

BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH

Public Meeting Minutes

January 17, 2024

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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 E CENTER ST, PROVO, UT 84606
January 17th, 2024 - 2:00 pm**

*When necessary, board members may participate electronically, with the anchor location as stated above. *

The public may participate at the anchor location stated above. Public comments will be limited to two (2) minutes per individual unless otherwise approved by the Board.

Or you may watch the meeting live on YouTube under the heading UTAH COUNTY GOVERNMENT or by going to the link:

<https://www.youtube.com/channel/UckRYDnXVDLGv9792bhWn9Wg/videos>

Next Upcoming Commission Meeting Date: Wednesday, January 31, 2024 at 2:00 pm (pending).

~COMMISSION MEETING MINUTES~

Commissioner Gordon (Chair), Commissioner Sakievich (Vice Chair) and Commissioner Powers Gardner in attendance.

Others in attendance: See attached attendance sheet and Zoom list:

(Meeting called to order: 2:09 pm)

**PRAYER/READING/THOUGHT: Commissioner Gordon
PLEDGE OF ALLEGIANCE: Ezra Nair**

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WORK SESSION

1. DISCUSS OPTIONS FOR HOMELESS COMMUNITY.

-Nicole Neer, Commission

(Timestamp: 1:50)

ISSAC PAXMAN (Provo Deputy Mayor, Winter Response Task Force) ASKED TO GIVE AN UPDATE ON THE HOMELESS COMMUNITY IN UTAH COUNTY. TWO MAIN LEGAL PROVISIONS THAT CAME OUT LAST YEAR. 1) CODE BLUE ALERT – WHEN IT HITS 15 DEGREES ANY FACILITY CAN OPEN UP TO KEEP PEOPLE WARM THROUGH THE NIGHT AS LONG AS THEY MEET FIRE AND BUILDING CODE, REGARDLESS OF ZONING. WARMING CENTERS ARE ONLY OPEN THROUGH THE NIGHT. 2) BY AUGUST 1, 2024 TASK FORCE NEEDS TO COME UP WITH A PLAN TO ENSURE THERE IS A ROOF OVERHEAD BY OCTOBER 15, 2024 THROUGH APRIL 30, 2025.

CONSENT AGENDA

REGULAR AGENDA

1. RATIFICATION OF WARRANT REGISTER FOR JANUARY 17, 2024 INCLUDING NOTES AND COMMENTS FROM THE COMMISSIONERS AS RECORDED ON THE INTERNAL SYSTEM

-Jolynn Clegg, Clerk

APPROVED ON CONSENT

2. APPROVAL OF THE PAYROLL WARRANT SUMMARY FOR PAY PERIOD 1-2024.

-Jolynn Clegg, Clerk

APPROVED ON CONSENT

3. APPROVAL OF THE MINUTES FOR THE JANUARY 10, 2024 BOARD OF COMMISSIONERS BOARD MEETING

-Jolynn Clegg, Clerk

APPROVED ON CONSENT

4. APPROVE AND AUTHORIZE THE EXECUTION OF AN AGREEMENT FOR SUPPLEMENTAL SECURITY SERVICES WITH THE UTAH VALLEY CONVENTION CENTER

-Yvette Rice, Sheriff

CONTINUED ON CONSENT FOR 2 WEEKS (January 31, 2024)

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5. APPROVE AND AUTHORIZE THE SIGNING OF A RESOLUTION IN OPPOSITION OF THE NATURAL ASSET COMPANIES TO THE SEC.

-Commissioner Brandon Gordon, Attorney

(Timestamp: 13:07)

COMMISSIONER GORDON READ PART OF THE RESOLUTION.

Resolution 2024- 45

RESOLUTION IN OPPOSITION TO THE CREATION OF NATURAL ASSET COMPANIES TO BE LISTED ON THE NEW YORK STOCK EXCHANGE DIRECTED TO THE SECURITY AND EXCHANGE COMMISSION (SEC)

WHEREAS, On October 4, 2023, the Securities and Exchange Commission (SEC) issued a proposed rule to approve the creation of a new investment vehicle, the "Natural Asset Company (NAC)." (88 Fed. Reg. 68811 (Oct. 4, 2023)). This new vehicle was created by the Intrinsic Exchange Group (IEG) in partnership with the New York Stock Exchange (NYSE). The IEG was founded by the Rockefeller Foundation with supporting partners including international environmental organizations such as the World Wildlife Fund; and

WHEREAS, the purpose for this new investment product is to provide a vehicle for domestic and foreign investors and governments to profit from the protection of our nation's natural resources under the guise of combating the so-called "climate crisis." These same proponents have been calling for the permanent protection of at least 30 percent of the world's lands and oceans by 2030 - the "30x30" agenda. These same actors are also pushing "net zero" and decarbonization policies that are threatening jobs, energy supplies and quality of life around the world. Their objective is not the conservation of the land. They seek total political and financial control of the world's natural resources particularly those of the United States.

WHEREAS, Utah County, Utah (County) has reviewed the Federal Register notice containing the Proposed Rule, and the County has several concerns regarding this Proposed Rule and its stated purpose.

WHEREAS, the County encourages the responsible and appropriate development/use of natural resources to promote economic development for the benefit of its citizenry and to support the State of Utah's energy plan and the energy policies within the Utah County Resource Management Plan. Further, the State of Utah has adopted an "any-of-the-above" energy approach, meaning the State supports all forms of responsible energy production, both conventional and renewable. To date, this any-of-the-above energy policy has served Utahns well, and the County supports all reasonable forms of energy development and generation available within its borders and within the borders of the State of Utah.

WHEREAS, in support of the energy policies above, responsible and non-burdensome regulation is necessary to ensure the continued success of the County's natural resources industries/activities - particularly those that rely on federal land managed by the U.S. Department

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Conclusion

In summation, the citizens of Utah County, Utah, as well as the State of Utah and the United States as a whole, will continue to benefit as the SEC fulfills its three-part mission to "protect investors, maintain fair, orderly, and efficient markets, and facilitate capital formation."

As an overarching goal, the State of Utah and Utah County support the wise use, conservation, and protection of public lands and their resources, including well-planned management prescriptions. Thus, it is the County's position that public lands be managed for multiple use, sustained yield, prevention of waste of natural resources, and to protect the health, safety, and welfare of the public. It is important to the County's economy that public lands be properly managed for fish, wildlife, livestock production, timber harvest, recreation, energy production, mineral extraction, water resources, and the preservation of natural, scenic, scientific, and historical values."

Instead of sticking to its mission of regulating securities, it appears that the SEC is allowing the NYSE, and itself, to venture outside its rulemaking authority arbitrarily and capriciously into areas of ESG, which as stated earlier is about controlling and forcing behaviors. It attempts to do through capital markets what activists and their government allies have been unable to do through democratic processes.

It is a political ploy that, intentional or not, can result in market participants using economic force to drive a political agenda. With the issuance of this proposed rule the SEC is proposing the final step necessary to rob the American people of their property and natural rights and playing right into the hands of foreign adversaries.

The County encourages the SEC to immediately reconsider and abandon its proposed course of action.

RESOLVED AND ORDERED this 17 day of January 2024.

BOARD OF COUNTY COMMISSIONERS,
UTAH COUNTY, UTAH

COMMISSIONER POWERS GARDNER: MOTION TO APPROVE

COMMISSIONER SAKIEVICH: SECOND

AYE: ALL IN FAVOR

PASSED: 3/0

Resolution: 2024 - 45

6. APPROVE AND AUTHORIZE THE SIGNING OF A RESOLUTION AUTHORIZING THE SIGNING OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF PROVO CITY AND UTAH COUNTY REGARDING THE COMMUNITY REINVESTMENT AREA PROJECT KNOWN AS "THE MIX"

-Paul Jones, Attorney

CONTINUED ON CONSENT FOR 2 WEEKS (January 31, 2024)

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7. APPROVE AND AUTHORIZE THE SIGNING OF A RESOLUTION AMENDING THE ANNUAL REGULAR MEETING SCHEDULE FOR THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, FOR THE YEAR 2024.

-PAUL JONES, Attorney

(Timestamp: 20:44)

EZRA JONES CLARIFIED THAT THE BOARD OF EQUALIZATION SHOULD ALSO BE CHANGED TO JANUARY 31, 2024.

COMMISSIONERS POWERS GARDNER: MOTION TO APPROVE

COMMISSIONER SAKIEVICH: SECOND

AYE: ALL IN FAVOR

PASSED: 3/0

Resolution: 2024 - 49

8. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH NYHART FOR ACTUARIAL SERVICES, CONDUCTING BIENNIAL VALUATIONS, AND INTERIM FINANCIAL UPDATES OF OTHER POSTEMPLOYMENT BENEFITS

-Adam Beck, Attorney

APPROVED ON CONSENT

Agreement: 2024 - 50

9. COMMISSION APPROVAL AND SIGNATURE ON THE UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT COLLABORATIVE SUBRECIPIENT AGREEMENT WITH MOUNTAINLAND ASSOCIATION OF GOVERNMENTS FY23 SANTAQUIN CITY DEMOLITION.

-Katrina Cole, Attorney

APPROVED ON CONSENT

Agreement: 2024 - 51

10. COMMISSION APPROVAL AND SIGNATURE ON THE UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT MOUNTAINLAND ASSOCIATION OF GOVERNMENTS REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION PAYSON FACADE (CORRECTED DOCUMENT).

-Katrina Cole, Attorney

APPROVED ON CONSENT

Agreement: 2024 - 52

11. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT BETWEEN THE UTAH COUNTY, UTAH, AND THE NATIONAL ASSOCIATION OF COUNTIES (NACO) FOR LEADERSHIP TRAINING PROGRAMS WITH PROFESSIONAL DEVELOPMENT ACADEMY.

-Ralf Barnes, Human Resources

APPROVED ON CONSENT

Agreement: 2024 - 53

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12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN THE UTAH COUNTY GOVERNMENT AND SIMPLIVERIFIED TO PROVIDE BACKGROUND SCREENING AND RELATED SERVICES FOR UTAH COUNTY.

-PJ Maughan, Human Resources

APPROVED ON CONSENT

Agreement: 2024 - 54

13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CHANGE ORDER WITH ACCENTURE FOR OUR AMS SERVICE FOR WORKDAY FOR OUR 2024 SERVICE HOURS

-Brandon Chambers, Human Resources

APPROVED ON CONSENT

Agreement: 2024 - 55

14. AUTHORIZE A STAFFING PLAN CHANGE TO RECLASSIFY (UPGRADE) ONE (1) FULL-TIME, CAREER SERVICE FACILITIES MAINTENANCE SPECIALIST II POSITION TO ONE (1) FULL-TIME, CAREER SERVICE CARPENTER POSITION. [STAFFING PLAN DETAILS FOR HR USE: ACCOUNT: 630-44630 (PW-PROPERTY MANAGEMENT); SUP ORG: PW-CARPENTRY; ADD 1 FTE OF JOB CODE 7003, GRADE 722 AND DELETE 1 FTE OF JOB CODE 7002, GRADE 721]

-Merritt Fullmer, Human Resources

APPROVED ON CONSENT

Agreement: 2024 - 56

15. ADOPT AN ORDINANCE TO AMEND CHAPTERS 2, 6, 8, 12, 14, AND 16 OF THE UTAH COUNTY LAND USE ORDINANCES RELATED TO DESIGNATING THE UTAH COUNTY PLANNING COMMISSION AS THE LAND USE AUTHORITY FOR ALL APPLICATIONS FOR CONDITIONAL USES

-Bryce Armstrong, Community Development

APPROVED ON CONSENT

Ordinance: 2024 - 57

16. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO SIGN THE STATE OF UTAH, ALCOHOLIC BEVERAGE CONTROL COMMISSION, SINGLE EVENT PERMIT FOR LOCAL CONSENT APPLICATION FOR THE OUTLAW HIDEOUT SNOWBAR EVENT TO BE HELD AT SUNDANCE MOUNTAIN RESORT (STORYTELLER CANYON OPERATING COMPANY, LLC) ON FEBRUARY 24, 2024 AND MARCH 9, 2024, FROM 2:00 PM - 8:00 PM.

-Kevin Stinson, Community Development

APPROVED ON CONSENT

Agreement: 2024 - 58

Agreement: 2024 - 59

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17. APPROVE AND AUTHORIZE THE SIGNING OF A GRANT OF RIGHT-OF-WAY AND EASEMENT BY THE UTAH COUNTY COMMISSION AND THE CLERK WITHIN WILLOW PARK FOR PLACEMENT OF A NATURAL GAS LINE BY DOMINION ENERGY TO PROVIDE SERVICE TO A BUILDING BEING CONSTRUCTED BY LEHI CITY.

-RICHARD NIELSON, Public Works

APPROVED ON CONSENT

Agreement: 2024 - 60

18. APPROVE AND AUTHORIZE THE SIGNING OF CHANGE ORDER #1 WITH RB&G ENGINEERING TO AGREEMENT #2022-999 TO PROVIDE EXCHANGE OF CORRESPONDENCE FOR NRCS REQUIREMENTS AT A COST OF \$99,550 FOR THE SANTAQUIN DEBRIS BASIN.

-RICHARD NIELSON, Public Works

APPROVED ON CONSENT

Agreement: 2024 - 61

19. APPROVE AND AUTHORIZE THE SIGNING OF CHANGE ORDER #24 WITH KENNY SENG CONSTRUCTION FOR LOAFER MOUNTAIN PARKWAY PROJECT FOR ADDITIONAL WORK TO MEET RIGHT OF WAY REQUIREMENTS NEEDED TO FINISH PROJECT AT A NET INCREASE TO THE CONTRACT PRICE OF \$6,092.88.

-RICHARD NIELSON, Public Works

APPROVED ON CONSENT

Agreement: 2024 - 62

20. APPROVE AND AUTHORIZE THE SIGNING OF A MEMORANDUM ACCEPTING THE COMPLETION OF THE HORROCKS RIVER RANCH PLAT A SUBDIVISION PROJECT INSTALLATION AND IMPROVEMENTS AND AUTHORIZING THE RELEASE OF THE CONSTRUCTION BOND IN THE AMOUNT OF \$9,430.00 AND COMMENCING THE WARRANTY PERIOD AS PER DEVELOPMENT AGREEMENT #2023-815.

-Richard Nielson, Public Works

APPROVED ON CONSENT

Agreement: 2024 - 63

21. APPROVE AND AUTHORIZE THE SIGNING OF A MEMORANDUM ACCEPTING THE COMPLETION OF THE BAYVIEW PLAT B SUBVISION PROJECT IMPROVEMENTS AND COMMENCING THE ONE YEAR WARRANTY PERIOD.

-Richard Nielson, Public Works

APPROVED ON CONSENT

Agreement: 2024 - 64

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22. APPROVE AND AUTHORIZE THE SIGNING OF A MEMORANDUM ACCEPTING THE COMPLETION OF THE ONE YEAR WARRANTY PERIOD FOR THE T PACE PLAT A SUBDIVISION AND RELEASING THE BOND IN THE AMOUNT OF \$50.00 AS PER DEVELOPMENT AGREEMENT #2023-77.

-Richard Nielson, Public Works

APPROVED ON CONSENT

Agreement: 2024 - 65

23. APPROVE AND AUTHORIZE THE SIGNING OF A DESIGN BUILD CONTRACT WITH S&L INCORPORATED FOR TEH BRIDAL VEIL FALLS IMPROVEMENT PROJECT.

-RICHARD NIELSON, Public Works

APPROVED ON CONSENT

Agreement: 2024 - 66

24. APPROVE AND AUTHORIZE THE SIGNING OF AN AGREEMENT WITH KENNY SEN CONSTRUCTION COMPANY TO PROVIDE UPGRADES AND REPAIRS TO THE COURTHOUSE ELECTRICAL VAULT LID AS PER ITB #2023-18 SPECIFICATIONS AND DRAWINGS AT A COST OF \$1,130,000 AND REQUEST THE CAPITAL IMPROVEMENT PLAN BE ADJUSTED ACCORDINGLY TO ACCOMMODATE FOR THE CONTRACTED PRICE.

-RICHARD NIELSON, Public Works

APPROVED ON CONSENT

Agreement: 2024 - 67

25. APPROVE AND AUTHORIZE THE SIGNING OF AMENDMENT #1 TO AGREEMENT #2023-335 WITH JONES & DEMILLE ENGINEERING, INC FOR GENERAL ENGINEERING SERVICES.

-RICHARD NIELSON, Public Works

APPROVED ON CONSENT

Agreement: 2024 - 68

26. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CREDIT APPLICATION WITH RDO EQUIPMENT COMPANY.

-Tad Rasmussen , Auditor

APPROVED ON CONSENT

Agreement: 2024 - 69

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27. 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, FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA (IF THIS ITEM IS NOT MOVED TO THE CONSENT AGENDA, ANNOUNCE THE VOTE OF EACH COMMISSIONER)

-Jolynn Clegg, Clerk

STRICKEN ON CONSENT

28. 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, FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA (IF THIS ITEM IS NOT MOVED TO THE CONSENT AGENDA, ANNOUNCE THE VOTE OF EACH COMMISSIONER)

-Jolynn Clegg, Clerk

STRICKEN ON CONSENT

29. 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, FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA (IF THIS ITEM IS NOT MOVED TO THE CONSENT AGENDA, ANNOUNCE THE VOTE OF EACH COMMISSIONER)

-Jolynn Clegg, Clerk

STRICKEN ON CONSENT

30. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION, FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA (IF THIS ITEM IS NOT MOVED TO THE CONSENT AGENDA, ANNOUNCE THE VOTE OF EACH COMMISSIONER)

-Jolynn Clegg, Clerk

STRICKEN ON CONSENT

PUBLIC COMMENTS

(Timestamp: 21:50)

PAUL JONES (Utah County Attorney's Office) FOUR WEEKS AGO THE UTAH COUNTY COMMUNITY REINVESTMENT AGENCY NOTICED THAT TODAY WOULD BE THE DAY THE COMMISSION WOULD HOLD A PUBLIC HEARING ON THE PROPOSED BUDGET. RECOMMENDED THAT THE PUBLIC HEARING BE HELD DIRECTLY AFTER THE COMMISSION MEETING.

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COMMISSIONER POWERS GARDNER: MOTION TO ADJOURN

COMMISSIONER SAKIEVICH: SECOND

AYE: ALL IN FAVOR

PASSED: 3/0

(Meeting Adjourned: 2:31 pm)

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS - 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 801-851-8215. Handicap parking is available as well as a level entrance to the building. Interpretation services are available with prior notice for the hearing disabled.

Those in attendance via Zoom:

Isaac Paxman

Ben Van Noy

Zachary Zundel

Kenneth Paciorek

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BOARD OF COMMISSIONERS FOR UTAH COUNTY
PUBLIC MEETING ATTENDANCE SHEET

January 17, 2024 - 2:00 p.m.

PRINT CLEARLY

Name:

Agency:

Alice Black

Yvette Rice

Andrea Allen

Paul Child

Theresa Case

Burt Gartfield

Robert Baxter

Burt Harvey

UC Clerk Office

Sheriff's Office

Recorder

Recorder's office

Assessor's

Assessor

Procurement


Auditor

Minutes approved on January 31, 2024 Commission Meeting.



Brandon Gordon, Commission Chair

ATTEST:



Deputy Clerk

