



PUBLIC NOTICE IS HEREBY GIVEN THAT THE

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

WILL HOLD A PUBLIC WORK SESSION  
IN THE COMMISSIONER CHAMBERS – ROOM 1400  
OF THE UTAH COUNTY ADMINISTRATION BUILDING  
100 East Center Street, Provo, Utah  
**December 3, 2020 – 3:00 P.M.**

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

**\*In accordance with the High Transmission Area restrictions instituted by the Department of Health in Utah County, members of the public are strongly encouraged to participate electronically. To accommodate physical distancing requirements, physical attendance will be limited to 20 people (including staff) at the anchor location. Once the room has reached capacity the doors will be locked, and additional attendees will be invited to participate online. All individuals in attendance must comply with State Public Health Order 2020-19 requiring face coverings in indoor spaces where social distancing is not possible, with certain exemptions\***

\*The public may participate electronically by joining via zoom at the following link <https://zoom.us/j/9938818466> or calling (346) 248-7799 or (669)900-6833, Meeting ID: 993 881 8466. Comments will be limited to three (3) minutes per individual unless otherwise approved by the Board. Please state your name at the beginning of the comment. Please no foul or abusive language.\*

\*If a member of the public is unable to provide comment electronically then they may contact the commission clerk to submit written comments for the record by emailing [commissionclerk@utahcounty.gov](mailto:commissionclerk@utahcounty.gov) or by calling 801-851-8111\*

**~WORK SESSION MINUTES~**

Commissioner Ainge (Chair), Commission Ivie and Commissioner Lee in Attendance  
Others in Attendance: See Attached Attendance Sheet

*(Meeting Called to Order: 3:02 P.M.)*

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

## **WORK SESSION**

1. ADOPT (OR DENY) AN ORDINANCE TO AMEND THE UTAH COUNTY ZONE MAP FROM THE GRACING (G-1) ZONE TO THE RESIDENTIAL AGRICULTURAL (RA-5) ZONE FOR PROPERTY ORIGINALLY PROPOSED TO INCLUDE APPROXIMATELY 15.26 ACRES LOCATED IN SECTION 14. T8S R1E, WEST MOUNTAIN AREA OF UTAH COUNTY, SUBJECT TO THE FOLLOWING MINIMUM CONDITION: 1. ALL AREA DESIGNATED AS GRAZING (G-1) ZONE WITHIN THE SUBJECT PARCEL (28:008:0011) BE AMENDED TO THE RESIDENTIAL AGRICULTURAL (RA-5) ZONE, AS STATED IN THE STAFF REPORT  
-Greg Robinson, Community Development

**GREG ROBINSON, COMMUNITY DEVELOPMENT – THIS IS AN ITEM FOR REZONE FOR A PARCEL THAT WAS ORIGINALLY 140 ACRES. IT WAS RECENTLY DIVIDED SO THAT THE PARCEL BELOW LINCOLN BEACH ROAD WAS DIVIDED FROM THE PARCEL ABOVE LINCOLN FROM THE AREA ABOVE LINCOLN BEACH ROAD. THE PARCEL OR THE PART THAT’S ABOVE LINCOLN BEACH ROAD IS THE GRAZING 1 ZONE - THAT PARCEL IS BEING REQUESTED BY THE PROPERTY OWNER TO BE REZONED TO THE RA5 ZONE.**

**THE MINIMUM ACREAGE IN THE GRAZING 1 ZONE WHICH IT CURRENTLY IS A 50-ACRE MINIMUM FOR A DWELLING. ONE OF THE REASONS THAT THE APPLICANT IS REQUESTING A REZONE IS SO THAT THEY CAN HAVE THE ABILITY TO BUILD A AT LEAST ONE HOME ON THE 15 ACRES THAT IS REMAINING AND ALSO HAVE THE ABILITY TO SUBDIVIDE IF POSSIBLE. HISTORICALLY THIS PROPERTY HAS NOT BEEN IRRIGATED. THAT’S ONE OF THE CONDITIONS FOR THE RA5 ZONE. HOWEVER, THERE IS HISTORICALLY IRRIGATION TO THE SOUTH AND ALSO TO THE WEST WHICH IS IN THE PARCEL TO THE WEST IS IN THE GRAZING 1 ZONE. SO, THERE IS THE POTENTIAL FOR THAT TO BE IRRIGATED.**

**I DID DISCUSS THIS WITH THE FIRE MARSHAL AS WELL. THE FIRE MARSHAL DID NOT HAVE AN ISSUE WITH THAT PARCEL BEING REZONED AND THE POTENTIAL FOR HOUSES TO BE PUT ON THAT PARCEL THAT WOULD BE REMINING.**

**THE LEGAL DESCRIPTION THAT WAS SENT TO US BY THE APPLICANT DID NOT INCLUDE ALL OF THE GRAZING 1 ZONE. ONE OF THE REQUESTS THAT WE WOULD HAVE IS THAT THE APPROVAL, IF IT IS APPROVED, THAT ALL OF THE G1 ZONE IN THAT ORIGINAL PARCEL BE INCLUDED IN THE REZONE SO THAT THERE AREN’T ANY LEFTOVER SLIVERS OF THE G1 ZONE.**

2. JUSTICE COURT ANNUAL BUDGET REVIEW PRESENTATION  
-Justice Court

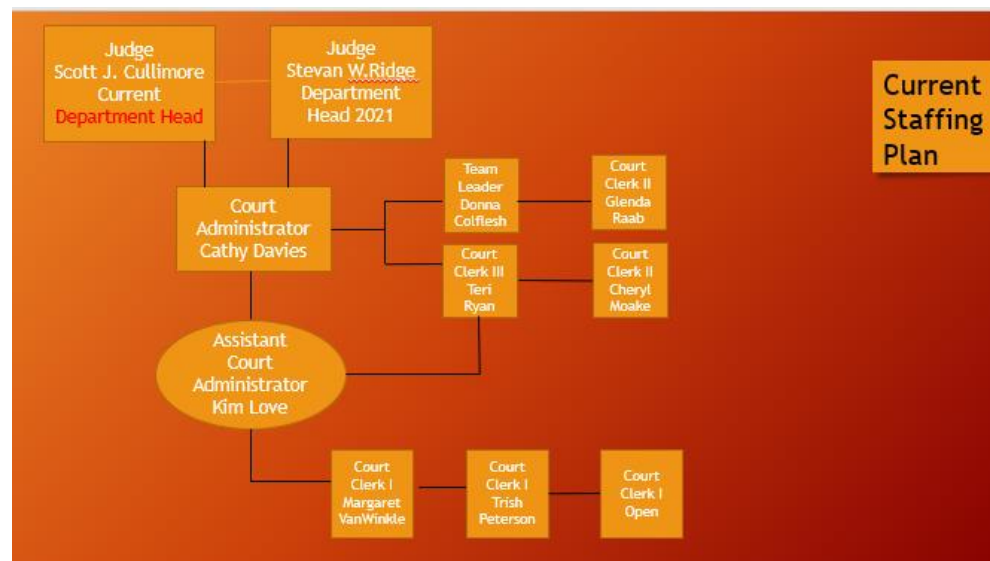
**JUDGE SCOTT CULLIMORE (GAVE PRESENTATION)**

## Utah County Justice Court

Budget Presentation  
2021



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### Current Staffing Plan:

- 2 - Full time Judges
- 1- Full time Court Administrator
- 1- Full time Assistant Court Administrator
- 2- Full time Court Clerk III - Team Leaders / In Court Clerks
- 2- Full time Court Clerk II - In Court Clerks
- 3- Full time Court Clerk I - Front Counter Clerks

**“The mission of the Utah Justice Courts is to improve the quality of life in our communities, by providing an open, fair, efficient, and independent system for advancement under the law.**

### **Primary function of the Court:**

The courts' function is to adjudicate legal disputes between parties and carry out the administration of justice in accordance with the rule of law. The courts' role is to determine disputes in the form of cases which are brought before them.



### **Justice Courts have the authority to deal with:**

- \*Class B and C misdemeanors**
- \*Ordinance violations**
- \*Small Claims**
- \*Infractions**
- \*Share concurrent jurisdiction with the Juvenile Court involving minors 16 or 17 years of age who are charged with certain traffic offenses.**

## Jury Trials:

Jury trials in the Justice Court consist of four jurors. Any person not satisfied with a judgment rendered in a Justice Court is entitled to a new trial in the District Court.

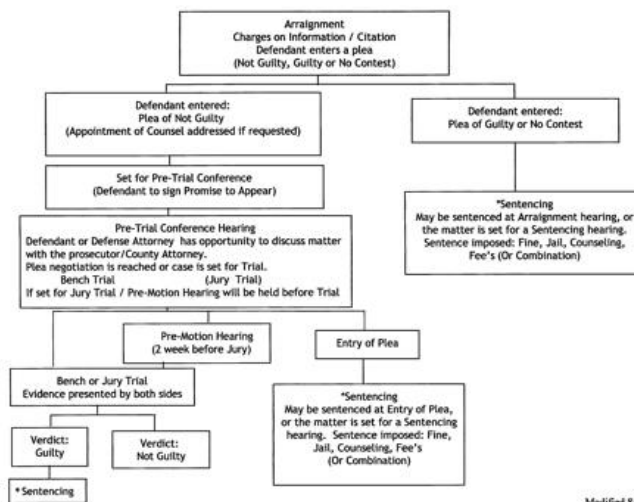


## The Justice Court handles citations issued by the following agencies:

- Utah Highway Patrol
- Utah County Sheriff's Office
- Division of Wildlife Resources
- Division of Parks and Recreation
- American Fork Police Department
- \*citations issued in Cedar Hills
- HB 300 - Charges filed by the Utah County Attorney's Office



What happens when a case is filed:



Modified 8/2019

## Case flow Management:

Case flow management is central to the court's business. It is the management of the processes and resources necessary to move a case from the point of initiation through disposition and into post-disposition activity. It is concerned with active attention by the court to the progress of each case once it has been filed with the court.

## Cases Filed and Cases Disposed: January – November 2020

2020	2020
• TOTAL CASES FILED - 8313	• TOTAL CASES DISPOSED - 7468
Traffic Cases Filed - 6433	Traffic Cases Disposed - 6257
Criminal/Misdemeanor Cases Filed - 1741	Criminal/Misdemeanor Cases Disposed - 1065
Small Claims Cases Filed - 139	Small Claims Cases Disposed - 146

## CLEARANCE RATE

### WHAT IS A CLEARANCE RATE?

A clearance rate measures whether the court is keeping up with its incoming caseload.

### WHY IS IT IMPORTANT TO MEASURE A COURT'S CLEARANCE RATE?

If cases are not disposed in a timely manner, a backlog of cases awaiting disposition will grow. This measure identifies, by case type or case group, emerging backlogs before they become a problem.



**JUDGE SCOTT CULLIMORE (CONTINUED PRESENTATION)**

**HOUSE BILL 300**

**78A-7-105. Territorial jurisdiction --**

(1) (a) The territorial jurisdiction of county justice courts extends to the limits of the precinct for which the justice court is created and includes all cities or towns within the precinct, [except] other than cities where a municipal justice court exists.

**(b) A county or district attorney may file a class B or C misdemeanor offense in a county justice court, regardless of where the act occurred, if:**

**(i) the same offense could have been filed as a class A misdemeanor in district court;**

**COMMISSIONER AINGE – WHEN YOU WERE SHOWING THE SLIDE THAT SHOWED THE TOTAL NUMBER OF CASES AND THOSE THAT HAD BEEN RESOLVED OR DISPOSED, DO YOU HAVE 2019 DATA SO WE CAN COMPARE?**

**CATHY DAVIES – I DON'T HAVE THAT WITH ME, BUT I CAN GET THAT FOR YOU.**

**COMMISSIONER AINGE - THAT WOULD BE REALLY HELPFUL TO UNDERSTAND HOW IT CHANGED THIS YEAR.**

### Effects of HB 300

- Approx. 400 new cases filed in the Justice Court- Increase in misdemeanor caseload
- Case flow Management: Increase of time to move a case from initiation to disposition or adjudication.  
Takes more time for court staff to process misdemeanor cases
- Increase in expenses - Service fees and postage
- 2021 Additional Budget Request: **\$ 2,638**  
Priority # 6 and 7 – From Additional Budget Request Form

**COMMISSIONER AINGE – DOESN'T THIS ALSO RESULT IN ADDITIONAL REVENUE?**

**CATHY DAVIES – YES, BUT THE PROCESS IS GOING TO TAKE A BIT LONGER TO GET THE MONEY BECAUSE IT TAKES LONGER FOR THOSE CASES TO GET PROCESSED ON THE FRONT END BEFORE THEY GET TO FINAL DISPOSITION.**

### OUTCOMES / PERFORMANCE- BASED METRICS 2021

#### **A- Reduce Case Processing Time:**

By adding another employee, we will reduce new case processing time by 7 days. Because of House Bill 300 the Justice Court has been receiving approximately 30 new misdemeanor case filing per day. Although a new employee will take a fair amount of time to train, it will reduce the overall workload of each clerk by 7.5%. Note: We are and will be extremely short-handed for a couple of months because we are currently in the process of hiring a Justice Court Clerk I to fill a position that was vacated on September 21, 2020.

2021 Additional Budget Request : **\$ 64,509**  
Priority # 1 – From Additional Budget Request Form

**OUTCOMES /  
PERFORMANCE-  
BASED METRICS  
2021**

**B- Monitoring Compliance of Court Orders:**

By adding another employee, we will be able to monitor and enforce compliance of all court orders within a timely manner. This includes effective fine/fee collection and sentence enforcement. By adding another Court Clerk II, we will be able to distribute the workload more efficiently, so that each clerk can devote at least 15% of their time daily to enforcement compliance and fine collection.

2021 Additional Budget Request : **\$70,870**  
Priority # 2 – From Additional Budget Request Form

**OUTCOMES /  
PERFORMANCE-  
BASED METRICS  
2021**

**C-Improving Court Services:**

The Court will improve court services by adding fillable forms and other documents to the court's website. Defendant's will be able to download and submit forms to the court through email, which will save valuable clerk time and allow clerks to complete other tasks. The court has a goal to have at least 10 forms or documents posted on the website by December 31, 2021.

2021 Additional Budget Request : **\$ 4,080**  
Priority # 12 – From Additional Budget Request Form

**OUTCOMES /  
PERFORMANCE-  
BASED METRICS  
2021**

**D-Quality Customer Service:**

The Assistant Court Administrator will provide monthly training focusing on ways to provide quality customer service. She will focus on giving accurate information as well as best practices using the courts Policy and Procedures manual. The Policy and Procedures manual is a work in progress and will be updated at least bi-weekly to ensure that the most accurate information is available to all employees.

2021 Additional Budget Request : **\$ 0**

2021 Additional Budget Requests:		
Total Requests: \$148,421		
#	Amt	Please write more detailed information/justifications on a separate document and attach to this form
1	\$ 64,509	Request for a Justice Court Clerk I Position - Increasing caseload with HB 300 (1100)
2	\$ 70,870	Request for a Justice Court Clerk II Position- increasing caseload with HB 300 (1100)
3	\$ 3,238	Mandatory Training and Education for Judges and Clerks (3400)
4	\$ 200	Local Training and Education for Judges and Clerk - Mandatory (3300)
5	\$ 707	IVR Credit Card Phone System - \$100.00 per month (Contract 2019-510) (2490)
6	\$ 980	Increase in Summons Service Fees - Increasing caseload with HB 300 (4800)
7	\$ 1,658	Postage - Increase in postage costs- Caseload increase with HB 300 (2410)
8	\$ 1,641	Juror/ Witness Fee increase-No Jury Trials held in 2020 because of COVID-19 (4800)
9	\$ 192	Copies Machine costs and maintenance (3050)
10	\$ 154	Employee Recognition / Food and Meals for Jury Trials (4800)
11	\$ 192	Employee Background Checks and Dry Cleaning Services (Judge's Robe) (6200)
12	\$ 4,080	Improving Court Services - Updates to Court Website (5670)
13		
14		

COMMISSIONER LEE – ON THE MANDATORY TRAINING, DID YOU HAVE THAT IN YOUR BUDGET THIS YEAR AND 2019?

CATHY DAVIES – YES.

COMMISSIONER LEE – SO WHAT WOULD BE THE TOTALS OF THE TRAINING BESIDES THE INCREASE THAT YOU’RE REQUESTING HERE?

CATHY DAVIES – I DIDN’T BRING THAT WITH ME.

COMMISSIONER LEE – THAT’S ALRIGHT IF YOU DON’T HAVE IT WITH YOU, I WAS JUST CURIOUS.



## Goals for the current year:

2020

### 1- Ensure the quality of Justice provided by the Court. Staff training for Judges and clerks.

**Anticipated Outcome:** Implement technology and process improvements through appropriate local and state training.

**Results:** Still a work in progress. The website is continually being updated with forms and other useful information for defendants. The Court has been working hard on updating the Policy and Procedures manual for employee use.

## Goals for the current year:

2020

### 2- Improve Customer Service

**Anticipated Outcome:** Improve customer service by providing defendants a way to make payments by phone when the court is closed. This service will also be used by the court daily, which will free up clerk time, so they are able to complete other tasks. This service will help the court comply with the rules and regulations requirement of not receiving credit card numbers over the phone.

**Results:** We are now using the Interactive Voice Response or IVR telephone system. This telephone technology gives users the ability to access the Justice Court/Coris database via phone to make fine payments 24 hours a day.

## Goals for the current year:

2020

### 3- Improve Court Services

**Anticipated Outcome:** Use of electronic signatures for court forms and enhancement notifications. Court forms can be filled out online and submitted to the Justice Court email. Defendant's will have the ability to watch a Right's Video via the court's website.

**Results:** Still a work in progress. We anticipate this part of the project will be completed and ready to test by October 1, 2020.

### 3. DISCUSS CONTRACT AND 2021 FUNDING FOR THE UTAH COUNTY PUBLIC DEFENDER ASSOCIATION

-Nathan Ivie

**BENJAMIN YOUNG, PUBLIC DEFENDER'S OFFICE FINANCIAL MANAGER – I'M HERE WITH JOSH ESPLIN, CHIEF COUNSEL. WHILE WE ARE WAITING FOR THE PRESENTATION TO COME UP, THERE WAS A CHANGE FROM THE ORIGINAL BUDGET TO THE ONE THAT I SENT YESTERDAY. WE TALKED GREG WITH THE IDC – KYLE AND I DID A CONFERENCE CALL WITH HIM AND IF THERE ARE NEW POSITIONS THAT ARE BEING ADDED, WE DO HAVE THE OPTION TO REQUEST IDC FUNDING. THEY HAVE ONE-TIME, NON-LAPSING FUNDING, MEANING IT'S NOT ON AN ONGOING BASIS BUT IT WOULD BE ON A ONE-TIME BASIS. THEY HAVE ABOUT \$1 MILLION FUNDING THAT THEY'RE GOING TO ALLOCATE TO ALL THE COUNTIES ACROSS UTAH AND SO WE CAN REQUEST THAT AND I ASKED HIM IF IT WOULD QUALIFY IF WE'RE SAYING THAT WE'RE REQUESTING TO ADD 4 ATTORNEY'S, 4 SOCIAL WORKERS AND 4 INTERNS – IF IDC WOULD BE ABLE TO DO A MATCH ON THAT. HE SAID THAT THAT WOULD QUALIFY BUT THE IDC DISCOURAGES NEW POSITIONS WITH THIS ONE-TIME FUNDING BECAUSE IT'S NOT AN ONGOING FUNDING. HOWEVER, IF THERE'S A FUNDING PLAN TO COVER THEM THE REST OF THE YEAR – IF IDC IS GOING TO PAY FOR JANUARY-JUNE AND UTAH COUNTY WILL PAY FOR JULY -DECEMBER, IDC WOULD BE COMFORTABLE WITH THAT SO BASICALLY WHAT THAT'LL DO IS ON OUR NEW ASKS FOR THE EMPLOYEES THAT WE WANT TO ADD IN 2021, IDC WILL FUND HALF OF THAT REQUEST.**

70	242 Postage	4,000.00	2,400.00	-1,600.00	-40.00%	Decreased based on cost cutting efforts
71	250 Comp. Tech	11,158.31	9,999.96	-1,158.35	-10.38%	Decrease based on upgrades in 2020
72	252 Equip (-\$500)	18,000.00	9,999.96	-8,000.04	-44.44%	Decrease based on upgrades in 2020
73	260 Insurance (Officer & director)	84,000.00	60,000.00	-24,000.00	-28.57%	Negotiated better rates
74	261 Rent	344,361.00	312,741.00	-31,620.00	-9.18%	Negotiated better rates
75	280 Telephones	20,000.00	12,000.00	-8,000.00	-40.00%	Decrease based on upgrades in 2020
76	Depreciation Expense		6,722.16	6,722.16	100.00%	Increase based on upgrades in 2020
77	Office Expense	86,000.00		-86,000.00	-100.00%	Divided into more transparency , decrease of \$41,000
78	240 Office Expenses (misc)		6,000.00	6,000.00	100.00%	Divided into more transparency , decrease of \$41,000
79	241 Office Suppliers		12,000.00	12,000.00	100.00%	Divided into more transparency , decrease of \$41,000
80	246 Leases (mach)		9,000.00	9,000.00	100.00%	Divided into more transparency , decrease of \$41,000
81	251 Equipment (-\$500)		6,000.00	6,000.00	100.00%	Divided into more transparency , decrease of \$41,000
82	270 Utilities (shred, water, cooler)		12,000.00	12,000.00	100.00%	Divided into more transparency , decrease of \$41,000
83	Total Office Expense	\$ 86,000.00	\$ 45,000.00	-\$ 41,000.00	-47.67%	Divided into more transparency , decrease of \$41,000
84	Total 63000 General and Administrative Expenses	\$ 567,519.31	\$ 458,863.08	-\$ 108,656.23	-19.15%	We are reducing Overhead expenses by \$108,656.23
85	Total Expenditures	\$7,601,422.25	\$9,314,949.56	\$ 1,713,527.31	22.54%	
86	Net Operating Revenue	\$ (66,148.46)	\$ 0.00	\$ 66,148.46	-100.00%	

**COMMISSIONER LEE – WHEN I'M LOOKING AT EQUIPMENT IN 81 AND THEN I SEE EQUIPMENT ALSO IN 72, WHAT'S THE DIFFERENCE?**

**BENJAMIN YOUNG – IF WE'RE BUYING EQUIPMENT THAT COSTS MORE THAN \$500 VERSUS BUYING EQUIPMENT THAT COSTS LESS THAN \$500 – THIS IS THE**

**DIVISION BETWEEN THOSE TWO AND THEN RENT IS FOR OFFICE SPACE AND LEASE IS FOR EQUIPMENT.**

32	4 Social Workers New Hire in 2021	0.00	279,999.96	279,999.96	100.00%	4 Social workers
33	4 Social Workers New Hire in 2021 Benefits	0.00	111,999.96	111,999.96	100.00%	4 Social workers
34	Total 61000 Employee Related Expense	\$5,727,689.54	\$7,380,997.80	\$ 1,653,308.26	28.87%	
35	62000 Program Expenses					
36	210 Dues & Subscriptions	90,000.00	110,000.04	20,000.04	22.22%	Actual expenses through October 31, 2020 is \$108,000
37	231 Mileage	9,000.00	9,000.00	0.00	0.00%	
38	310 Conflict Attorneys	300,000.00	320,000.00	20,000.00	6.67%	Based on 5 year actual expense
39	312 Appeal Attorney	25,000.00	30,000.00	5,000.00	20.00%	Based on 5 year actual expense
40	314 Hourly Attorneys	0.00	36,000.00	36,000.00	100.00%	Based on 5 year actual expense, historically not budgeted
41	316 Drug Court	12,000.00	24,000.00	12,000.00	100.00%	Based on 5 year actual expense
42	317 Justice Court	37,000.00	50,000.00	13,000.00	35.14%	Based on 5 year actual expense
43	318 Justice Court conflict	0.00	1,200.00	1,200.00	100.00%	Based on 5 year actual expense, historically not budgeted
44	320 Investigations	84,352.57	99,999.96	15,647.39	18.55%	Based on 5 year actual expense
45	321 Experts	52,539.71	72,999.96	20,460.25	38.94%	Based on 5 year actual expense
46	322 Process Server	9,826.67	9,999.96	173.29	1.76%	Based on 5 year actual expense
47	323 Transc & Tapes	78,000.00	69,999.96	-8,000.04	-10.26%	Based on 5 year actual expense
48	324 Record Copy (med, phone, bank)	3,000.00	2,282.76	-717.24	-23.91%	Based on 5 year actual expense
49	330 Training & Conferences	18,000.00	9,999.96	-8,000.04	-44.44%	Anticipated decrease based on COVID
50	331 Travel (air, hotel)	1.00	5,000.04	4,999.04	100.00%	Based on 5 year actual expense
51	332 Witness Expenses	3,000.00	0.00	-3,000.00	-100.00%	Based on 5 year actual expense
52	62000A JV	2.00	0.00	-2.00	-100.00%	Based on 5 year actual expense
53	510 JV Conflict Att	500,000.00	530,000.00	30,000.00	6.00%	Based on 5 year actual expense

13	Expenditures					
14	61000 Employee Related Expense					
15	110 Salary - Permanent Employee	4,372,526.53	4,475,282.95	102,754.42	2.35%	2.35% estimated increase pending Market Study in April
16	122 Payroll Tax - Employer	388,274.44	397,396.89	9,124.45	2.35%	2.35% estimated increase pending Market Study in April
17	123 Payroll Processing Fee	4,200.00	4,200.00	0.00	0.00%	
18	130 401k & Loans	314,679.94	322,074.92	7,394.98	2.35%	2.35% estimated increase pending Market Study in April
19	131 Health Ins	503,671.31	554,036.44	50,367.13	10.00%	10% Premium Increase
20	132 Dental Ins	32,980.91	36,279.00	3,298.09	10.00%	10% Premium Increase
21	133 HSA	60,000.00	66,000.00	6,000.00	10.00%	10% Premium Increase
22	134 Life Ins	4,837.53	5,321.28	483.75	10.00%	10% Premium Increase
23	135 Disability Ins	27,675.71	30,443.28	2,767.57	10.00%	10% Premium Increase
24	136 Affac Ins	4,500.00	4,500.00	0.00	0.00%	
25	137 WCF/UNEMPLOY	950.00	1,000.00	50.00	5.26%	Increased rate
26	248 Financial Service	13,391.17	5,000.00	-8,391.17	-62.66%	Decrease due to less consulting required
27	249 Intuit Fees	1,200.00	0.00	-1,200.00	-100.00%	Decrease due to hiring financial manager
28	4 Attorneys hired in 2020	0.00	616,000.00	616,000.00	100.00%	4 Attorneys hired in September 2020
29	4 Attorneys - 1 Step A, 2 Step G, 1 Step L	0.00	315,327.96	315,327.96	100.00%	4 Additional attorneys bringing total to 27
30	4 Attorneys New Hire in 2021 Benefits	0.00	126,131.16	126,131.16	100.00%	4 Additional attorneys bringing total to 27

**COMMISSIONER AINGE – I HAVE A QUESTION CONCERNING THE MARKET STUDY. DIDN'T WE DO AN INCREASE IN THE CONTRACT JUST RECENTLY FOR A COST OF LIVING?**

**BENJAMIN YOUNG – THERE WAS A COST OF LIVING TRUE UP THAT WAS DONE IN 2018. BASICALLY, THE WAY THAT THE CONTRACT WAS WRITTEN – THE PUBLIC DEFENDER EMPLOYEES WERE ONLY GETTING STEP INCREASES. THEY WEREN'T GETTING COST OF LIVING INCREASES. WHEREAS UTAH COUNTY**

**EMPLOYEES WERE GETTING BOTH STEP INCREASES AND COST OF LIVING INCREASES SO THERE WAS A TRUE UPDATE IN 2018 THAT BROUGHT PARITY BACK TO THE PUBLIC DEFENDER EMPLOYEES VERSUS THE UTAH COUNTY EMPLOYEES.**

**ONCE THE MARKET STUDY IS DONE, WE'LL JUST TRUE UP TO WHAT MARKET RATES ARE SO IT'S KIND OF A MOOT POINT ON THERE BEING COST OF LIVING ADJUSTMENTS BECAUSE THAT WILL BE FACTORED INTO THE MARKET STUDY RATES.**

25	137 WCF/UNEMPLY	950.00	1,000.00	50.00	5.26%	Increased rate
26	248 Financial Service	13,391.17	5,000.00	-8,391.17	-62.66%	Decrease due to less consulting required
27	249 Intuit Fees	1,200.00	0.00	-1,200.00	-100.00%	Decrease due to hiring financial manager
28	4 Attorneys hired in 2020	0.00	616,000.00	616,000.00	100.00%	4 Attorneys hired in September 2020
29	4 Attorneys - 1 Step A, 2 Step G, 1 Step L	0.00	315,327.96	315,327.96	100.00%	4 Additional attorneys bringing total to 27
30	4 Attorneys New Hire in 2021 Benefits	0.00	126,131.16	126,131.16	100.00%	4 Additional attorneys bringing total to 27
31	4 Interns New Hire in 2021	0.00	30,000.00	30,000.00	100.00%	Interns added
32	4 Social Workers New Hire in 2021	0.00	279,999.96	279,999.96	100.00%	4 Social workers
33	4 Social Workers New Hire in 2021 Benefits	0.00	111,999.96	111,999.96	100.00%	4 Social workers
34	Total 61000 Employee Related Expense	\$5,727,689.54	\$7,380,997.80	\$1,653,308.26	28.87%	
35	62000 Program Expenses					
36	210 Dues & Subscriptions	90,000.00	110,000.04	20,000.04	22.22%	Actual expenses through October 31, 2020 is \$108,000
37	231 Mileage	9,000.00	9,000.00	0.00	0.00%	
38	310 Conflict Attorneys	300,000.00	320,000.00	20,000.00	6.67%	Based on 5 year actual expense
39	312 Appeal Attorney	25,000.00	30,000.00	5,000.00	20.00%	Based on 5 year actual expense
40	314 Hourly Attorneys	0.00	36,000.00	36,000.00	100.00%	Based on 5 year actual expense, historically not budgeted
41	316 Drug Court	12,000.00	24,000.00	12,000.00	100.00%	Based on 5 year actual expense
42	317 Justice Court	37,000.00	50,000.00	13,000.00	35.14%	Based on 5 year actual expense
	348 Justice Court conflict	0.00	1,200.00	1,200.00	100.00%	Based on 5 year actual expense,

1	<b>Utah County Public Defender Association</b>					
2	<b>Budget: FY 20 vs FY21 Budget</b>					
3	January - December 2020 & 2021					
4						
5	Account	2020 Budget	2021 Budget	Change	% Change	Notes
6	Revenue					
7	40000 Utah County					
8	40001 County Quarterly Checks	5,579,907.12	7,176,296.59	1,596,391.47	28.61%	This increase is necessary in order to get to 50 hours per attorney per week
9	40002 IDC Revenue	1,955,367.79	2,138,650.97	183,284.30	9.37%	Increased funding from IDC
10	Total 40000 Utah County	\$7,535,273.79	\$9,314,949.56	-\$1,779,675.77	80.89%	
11	Total Revenue	\$7,535,273.79	\$9,314,949.56	-\$1,779,675.77	80.89%	
12	Gross Profit	\$7,535,273.79	\$9,314,949.56	-\$1,779,675.77	80.89%	
13	Expenditures					
14	61000 Employee Related Expense					
15	110 Salary - Permanent Employee	4,372,528.53	4,475,282.95	102,754.42	2.35%	2.35% estimated increase pending Market Study in April
16	122 Payroll Tax - Employer	388,274.44	397,398.89	9,124.45	2.35%	2.35% estimated increase pending Market Study in April
17	123 Payroll Processing Fee	4,200.00	4,200.00	0.00	0.00%	
18	130 401k & Loans	314,679.94	322,074.92	7,394.98	2.35%	2.35% estimated increase pending Market Study in April
19	131 Health Ins	503,671.31	554,038.44	50,367.13	10.00%	10% Premium Increase
20	132 Dental Ins	32,980.91	36,279.00	3,298.09	10.00%	10% Premium Increase

**BEN VAN NOY, COUNTY DEPUTY ATTORNEY – THIS OVERALL CONTRACT AMOUNT WOULD BE PART OF THE BIGGER CONTRACT OF WHICH WE’RE STILL WORKING ON OUR SIDE. IT HASN’T BEEN SENT TO YOU FOR REVIEW SO WHILE THE BUDGET AMOUNT MIGHT BE ABLE TO BE APPROVED, THE OVERALL CONTRACT STILL HAS SOME BACK AND FORTH. NEXT WEEK MIGHT BE A LITTLE BIT AGGRESSIVE FOR THAT BECAUSE WE HAVEN’T HAD THE CHANCE TO DO THAT WITH OUR EDITS YET.**

**COMMISSIONER AINGE – WE NEED TO HAVE A CONTRACT FOR PUBLIC DEFENSE SERVICES, SO WE’LL GET THAT. I DON’T SUPPORT THIS AMOUNT THAT’S BEEN OUTLINED, SO I WON’T BE VOTING FOR THAT AMOUNT. I’M A LITTLE DISAPPOINTED IN THE WAY IN WHICH THE ATTORNEYS WERE HIRED THIS YEAR. SOMEHOW THE COMMUNICATION THAT WAS CLEAR FROM THE COMMISSIONER IN JANUARY OR FEBRUARY JUST DIDN’T GET THROUGH AND SO THOSE NEW ATTORNEYS WERE HIRED THIS YEAR WITHOUT COMING BACK TO THE COMMISSION WHICH IS NOT THE PROCESS THAT SHOULD HAVE OCCURRED AND SO I’M OKAY WITH A CONTRACT WHICH WOULD CONTINUE WITH THOSE ATTORNEYS THAT ARE IN PLACE RIGHT NOW BUT NOT ADDING ADDITIONAL ATTORNEYS.**

**BENJAMIN YOUNG – THERE ARE 4 NEW ASKS ON THE LIST: THE 4 ATTORNEYS THAT WERE ALREADY HIRED, THE 4 NEW ADDITIONAL ATTORNEYS, 4 INTERNS AND 4 SOCIAL WORKERS. IF I’M UNDERSTANDING CORRECTLY, YOU WANT ME TO PULL THE 4 NEW ATTORNEYS OUT OF THE NEW ASKS?**

**COMMISSIONER AINGE – ACTUALLY, ALL WE DO IS A CONTACT SO THAT’S THE OTHER ISSUE TO BEN’S POINT. WE NEED TO SEE WHAT THIS NEW CONTRACT FORMAT LOOKS LIKE BECAUSE YOU’VE DONE LINE ITEMS BUT HISTORICALLY THE CONTRACT HAS NOT HAD LINE ITEMS, BUT JUST A DOLLAR AMOUNT. I THINK THAT’S ONE OF THE OTHER THINGS IS TRYING TO FIGURE OUT HOW MANY LINE ITEMS ARE IN THIS CONTRACT. I HAVE NOT HAD THE OPPORTUNITY TO GO THROUGH AND FIGURE OUT. I THINK THIS WEEK WHEN YOU PRESENTED THIS, THIS IS THE FIRST TIME I’M SEEING AN AGGREGATE DOLLAR AMOUNT. BEFORE THAT I HAD JUST HEARD OF NUMBERS OF ATTORNEYS AND SO WE CAN TAKE THIS AND TRY TO GET TO A CONTRACT FORMAT AND A CONTRACT DOLLAR AMOUNT. I’M JUST GIVING YOU THE DIRECTION ON THE STAFFING PLAN THAT I THINK IS APPROPRIATE.**

**BENJAMIN YOUNG – OKAY. I’M JUST TRYING TO UNDERSTAND WHAT MY ACTION IS BASED ON YOUR GUIDANCE. SO, WOULD YOU LIKE ME TO PULL THAT NEW ASK OUT AND RESUBMIT IT TO YOU AT A REDUCED AMOUNT?**

**COMMISSIONER AINGE – IT DOESN’T REALLY MATTER. WHAT WE NEED TO GET TO IS THIS CONTRACT THAT BEN’S TALKING ABOUT. THOSE LINE ITEMS YOU’RE REFERRING TO – I DON’T KNOW WHETHER THEY EXIST, OR THEY DON’T EXIST IN THE CONTRACT.**

**IF WE’RE USING THE OLD TEMPLATE, WHICH I KNOW WE’RE NOT, THERE’S JUST THE CONTRACTUAL TERMS AND A SINGLE DOLLAR AMOUNT. I’M ACTUALLY**

**SUPPORTIVE OF HAVING SOME OF THESE KIND OF LINE ITEMS IN THERE SO I NEED TO WAIT AND SEE WHAT THEY'RE DEVELOPING.**

**THIS EXCEL SHEET THOUGH IS NOT GOING TO BE AN EXHIBIT SO IT'S REALLY JUST THE OVERALL DOLLAR AMOUNT AND YES, WE'RE GOING TO HAVE TO PULL OUT AT LEAST THE COST OF THE FOUR NEW ATTORNEYS THAT YOU HAVE SUGGESTED IN THERE. THIS IS MY OPINION, JUST BEING ONE OF THE 3 COMMISSIONERS.**

**COMMISSIONER LEE – THANK YOU FOR THE INFORMATION. WE'LL TAKE THE INFORMATION THAT YOU'RE PRESENTED TO US AND THEN WE'LL WORK IT THROUGH THE PROCESS OF A CONTRACT BASIS.**

**BEN VAN NOY – FOR CLARIFICATION, I THINK ONCE WE HAVE A COMFORTABLE FOUNDATION ON THE CONTRACT ON OUR END, WE WILL SEND THAT TO YOU TO REVIEW AND THEN WE WILL GO BACK AND FORTH, TYPICALLY NEGOTIATION STYLE WITH THE CONTRACT TERMS.**

**BENJAMIN YOUNG – AT WHAT POINT WOULD WE THEN FINALIZE THE DOLLAR AMOUNT THAT WILL GO IN THE CONTRACT?**

**COMMISSIONER AINGE – YOU GUYS ARE OPERATING UNDER A LONG-TERM CONTRACT UNTIL YOU GET AN AMENDMENT?**

**BEN VAN NOY – THAT IS CORRECT. THE CONTRACT THIS YEAR DOES ANTICIPATE THAT THE FUNDING IS FOR 2020 AND THAT EVERY YEAR AFTER THAT THERE WILL BE AN ADDENDUM FOR THE MONEY PORTION SO THE HOPE WAS TO GET THAT DONE BEFORE THE END OF THE YEAR.**

**JOSH ESPLIN, PUBLIC DEFENDER'S CHIEF COUNSEL – JUST TO CLARIFY, YOU ARE OKAY WITH THE ATTORNEYS THAT WERE HIRED IN 2020, BUT NOT SO MUCH WITH THE ADDITIONAL ASKS IN REGARD FOR 4 ON TOP OF THAT. IS THERE AN AMOUNT OR A NUMBER THAT WOULD BE SUPPORTED BY EACH OF THE COMMISSIONERS?**

**COMMISSIONER LEE – THE PROCESS FOR ME IS TO TAKE ALL THE INFORMATION, WHICH IS WHAT THIS MEETING IS FOR, AND START TO RUN DOWN THROUGH IT AND CRUNCH THE NUMBERS ON IT AND SEE WHERE IT COMES SO IT'S REALLY HARD TO SAY WHAT THE NUMBER IS. THIS IS A WORK SESSION, SO IT'S NOT REALLY A VOTE BUT MORE OF A PRESENTATION AND/OR DIRECTIONAL MEETING.**

**COMMISSIONER AINGE – I THINK IT'S WORTH NOTING HERE THAT THERE WAS A SIGNIFICANT INCREASE LAST YEAR AND THIS INCREASE JUST WITH THE ATTORNEY'S THAT WERE HIRED THIS YEAR IS A 21% INCREASE AND THAT IS INCREDIBLY HIGH. I KNOW SOME PEOPLE MAY VIEW THIS AS NOT FUNDING PUBLIC DEFENSE BUT EVEN JUST MAINTAINING THOSE ATTORNEYS IS ONE OF THE LEADING GROWTH PERCENTAGES OF ANY DEPARTMENT IN THE COUNTY.**

**THE CHALLENGE IS AGAIN, YOU'RE STILL IN THE PROCESS OF ROLLING OUT THE DATA PROCESS AND THE ATTORNEYS THAT WERE HIRED OUT OF PROCESS, THAT'S BEEN THE CHALLENGE. WE LIVE IN A BUDGET CONSTRAINED ENVIRONMENT. EVERY DEPARTMENT HAS TO LIVE WITHIN THAT. NO MATTER WHAT THE DATA IS TELLING, THERE'S GOING TO BE A CAP ON HOW MUCH WE CAN GO. THERE WAS SOME PRETTY DRAMATIC MISCOMMUNICATION WHEN WE STARTED THIS PROCESS AND ONE SIDE THOUGHT WE WERE TALKING ABOUT A 4 ATTORNEY INCREASE AND THE OTHER SIDE THOUGHT WE WERE TALKING ABOUT AN 8 ATTORNEY INCREASE, I THINK THAT HAS MADE A CHALLENGE. NOW WE'RE IN DECEMBER AND YOU CAN'T JUST COME UP WITH DOUBLE THE INCREASE THAT WAS ANTICIPATED IN A MONTH'S TIME. SO, I THINK WE'RE JUST GOING TO BE LIVING IN A CONSTRAINED ENVIRONMENT AND THAT'S WHY I'M COMFORTABLE MOVING FORWARD WITH THE ATTORNEYS THAT HAVE BEEN HIRED.**

4. WORK SESSION PRESENTATION ON POTENTIAL WAYS TO REORGANIZE COUNTY COMMISSION STAFF  
-Mayor Rod Mann

**ALREADY PRESENTED ON 12/2/2020**

5. WORK SESSION PRESENTATION OF ANNUAL BUDGET REVIEW FOR EXPLORE UTAH VALLEY  
-Ezra N for Explore Utah Valley

**LEE ADAMSON, EXPLORE UTAH VALLEY DIRECTOR – (GAVE PRESENTATION)**



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# PROPOSED BUDGET FOR 2021

## TOTAL REVENUE

	BASE	BASE + OPT A	BASE + OPT B	BASE + OPT A,B
MEET IN UTAH GRANT (CARRIES ACT)	\$863,954	\$863,954	\$863,954	\$863,954
PARTNERSHIP INCOME (CO-OP)	\$51,541	\$133,400	\$143,341	\$225,200
PROPOSED UTAH COUNTY FUNDING	\$887,156	\$1,169,888	\$1,217,077	\$1,400,340
<b>TOTAL REVENUE</b>	<b>\$1,802,651</b>	<b>\$1,467,152</b>	<b>\$1,524,352</b>	<b>\$1,789,474</b>

\*Total Budget and requested Utah County funding based on actual options selected

## TOTAL EXPENSES

	BASE	BASE + OPT A	BASE + OPT B	BASE + OPT A,B
SALARIES & BENEFITS	\$634,317	\$857,610	\$857,610	\$890,904
ADMINISTRATION/OFFICE EXPENSES	\$ 146,980	\$ 757,708	\$ 757,708	\$ 115,236
MARKETING	\$137,345	\$265,045	\$322,245	\$448,945
GROUP SALES	\$34,098	\$34,098	\$34,098	\$34,098
GROUP SPONSORSHIPS	\$89,291	\$89,291	\$89,291	\$89,291
<b>TOTAL EXPENSES</b>	<b>\$1,802,631</b>	<b>\$1,467,152</b>	<b>\$1,524,352</b>	<b>\$1,789,474</b>


**COMMISSIONER LEE – THERE IS A DEBATE THAT GOES ON BETWEEN SALESFORCE WITH EXPLORE UTAH VALLEY AND THE CONVENTION CENTER. COULD YOU TELL US THE PROS AND CONS AS YOU SEE IT FOR HAVING THE SALESFORCE?**

**LEE ADAMSON – WE’VE TALKED ABOUT CREATING A COHESIVE SALES UNIT. I THINK WE HAVE TWO REALLY GREAT SALES TEAMS, BUT I THINK THAT WE COULD WORK MORE EFFICIENTLY AND MORE EFFECTIVELY TOGETHER. WE’VE**

**TALKED ABOUT WAYS THAT WE CAN DO THAT. I DON'T KNOW IF COMBINING IS THE BEST WORD, BUT WE WORK MORE EFFECTIVELY TOGETHER. OUR BOARD HAS RECOMMENDED THAT WE LOOK AT A TEAM UNDER ONE MANAGEMENT BUT REGARDLESS, THE TEAM FOCUSES ON THE CONVENTION CENTER.**

**JOHN, EXPLORE UTAH VALLEY – THE DIRECTION IS TO HAVE ONE COHESIVE GROUP INSTEAD OF TWO ORGANIZATIONS. THE GOAL DIRECTION WOULD BE DIFFERENT IN 2021 THAN IN THE PAST WHERE THE FOCUS IS MAINLY ON THE CONVENTION CENTER.**

**LEE ADAMSON – ONE ITEM TO NOTE – OUR TEAM FOR THE LAST SEVERAL MONTHS HAS BEEN ON THIS AND WE ROLLED IT OUT IN NOVEMBER – DIGITAL PASSPORTS. UNFORTUNATELY, IT ROLLED OUT RIGHT WHEN THE GOVERNOR'S MOST RECENT RECOMMENDATIONS CAME OUT SO WE DIDN'T' FEEL IT WAS THE RIGHT TIME TO ENCOURAGE PEOPLE TO GET OUT AND TO THINGS SO WE'VE JUST MADE THAT AVAILABLE. IT HAS BEEN VERY SUCCESSFUL.**

**COMMISSIONER AINGE – THANK YOU AND I WANT TO ACKNOWLEDGE THAT IT HAS BEEN A TOUGH YEAR FOR YOUR ENTIRE TEAM, SO WE ARE GRATEFUL FOR WHAT YOU DO. WE KNOW THAT WE NEED TO CONTINUE TO EMPHASIZE THAT THE HOSPITALITY AND TOURISM INDUSTRY. ONE OF THE MOST PAINFUL MEETINGS THAT WE ATTENDED THIS YEAR WERE WITH YOUR BOARD WHERE WE TALKED ABOUT 75-80% EMPLOYEE WORKFORCE CUTS AND LOT OF HOTELS JUST SHUT DOWN. BUT THEN YOU HELPED US WITH THE DINE UTAH VALLEY TO REALLY SUPPORT THE RESTAURANTS. WE APPRECIATE ALL THE WORK YOU GUYS DO.**

**COMMISSIONER LEE – THANK YOU FOR WHAT YOU'RE TRYING TO ACCOMPLISH.**

### **PUBLIC COMMENTS**

**N/A**

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.

**Attendees Via Zoom:**

Commissioner Lee  
Ben Van Noy  
Explore Utah Valley  
Robert Moore  
Becky Nielsen  
Anthony Loubet

Commissioner Ainge  
Dave Shawcroft  
Mike B  
Kyle Palmer  
Benjamin Young  
G Garner

Commissioner Ivie  
Diana Flores  
Ralf Barnes  
Cort Griffin  
Paul Jones

**BOARD OF COMMISSIONERS FOR UTAH COUNTY  
PUBLIC WORK SESSION ATTENDANCE SHEET  
December 3, 2020 - 3:00 p.m.**

**PRINT CLEARLY**

**Name:**

**Agency:**

Cathy Daves

Charlene Christensen

Lee Adamsen

Danny Wheeler

Justice Court

Explore Utah Valley

Explore Utah Valley

Utah Valley Convention Center

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TANNER AINGE  
Commission Chair

ATTEST:

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Deputy Clerk/Auditor