Commissioner Ellertson called the meeting to order at 9:15 A.M. and welcomed those present. The following matters were discussed:

CONSENT AGENDA

1. **DECLARE A ULV SPRAYER (TAG #700935, MODEL #18-20, SN 9248) WITH A FAIR MARKET VALUE OF $20, PURCHASED IN 1997, AS SURPLUS AND APPROVE DONATION TO SEVIER COUNTY MOSQUITO ABATEMENT**

2. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AND SALE AGREEMENT WITH IKON FOR A MODEL MPC4000 RICOH COPIER, SN V1295700945 - Located in the Health Department**


4. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE ARTICLE OF AGREEMENT FOR THE FY2009 HOMELAND SECURITY GRANT (REGION VIII BOMB SQUAD)**

5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE ARTICLE OF AGREEMENT FOR THE FY2009 HOMELAND SECURITY GRANT**

6. **APPROVE AND RATIFY THE COMMISSION CHAIR’S SIGNATURE ON AN AGREEMENT WITH CROSS MATCH TECHNOLOGIES**

Brian Thompson indicated he had not received the sales quotation backup that was referred to in the agreement. Cort Griffin explained the backup was included with the original copies only.
7. APPROVE AND RATIFY THE COMMISSION CHAIR’S SIGNATURE ON A LETTER TO SUBURBAN LAND RESERVE

8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE A NOTICE OF TERMINATION FOR AGREEMENTS BETWEEN UTAH COUNTY AND SIGMA SYSTEMS TECHNOLOGY, INC. (NOW MANATRON, INC.) RELATED TO THE SIGMA SOFTWARE

9. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY CHILDREN’S JUSTICE CENTER

10. APPROVE THE MINUTES OF THE NOVEMBER 17, 2009 COMMISSION MEETING

11. RATIFICATION OF PAYROLL

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12. RATIFICATION OF WARRANT REGISTER SUMMARY

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Consent Agenda Item Nos. 1-12 were approved with the explanation on No. 6. The following Regular Agenda items were moved to Consent:

1. APPROVE PERSONNEL ACTIONS ORIGINATING NOVEMBER 18, 2009

3. ADOPT A RESOLUTION MODIFYING SECTION IX.A.7.e OF THE UTAH COUNTY PERSONNEL RULES AND REGULATIONS PERTAINING TO FAMILY AND MEDICAL LEAVE TO COMPLY WITH THE FISCAL YEAR 2010 NATIONAL DEFENSE AUTHORIZATION ACT

6. APPROVE AND ADOPT A RESOLUTION TRANSFERRING FUNDS BETWEEN DEPARTMENTS OF UTAH COUNTY: Sheriff - JAG Award/Speed Trailer; Commission - Legal Conflict Services & Transcript Copies; Public Works - Community Development Block Grant

7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UTAH STERI SAFE (Continued from the November 10 and 17, 2009 meetings)

8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN UTAH COUNTY, BRIGHAM YOUNG UNIVERSITY, AND UTAH VALLEY UNIVERSITY, TO CREATE A “FAMILY AND COMMUNITY HEALTH RESEARCH INSTITUTE”

9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE UTAH DEPARTMENT OF AGRICULTURE AND FOOD
10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UNIVERSITY OF WYOMING, (FAY W. WHITNEY SCHOOL OF NURSING) TO ALLOW STUDENTS TO GAIN EDUCATION EXPERIENCE AT THE UTAH COUNTY HEALTH DEPARTMENT

11. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)/U.S. MARSHALS OFFICE (Continued from the November 10 and 17, 2009 meetings)

12. ADOPT A RESOLUTION ENACTING A HIRING FREEZE FOR ALL DEPARTMENTS OF UTAH COUNTY GOVERNMENT FOR THE 2010 CALENDAR YEAR

14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH RICK HENRIE FOR SERVICES RELATED TO THE SECURITY CENTER EXPANSION PROJECT

17. ADOPT A RESOLUTION APPOINTING JOSHUA BOREN AS A UTAH COUNTY BAIL COMMISSIONER

18. ADOPT A RESOLUTION OF REAPPOINTMENT TO THE ADMINISTRATIVE CONTROL BOARD OF THE TIMPANOOGOS SPECIAL SERVICE DISTRICT

19. APPROVE A NOTICE OF VACANCY ON THE TIMPANOOGOS SPECIAL SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD

Commissioner Ellerton noted the vacancy on this board will not occur until January, 2010 and Kent Sundberg will make that correction on the Notice of Vacancy.

ACTIONS TAKEN
Consent Agenda Item No. 1 was declared as surplus; Nos. 2, 3, 4, 5, 8 and 10 were approved; No. 6 was rejected; Nos. 7 and 11 were stricken; and No. 8 was continued without a date.

VACANCY NO. 2009-4

REGULAR AGENDA

2. ADOPT A RESOLUTION MODIFYING SECTION, I.E., OF THE UTAH COUNTY PERSONNEL RULES AND REGULATIONS PERTAINING TO DISCRIMINATION TO COMPLY WITH THE GENETIC INFORMATION NONDISCRIMINATING ACT

Lana Jensen said this action is to comply with a federal law that will be going into effect next week. She noted there were other rules and regulations that would need this discrimination clause and will research those.

Commissioner White made a motion to adopt a resolution modifying Section, I.E., of the Utah County Personnel Rules and Regulations pertaining to discrimination to comply with the Genetic Information Nondiscriminating Act. The motion was seconded by Commissioner Anderson and carried with the following vote:

AYE: Larry A. Ellerton
Steve White
Gary J. Anderson
NAY: None

RESOLUTION NO. 2009-178

4. APPROVE OR DENY A LATE VETERAN ABATEMENT APPLICATION FOR KI MO K. BANDMANN
Commissioner White noted Mr. Bankmann’s name should be Bandmann.

Commissioner Anderson made the motion to approve a late Veteran Abatement Application for Kimo K. Bandmann on SN 53:311:0015, with a finding that denial would be against fair conscience and fair equity. The motion was seconded by Commissioner White and carried with the following vote:

AYE: Larry A. Ellertson
     Steve White
     Gary J. Anderson

NAY: None

5. APPROVE OR DENY A LATE VETERAN ABATEMENT APPLICATION FOR NEIL RICHARD HANSEN ON SN 46:168:0045

Commissioner Anderson made the motion to approve a late Veteran Abatement Application for Neil Richard Hansen on SN 46:168:0045, with a finding that denial would be against fair equity and good conscience. The motion was seconded by Commissioner White and carried with the following vote:

AYE: Larry A. Ellertson
     Steve White
     Gary J. Anderson

NAY: None

13. APPROVE OR DENY THE 2010 BUSINESS AND MARKETING PLAN FOR THE UTAH VALLEY CONVENTION AND VISITORS BUREAU

Joel Racker reported the Board of the UVCVB had approved the Business and Marketing Plan. He noted August 21, 2009 marked the 6th anniversary of the CVB’s partnership with the county and expressed appreciation to the CVB Board and the Utah County Board of Commissioners.

Commissioner White made the motion to approve the 2010 Business and Marketing Plan for the Utah Valley Convention and Visitors Bureau. The motion was seconded by Commissioner Anderson and carried with the following vote:

AYE: Larry A. Ellertson
     Steve White
     Gary J. Anderson

NAY: None

AGREEMENT NO. 2009-716

15. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH MHTN ARCHITECTS FOR SERVICES RELATED TO THE UTAH COUNTY CONVENTION CENTER FACILITY

Commissioner White expressed appreciation to Cort Griffin for his work on this agreement.

Commissioner white made the motion to approve an agreement with MHTN Architects for services related to the Utah County Convention Center Facility. The motion was seconded by Commissioner Anderson and carried with the following vote:

AYE: Larry A. Ellertson
     Steve White
     Gary J. Anderson

NAY: None

AGREEMENT NO. 2009-717

16. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AUDIT LETTERS REGARDING COMPLIANCE WITH STATE AND COUNTY USE AND SALES TAX/TRANSIENT ROOM TAX PROVISIONS

Commissioner Anderson made the motion to approve the audit letters regarding compliance with State and County use and Sales Tax/Transient Room Tax provisions. The motion was seconded by Commissioner White and carried with the following vote:
24. **SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., AS AMENDED**

Commissioner Anderson made the motion to strike Regular Agenda Item No. 24 to set a date, time and location for a closed meeting to discuss commercial information as defined in Section 59-1-404, U.C.A., as amended. The motion was seconded by Commissioner White and carried with the following vote:

**AYE:** Larry A. Ellertson  
Steve White  
Gary J. Anderson  

**NAY:** None


20. **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**

Commissioner Anderson made the motion 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 to immediately follow today’s public meeting in Room 1400 of the County Administration Building. The motion was seconded by Commissioner White and carried with the following vote:

**AYE:** Larry A. Ellertson  
Steve White  
Gary J. Anderson  

**NAY:** None

21. **SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION**

Commissioner Anderson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss pending or reasonably imminent litigation to immediately follow the previously scheduled closed meeting in Room 1400 of the County Administration Building. The motion was seconded by Commissioner White and carried with the following vote:

**AYE:** Larry A. Ellertson  
Steve White  
Gary J. Anderson  

**NAY:** None

22. **SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY**

Commissioner Anderson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss the purchase, exchange, or lease of real property to immediately follow the previously scheduled closed meetings in Room 1400 of the County Administration Building. The motion was seconded by Commissioner White and carried with the following vote:

**AYE:** Larry A. Ellertson  
Steve White  
Gary J. Anderson  

**NAY:** None
23. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY

Commissioner Anderson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss the sale of real property to immediately follow the previously scheduled closed meetings in Room 1400 of the County Administration Building. The motion was seconded by Commissioner White and carried with the following vote:

AYE: Larry A. Ellertson
      Steve White
      Gary J. Anderson

NAY: None

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENT

Joel Wright, Cedar Hills, thanked the Board of Commissioners for balancing the budget. He noted there was an 8.5% increase in the taxes and encouraged the Board to maintain that next year. He expressed concern that the budget wasn’t tightened enough and reiterated his suggestion that the 2008 salary increases be taken back from the employees. Commissioner White noted the county is down 75 employees this year; Commissioner Anderson said the county employees have not had a salary increase since 2008; and Commissioner Ellertson stated the county employees are doing more work for less money.

The meeting recessed at 9:35 A.M. to go into closed meeting. Commissioner White was excused after the closed meeting on the character, professional competence or physical or mental health of an individual or individuals. The Public Meeting reconvened at 11:15 A.M.

Commissioner Anderson made the motion to adjourn the November 24, 2009 Commission Meeting. The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Larry A. Ellertson
      Steve White
      Gary J. Anderson

NAY: None

There being no further business nor public comment, The minutes of the November 24, 2009 Utah County Board of Commissioners meeting were approved as transcribed on December 1, 2009.

______________________________
LARRY A. ELLERTSON
Utah County Commission Chair

ATTEST:

______________________________
BRYAN E. THOMPSON
Utah County Clerk/Auditor

Copies Available on the County Web Site at www.utahcountyonline.org
Recorded by: Linda Strickland, Commission Clerk