENTS THAT ARE NEEDED.

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COMMISSIONER LEE – I’M WILLING TO TRIKE THIS AGENDA ITEM WITH THE UNDERSTANDING THAT THIS DOCUMENT WILL BE IN PLACE FOR THE COMMERCIAL SIDE.

ROBERT MOORE, UTAH COUNTY ATTORNEY – JUST TO REITERATE, ONE OF THE 3 ON THAT LIST CURRENTLY IS NOT A UTAH FIRM. THEY ARE OUT OF DENVER.

COMMISSIONER IVIE – GIVEN SOME OF THE HICCUPS WE’VE HAD RECENTLY WITH THIS, FROM A PUBLIC SERVICE PERSPECTIVE, WOULDN’T IT MAKE SENSE TO CANCEL THE CONTRACT AND GO THROUGH A COMPETITIVE BIDDING PROCESS AND THROW THIS CONSULTING SERVICE OUT FOR REBID AND THEN SEE IF THERE’S A FIRM THAT CAN DO BETTER. OF IF THIS FIRM IS THE BEST ONE THEN THEY OBVIOUSLY THEY WOULD BE REWARDED THE CONTRACT.

WE DO HAVE THE ADDITIONAL STEPS IN PLACE WHICH SEEM TO MAKE SENSE BECAUSE IT GIVES MORE FLEXIBILITY BUT I WOULD WONDER IF IT MAKES SENSE GIVEN SOME OF THE CONCERNS FOR US IF WE DIDN’T TERMINATE THE CONTACT TODAY AND THEN JUST SIMPLY DO THAT WITH THE KNOWLEDGE THAT WE HAVE OUR GRACE PERIOD OF 30 DAYS, AND THEN WE COULD PUT RFP’S TOGETHER TO TRY AND SEE IF WE CAN GET A BETTER DEAL BEFORE THE END OF THE 30-DAY PERIOD.

RICHARD NIELSON - IT WOULD BE PRETTY TOUGH TO HAVE A NEW ONE IN FRONT OF YOU FOR APPROVAL WITHIN 30 DAYS. WE COULD CERTAINLY GET GOING ON THAT RIGHT AWAY IF YOU WANT TO GO THAT WAY. ROB, I DON’T KNOW IF THEY COULD MAKE A MOTION THAT IT SAY 30 DAYS FROM NOW, WE’RE GOING TO START THE 30 DAYS.

ROBERT MOORE - YOU COULD JUST GIVE NOTICE OF WHATEVER DAY YOU WANT. YOU CAN CERTAINLY DO THAT. I THINK THAT ONE OF THE BENEFITS THAT COMMISSIONER LEE HAD THAT YOU DIDN’T HAVE COMMISSIONER IVIE – WE WEREN’T SURE THAT IF YOU HADN’T HAD ANY DISCUSSIONS WITH THAT BUSINESS WE TALKED ABOUT WHAT THIS CONTRACT DOES AND IT’S ONLY KIND OF AN EMERGENCY BASIS FOR THE COUNTY TO DO . WE HAVE ROUTINELY OFFERED OTHER PLACES SO EVEN IF YOU WERE TO TERMINATE IT DOESN’T FIX THE PROBLEM THAT THE BUSINESS HAD.

COMMISSIONER IVIE - I’M NOT NECESSARILY INTERESTED IN THIS BUSINESS. I’M JUST MORE CONCERNED THAT THE CONTRACT WE HAVE IN PLACE FOR A SERVICE THAT WE NEED IS WITH THE BEST COMPANY AVAILABLE. SO, WHAT I WOULD LIKE TO SEE IS US ENTER AN RFP AND MOVE FORWARD WITH THAT AND MAKE SURE THAT WE’RE TRULY USING THE BEST COMPANY THAT’S OUT THERE AND AVAILABLE. I’M NOT SAYING IT IS THEM OR IT ISN’T THEM. I’M JUST SAYING I WOULD LIKE TO SEE, GIVEN THAT THIS HAS COME TO LIGHT, TO DO AN RFP ON IT AND MOVE FORWARD. START THE RFP NOW WITHOUT TERMINATION OF THE CONTRACT AND IF WE FIND SOMEONE THROUGH THE RFP THAT’S BETTER THEN WE WOULD DO THE TERMINATION NOTICE.

BRYCE ARMSTRONG, COMMUNITY DEVELOPMENT - I THINK IT’S ALWAYS HEALTHY TO RELOOK AT THESE AND MAKE SURE WE’RE GETTING THE BEST

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SERVICE THAT WE NEED. I THINK IT'S IMPORTANT TO NOTE THAT FROM THE STAFF'S PERSPECTIVE, WHEN WE HAD TO UTILIZE THIS CONTRACT, THEY'VE BEEN A VERY SATISFACTORY AND RELIABLE PROVIDER, SO I THINK THAT' IMPORTANT TO BE STATED.

COMMISSIONER LEE – JUST WANT TO NOTE THAT THIS DIDN'T GOT THROUGH AN RFP LAST TIME – IT WENT THROUGH A STATE CONTRACT.

STEPHEN BATEMAN, MESITA FARM – WHEN WE DEVELOPED A SUBDIVISION, WE WENT TO THE COUNTY HEALTH DEPARTMENT AND WE WERE GIVEN A LIST, WHEN IT CAME TO WORKING WITH SEPTIC SYSTEMS, OF PEOPLE THAT WERE PREDETERMINED QUALIFIED TO DO THE JOB. THAT LIST WAS A WHOLE PAGE LONG AND WE WERE ABLE TO CHOOSE WHO WE WANTED TO WORK WITH BECAUSE WE WERE PAYING THE BILL. WHAT IS WRONG IN THIS SITUATION IS THE COUNTY DETERMINING SEVERAL PEOPLE WHEN THERE ARE PROBABLY PLENTY OF COMPANIES THAT ARE QUALIFIED TO DO THIS. AND WHERE THE PERSON IS PAYING, LET THEM CHOOSE WHO THEY WANT TO USE.

COMMISSIONER LEE - THAT'S EXACTLY WHAT WE'RE DOING BY CHANGING THIS PROCESS SO THAT IT DOESN'T APPEAR LIKE THERE'S JUST ONE – THAT YOU DO HAVE MULTIPLE CHOICES OR IF YOU HAVE ONE OF YOUR OWN THAT FITS THE CRITERIA, YOU CAN HIRE THEM.

STEPHEN BATEMAN – THERE NEEDS TO BE A SET FEE ON THIS SO THE PEOPLE DON'T GET PILLAGED.

COMMISSIONER LEE: MOTION TO STRIKE

COMMISSIONER AINGE: SECOND

AYE: ALL IN FAVOR

PASSED: 3/0 NOTING THAT WE ARE GIVING DIRECTION TO STAFF TO BEGIN THE PROCESS FOR AN RFP FOR CONSULTANT SERVICE

8. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER 2020-6.

-Anthony E. Loubet, Deputy Attorney-

COMMISSIONER LEE – I'M USED TO SEEING A LOT MORE INFORMATION AND SO I'M NOT QUITE SURE HOW TO PROCEED. THERE IS A LETTER THAT YOU, ANTHONY LOUBET, DRAFTED AND THEN THE APPLICATION WITH CONDIE FARMS BUT THERE IS NOT INFORMATION ON THE APPLICATION. ANTHONY LOUBET - THERE SHOULD HAVE BEEN AN APPLICATION THAT MR. CONDIE PROVIDED.

COMMISSIONER LEE: MOTION TO CONTINUE TO NEXT MEETING

COMMISSIONER AINGE: SECOND

AYE: ALL IN FAVOR

PASSED:3/0

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9. RATIFY THE SIGNING OF A GRANT AGREEMENT FROM UTAH DEPARTMENT OF NATURAL RESOURCES TO UTAH COUNTY PUBLIC WORKS FOR FIRE REHABILITATION WORK COMPLETED WITHIN THE COUNTY IN 2018.

-Adam Beck-

STRICKEN ON CONSENT (DUPLICATE OF #30)

10. APPROVE AND AUTHORIZE COMMISSION SIGNATURE ON UTAH COUNTY COMMUNICATION DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT

-Anthony E. Loubet, Deputy Attorney-

AUTHORIZED ON CONSENT

11. APPROVE AND AUTHORIZE COMMISSION SIGNATURE ON UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT WITH TABITHA'S WAY (COVID-19 RELATED)

-Anthony E. Loubet, Deputy Attorney

AUTHORIZED ON CONSENT

12. RATIFY COMMISSION SIGNATURE ON AGREEMENT BETWEEN UTAH COUNTY AND NATIONAL INSTITUTE FOR JAIL OPERATIONS FOR TRAINING

-Matt Higley, Utah County Sheriff's Office-

AUTHORIZED ON CONSENT

13. SIGN AN AGREEMENT WITH PICTOMETRY FOR IMAGE SERVICES AND SOFTWARE LICENSES FOR 2021.

-Kris Poulson, Utah County Assessor-

AUTHORIZED ON CONSENT

14. APPROVE AND ADOPT A RESOLUTION TRANSFERRING FUNDS BETWEEN DEPARTMENTS OF UTAH COUNTY (BUDGET/DASHBOARD SOFTWARE AND DIGITAL CERTIFICATES)

-Danene Jackson, Clerk/Auditor-Finance-

AUTHORIZED ON CONSENT

15. APPROVE AND ADOPT A RESOLUTION TRANSFERRING FUNDS BETWEEN DEPARTMENTS FOR UTAH COUNTY (ATTORNEY)

-Danene Jackson, Clerk/Auditor-Finance

AUTHORIZED ON CONSENT

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16. APPROVE AND ADOPT A RESOLUTION TRANSFERRING FUNDS BETWEEN DEPARTMENTS FOR UTAH COUNTY (MOSQUITO ABATEMENT)

-Danene Jackson, Clerk/Auditor-Finance

AUTHORIZED ON CONSENT

17. APPROVE AND AUTHORIZE COMMISSION CHAIR TO SIGN FY20 BEER TAX FUNDS REPORT

-Dalene Higgins, Utah County Sheriff's Office

AUTHORIZED ON CONSENT

18. APPROVE AND AUTHORIZE AMENDMENT TO #2018-209 WITH SANOFI PASTEUR

-Ralph Clegg, Health Department Executive Director

AUTHORIZED ON CONSENT

19. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH HEMOCUE.

-Ralph Clegg, Health Department Executive Director

AUTHORIZED ON CONSENT

20. APPROVE AND AUTHORIZE THE SIGNING OF A STANDARD AGREEMENT WITH THE SELECTED CONTRACTOR FOR THE EWP DSR 1 BID PACKAGE WHICH ENCOMPASSES SANTAQUIN DEBRIS BASIN, SANTAQUIN CANYON DRAINAGE, CROOKED CANYON AND EASTSIDE PARK

-Richard Nielson, Public Works Director

AUTHORIZED ON CONSENT

21. APPROVE AND AUTHORIZE THE SIGNING OF A STANDARD AGREEMENT WITH THE SELECTED CONTRACTOR FOR THE EWP DSR 7 BID PACKAGE WHICH ENCOMPASSES DIAMOND FORK, EAGLES LANDING, NEBO CREEK AND PICAYUNE CANYON

-Richard Nielson, Public Works Director

STRICKEN ON CONSENT (PREVIOUSLY APPROVED)

22. APPROVE AND AUTHORIZE THE SIGNING OF AMENDMENT #5 TO 2015-470 WITH UTAH DEPARTMENT OF HEALTH FOR MINIMUM PERFORMANCE STANDARDS.

-Ralf Clegg, Health Department Executive Director

AUTHORIZED ON CONSENT

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23. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH PROVO SCHOOL DISTRICT TO PROVIDE SUBSTANCE MISUSE PREVENTION SERVICES.

-Ralph Clegg, Health Department Executive Director

AUTHORIZED ON CONSENT

24. APPROVE AND AUTHORIZE THE SIGNING OF AMENDMENT TO 2019-142 INTERLOCAL COOPERATION AGREEMENT WITH AMERICAN FORK CITY FOR SUBSTANCE MISUSE PREVENTION SERVICES AND COMMUNITIES THAT CARE PREVENTION.

-Ralph Clegg, Health Department Executive Director

AUTHORIZED ON CONSENT

25. ADOPT A RESOLUTION FOR THE EXECUTION OF AN AMENDMENT TO AGREEMENT #2019-142 WITH AMERICAN FORK CITY FOR SUBSTANCE MISUSE PREVENTION SERVICES.

-Ralph Clegg, Health Department executive Director

AUTHORIZED ON CONSENT

26. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH THE UNIVERSITY OF UTAH TO PROMOTE POISON PREVENTION EDUCATION.

-Ralph Clegg, Health Department Executive Director-

AUTHORIZED ON CONSENT

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

-

AUTHORIZED ON CONSENT

28. AUTHORIZE A CHANGE TO THE STAFFING PLAN OF THE HEALTH DEPARTMENT. ADD THREE (3) FULL-TIME, GRANT FUNDED, HEALTH EDUCATOR I POSITIONS. [ACCOUNT 230-43130; SUPERVISORY ORG: BRITTANY GUERRA; ADD 3 POSITIONS OF JOB CODE 3620, GRADE 506].

-Elicia Edwards

AUTHORIZED ON CONSENT

29. APPROVE OR DENY A FEE WAIVER FOR CHRISTINA JOHNSON FOR THE FIRST ANNUAL LANDON'S LEGEND TO RAISE MONEY FOR THE CHILDREN'S HEART FOUNDATION TO BE HELD ON SEPTEMBER 26, 2020 UP PROVO CANYON.

-Richard Nielson, Public Works Director

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COMMISSIONER IVIE – DO WE FEEL LIKE THIS MEETS OUR STANDARD.

RICHARD NIELSON, DIRECTOR OF PUBLIC WORKS – YES, AND THEY DO HAVE THE APPROPRIATE PAPERWORK FOR THEIR 501C3 OF THE CHILDREN’S HEART FOUNDATION

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

30. APPROVE AND RATIFY THE SIGNING OF A GRANT AGREEMENT WITH UTAH DEPARTMENT OF NATURAL RESOURCES TO REIMBURSE UTAH COUNTY UP TO \$2,100,000 OF EXPENDITURES PAID BY THE COUNTY FOR FIRE REHABILITATION WORK CAUSED BY THE 2018 WILDLAND FIRES.
-Richard Nielson, Public Works Director

AUTHORIZED ON CONSENT

31. APPROVE RESOLUTION ADOPTING THE UTAH COUNTY IMPROVEMENT PROGRAM FOR 2021-2030
-Rudy Livingston

COMMISSIONER LEE – AS I WENT DOWN THROUGH AND LOOKED AT SOME OF THE ITEMS ON HERE, THERE ARE A FEW OF THEM THAT I’M NOT COMFORTABLE WITH LEAVING ON THIS PROGRAM RIGHT NOW UNLESS WE HAVE SOME MORE INFORMATION.

* **PLANE WITH THE SHERIFF’S OFFICE. THEY’RE ASKING FOR \$150,000 IN 2021, THEN \$500,000 IN 2026. I JUST DON’T HAVE ENOUGH INFORMATION ON THAT ONE.**

* **CLASSROOM AND GUN RANGE FOR \$2 MILLION. AGAIN, I DON’T KNOW WHAT THAT’S FOR OR HAVE ENOUGH INFORMATION ON THAT. PLUS, WHEN I TAG THAT ONE, IT HAS A YEARLY MAINTENANCE FEE OF \$60,000 A YEAR AND THEN PUTTING MONEY AWAY ON A REPLACEMENT FOR IT WHICH WOULD BE \$40,000.**

* **WILDLAND FIRE - I’M NOT SURE ON THAT ONE. IF WE ARE LOOKING AT NEW SPACE, A NEW BUILDING OR AN EXPANSION. THERE IS NOT ENOUGH INFORMATION ON THAT ONE.**

* **EVIDENCE AND RECORDS. WE’VE HAD CONVERSATIONS OVER THE YEARS WITH THIS ONE CONCERNING SPACE. I RECOGNIZE THERE IS LIMITED SPACE. WE HIRED SOMEBODY RECENTLY TO GET RID THE WORKLOAD DOWN SO THAT WE COULD GET RID OF SOME OF THOSE RECORDS TO FREE UP SPACE.**

* **EXPANSION OF THE PROVO CJC PARKING LOT. I KNOW WHERE THAT PARKING LOT IS AND IT’S PRETTY SMALL.**

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* **STORM WATER PLAN – THERE’S \$2.1 MILLION DOLLARS IN THERE FOR AN UPGRADE FOR PUBLIC WORKS.**

* **RECONSTRUCTION OF THE FUEL SITE WHICH WE’VE BEEN WALKING THE LINE FOR SOME TIME AND THEN IN THE MIDDLE OF THAT THERE IS A DESIGN AND MASTER PLAN FOR THE BUILDING TO BE RELOCATED TO SPANISH FORK IN 2024 FOR \$12 MILLION. SO, IF WE’RE GOING TO BE DOING THE STORMWATER UPGRADES IN THAT BUILDING AND DOING THE RECONSTRUCTION ON THE FUEL SITE THEN I WOULD PROPOSE THAT WE TAKE THAT DESIGN OF THE MASTER PLAN AND SO FORTH FOR THE RELOCATION OF THE BUILDING OF THE \$12 MILLION DOLLARS OFF.**

* **THE BEAR CAT IS ON THERE TWICE. IT GOES OUT TO THE VERY END OF 2030 WITH \$325,000 AND ALSO DOWN FARTHER IT HAS \$32,500 PER YEAR GOING OUT OVER A 10-YEAR PERIOD. I ASSUME THAT WE’RE ADDING THAT UP TO GET TO THAT NUMBER, BUT THE NUMBER IS IN THERE TWICE.**

* **EMMA PARK ROAD - I BELIEVE UDOT OWNS THAT ROAD.**

RICHARD NIELSON – UDOT OWNS THE GROUND UNDER THE ROAD. THE JURISDICTION OF THE ROAD IS IN THE COUNTY’S NAME FROM A JURISDICTIONAL TRANSFER THAT WAS DONE BACK IN THE LAST 60’S OR EARLY 70’S.

COMMISSIONER LEE – SO ON THAT ONE, I KNOW HAS CONTROVERSIAL ON OWNERSHIP. I JUST DON’T HAVE ENOUGH INFORMATION.

* **ON THE ROAD PROJECTS – ONE GLARING ISSUE FOR ME IS THAT OUR POLICY WE’RE LOOKING AT A 3-YEAR LOOKOUT AND 2022 AND 2023 IS MISSING IN THERE. ‘B’ MONEY SHOULD BE THE FIRST MONEY SPENT AND THEN SRS MONEY AND THEN 4TH QUARTER CENT SALES TAX.**

RICHARD NIELSON – YOU NEED TO LOOK AT THE WHOLE FUNDING PACKAGE – THE B ROAD MONEY, THE SRS AND THE 4TH QUARTER CENT ALL TOGETHER.

HONESTLY WITH THE SECOND AND THIRD YEARS OUT, I SIMPLY HAVE NOT HAD THE TIME TO PREPARE THAT.

IN PRIOR DISCUSSIONS WITH DANENE JACKSON PRIOR TO RUDY COMING ONBOARD THE DIRECTION OF THE ROADS IS SEPARATE. IT HAS ITS OWN FUNDING SOURCE. I SIMPLY HAVE NOT HAD THE TIME TO GET THE 2022 AND 2023.

COMMISSIONER AINGE – I CONCUR WITH A NUMBER OF THE COMMENTS THAT COMMISSIONER LEE MADE. I THINK THAT THE SENSE IS THAT SOME OF THE COMMENTS THAT WE’VE ALL HAD IN OUR INDIVIDUAL MEETINGS HAVE NOT HAD A CHANCE TO MAKE ITS WAY THROUGH THIS AND MEMBERS OF THE COMMITTEE HAVE NOT BEEN ABLE TO COMPLETE THEIR WORK. TO ME THIS IS A VERY IMPORTANT DOCUMENT IN MY VIEW. THIS IS SOMETHING OUR BOND

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RATING AGENCIES HAVE RECOMMENDED. IT HELPS ENSURE THAT WE'RE PLANNING PROPERLY FOR THE FUTURE. IT KIND OF SETS IN STONE THESE PLANS SO THAT THESE TYPES OF LIABILITIES CAN'T COME BACK AND BITE THAT BECAUSE WE'RE KICKING OBLIGATIONS DOWN THE ROAD SO I THINK IT'S VERY IMPORTANT BUT I DON'T THINK THIS IS READY AND I DON'T THINK WE'RE GOING TO BE ABLE TO GET IT READY THROUGH CONVERSATION RIGHT NOW IN THE NEXT 15-20 MINUTES OF DISCUSSION. I THINK THIS NEEDS TO BE HELD FOR ANOTHER MEETING AND WE CAN MAKE MORE PROGRESS PRIOR TO THAT.

COMMISSIONER IVIE: I WOULD CONCUR WITH THAT.

COMMISSIONER LEE - I JUST WONDER WHAT THAT MEANING WOULD BE.

COMMISSIONER IVIE: WE APPARENTLY NEED TO HAVE ANOTHER WORK SESSION. TO ME IT MAKES SENSE THAT WE CAN GET WITH YOU AND ADDRESS OUR INDIVIDUAL CONCERNS IN THE NEXT WEEK OR TWO AND THEN HAVE AN ADDITIONAL WORK SESSION IN A PUBLIC FORUM WHERE WE CAN ALL SIT DOWN TOGETHER AND IRON OUT ANY DETAILS.

RUDY LIVINGSTON, BUDGET MANAGER - I WOULD AGREE THAT WE COULD SIT DOWN AND WE COULD WORK THROUGH EACH ONE OF THESE ITEMS AND WE COULD VET THEM WITH ALL THE QUESTIONS AND MAKE SURE WE'VE GOT ALL THE QUESTIONS ANSWERED, ALL THE CONCERNS AND THINGS AND PUT IT FORWARD. WE DO NEED TO HAVE A GOOD DOCUMENT. I WOULD SAY THAT WE'VE MADE HUGE PROGRESS FROM WHERE WE WERE A YEAR AGO. BUT WE'RE NOT WHERE WE ULTIMATELY WANT TO BE AND EVEN FOR THIS YEAR, WE CAN CERTAINLY MAKE SOME IMPROVEMENTS. IT WOULD PROBABLY MAKE SENSE FOR US TO DO THAT.

WE DID NOT GET ALL OF THE INFORMATION PACKETS BACK FROM SOME OF THE DEPARTMENTS AND MAYBE WHAT I WILL DO IS REQUEST FOR EACH ONE OF THOSE DEPARTMENTS, SPECIFICALLY ON THESE ITEMS THAT HAVE BEEN ADDRESSED HERE IN THIS MEETING SO FAR, THE FULL INFORMATION PACKET SO THAT WE CAN VET THESE THINGS MORE FULLY.

COMMISSIONER LEE - I WOULD CONCUR WITH THAT. WITHOUT INFORMATION IT BECOMES SPECULATION. SO, WE NEED TO HAVE ALL THE INFORMATION AND THE DOCUMENTATION ALL THE WAY THROUGH TO BE ABLE TO MAKE DECISIONS.

COMMISSIONER AINGE - I DON'T THINK IT'S JUST DOCUMENTATION. I THINK IN MY VIEW, THIS CAPITAL PROJECTS COMMITTEE IS THE ONE TO EVALUATE AND RANK THESE PROJECTS. SO, NOTHING SHOULD BE ON THIS LIST UNTIL THE MEMBERS OF THE CAPITAL IMPROVEMENT COMMITTEE ARE READY TO DEFEND AND SAY YES, THESE ARE ALL ABSOLUTE NEEDS.

COMMISSIONER LEE - YOU'RE RIGHT BECAUSE AS I LOOK AT THIS LIST RIGHT NOW, IT IS JUST A LIST OF 'WHAT IFS' SO I WOULD CONCUR THAT IT NEEDS TO

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BE VETTED DOWN THROUGH, NOT JUST BECAUSE SOMEBODY ASKED FOR IT BUT WHY AND HOW AND HOW IT'S GOING TO COME ABOUT.

RUDY LIVINGSTON - I APPRECIATE THAT DIRECTION. ME BEING NEW TO THE COMMITTEE, I HAVEN'T HAD ALL THE DIRECTION ALONG THE WAY SO I APPRECIATE THAT DIRECTION AND WE WILL TAKE THAT AND MOVE FORWARD WITH IT. THE COMMITTEE WILL GET TOGETHER. WE WILL VET THIS A LITTLE BIT FURTHER AND WE WILL BRING IT BACK WITH THE COMMITTEE'S RECOMMENDATIONS

COMMISSIONER LEE - HOW LONG?

COMMISSIONER IVIE - WOULD YOU LIKE TWO WEEKS, THREE WEEKS? IF WE DO THREE WEEKS, WE COULD PUT IT ON A WORK SESSION.

RUDY LIVINGSTON – TWO WEEKS WOULD BE A LITTLE TOO SOON. I JUST SENT OUT BUDGET PACKETS TO EVERYONE TODAY SO WE'RE ALL IN THE MIDDLE OF PUTTING THOSE TOGETHER SO I WOULD THINK 3 WEEKS WOULD BE AN APPROPRIATE TIMEFRAME.

COMMISSIONER LEE: MOTION TO CONTINUE TO SEPTEMBER 30, 2020 FOR A WORK SESSION

COMMISSIONER AINGE: SECOND

AYE: ALL IN FAVOR

PASSED: 3/0

32. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE COOPERATIVE LAW ENFORCEMENT AGREEMENT WITH THE USDA, FOREST SERVICE INTERMOUNTAIN REGION UINTA-WASATCH-CACHE NATIONAL FOREST AGREEMENT NO. 21-LE-11041915-012

-Wayne Keith

COMMISSIONER LEE – THIS ONE HAS COME BEFORE US BEFORE. WE HAVE FEES THAT WE CHARGE \$75/HR. THIS ONE IS COMING TO US AT \$56/HR. I UNDERSTAND THAT THERE'S A SET AMOUNT OF \$23,000 THAT THE FOREST SERVICE HAS AGREED. LIEUTENANT KEITH WAS GOING TO GO BACK AND TALK WITH THE FOREST SERVICE TO SEE IF THEY WERE OKAY IN CHANGING THAT NUMBER TO THE \$75/HR.

SHERIFF MIKE SMITH – I TALKED WITH LIEUTENANT KEITH. HE DID NOT PUT THIS BACK ON THE AGENDA. IN FACT, HE JUST GOT THE NEW AGREEMENT TODAY. SINCE IT IS ON THERE, I'LL JUST POSE THAT WE CAN DO IT EITHER WAY. THAT AMOUNT STAYS \$23,000. IT'S NOT LIKE WE HAVE AN EVENT PERMIT OR SOMETHING ELSE THAT THAT FEE SET ON. THIS IS A COOPERATIVE LAW ENFORCEMENT AGREEMENT THAT WE HAVE RESPONSIBILITY ANYWAY IN THESE AREAS AND THE FOREST SERVICE – THIS IS THEIR MECHANISM TO GIVE US THIS MONEY TO HELP US. THEN ON THE OTHER END, THEY JUST NEED AN ACCOUNTABILITY OF HOW IT IS USED. THEY DON'T CARE WHAT FORMULA WE USE, WHETHER IT'S \$75 OR ACTUAL COSTS. I WOULD POSE A STANDING

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CONTRACT IS MORE THAN SUFFICIENT BECAUSE THE MONEY'S THE SAME AND REGARDLESS WHETHER THE MONEY'S THERE OR NOT, WE'RE STILL RESPONSIBLE TO PATROL THOSE CANYONS.

COMMISSIONER LEE - I UNDERSTAND THAT AND I THINK IS THE REASON WHY I'M SENSITIVE TO IT IS BECAUSE I WANT TO BE CONSISTENT WITH WHAT WE CHARGE TO THE GENERAL PUBLIC.

SHERIFF MIKE SMITH – THIS ISN'T THE GENERAL PUBLIC. THIS IS THE U.S. FOREST SERVICE. IT'S A COOPERATIVE AGREEMENT WITH ANOTHER LAW ENFORCEMENT ENTITY.

COMMISSIONER LEE - WITH THE FOREST SERVICE OWNING 50% OF THE LAND IN THIS COUNTY, THERE IS A SIGNIFICANT ROLE THAT WE PLAY IN THERE AND ALSO DETRIMENT TO US BECAUSE WE CAN'T TAX THAT LAND AND WE KNOW THAT WE GET A LITTLE BIT OF PILT MONEY FOR THAT.

COMMISSIONER IVIE – SOUND IT SOUNDS LIKE WE COULD PASS THIS TODAY WITH THE NOTED AMENDMENT OF THE \$75 NOTATION AS A NOTED CHANGE.

SHERIFF MIKE SMITH – YES

COMMISSIONER LEE: MOTION TO APPROVE WITH THE STATED \$75 WHICH HAS BEEN AGREED TO FOR A CHARGE FOR DEPUTIES.

COMMISSIONER AINGE: SECOND

AYE: ALL IN FAVOR

PASSED: 3/0

33. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)

COMMISSIONER LEE: MOTION TO SET A DATE, TIME AND LOCATION AS STATED ABOVE

COMMISSIONER AINGE: SECOND

AYE: ALL IN FAVOR

PASSED: 3/0

34. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)

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

35. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES, PREVIOUSLY PUBLICLY NOTICED FOR SALE (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)

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

36. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)

**COMMISSIONER LEE: MOTION TO SET A DATE, TIME AND LOCATION AS STATED ABOVE
COMMISSIONER AINGE: SECOND
AYE: ALL IN FAVOR
PASSED: 3/0**

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

NO PUBLIC COMMENTS

*(Moved to Closed Meetings: 4:15 pm)
(Re-opened Public Meeting: 4:35 pm)*

**COMMISSIONER LEE: MOTION TO ADJOURN
COMMISSIONER IVIE: SECOND (RULES SUSPENDED – COMMISSIONER AINGE HAD TO LEAVE DURING CLOSED MEETINGS)
AYE: ALL IN FAVOR
PASSED: 2/0**

MEETING ADJOURNED

BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH
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(Public Meeting closed: 4:36 pm)

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

DocuSigned by:

Tanner Ainge

B5F9014657E43400

TANNER AINGE
Commissioner Chair

ATTEST:

DocuSigned by:

Alice Black

2937075D91C74DB

Deputy Clerk Auditor