CONSENT AGENDA

1. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN MAINTENANCE AGREEMENTS WITH IKON FOR THE FOLLOWING: MODEL IR3300 CANON COPIER, ID AIR75, MPH28189, FOR A RATE OF 0.0081 PER COPY, LOCATED IN NURSING, EXPIRES JUNE 30, 2003; AND MODEL IR3300, CANON COPIER, ID A2Q9Y, SN MPH27732, LOCATED IN ENVIRONMENTAL HEALTH, EXPIRES JUNE 30, 2003

2. DENY APPLICATIONS FOR REFUND OR REDUCTION OF PROPERTY TAXES ERRONEOUSLY OR ILLEGALLY ASSESSED OR PAID MORE THAN ONCE; FOR SETTLEMENT OR DEFERRAL OF PROPERTY TAXES FOR JAMES E. AND REBECCA HIGGINS ON PARCEL NO. 37:151:0007 WITH THE FINDING THAT THERE WAS NO ERROR MADE ON THE PART OF THE COUNTY


4. APPROVE THE AGRICULTURAL DIVISION OF LAND AND THE RECORD OF SURVEY MAP FOR K.B.W. PROPERTIES, SECTION 1 & 12, T 11S, R2W

5. ADOPT RESOLUTION APPOINTING ALAN CURTIS TO THE BOARD OF DIRECTORS OF THE PROVO CITY/UTAH COUNTY ICE SHEET AUTHORITY - TERM EXPIRING DECEMBER 31, 2006

6. APPROVE AND ADOPT ANNUAL NOTICE OF REGULAR MEETING SCHEDULE OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH FOR THE YEAR 2003
7. ADOPT AN ORDINANCE PROVIDING FOR THE HOLDING OF REGULAR MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, FOR THE YEAR 2003

8. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR’S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60107, DATED DECEMBER 17, 2002

9. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR’S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 110, DATED DECEMBER 19, 2002

10. APPROVE THE MINUTES OF THE DECEMBER 17, 2002 BOARD OF UTAH COUNTY COMMISSIONERS REGULAR PUBLIC MEETING

11. CHECK REGISTER WARRANT

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Commissioner Herbert noted Agenda Item No. 5 should state “Community Advisory Board” instead of “Board of Directors”. Commissioner Grover recommended approval of Consent Agenda Item Nos. 1-11 with that correction. He also recommended moving Regular Agenda Nos. 2, 9 11, 12, 13, 16, 17, 18, 19, 20 and 21 to Consent. There were no objections.

2. APPROVE PERSONNEL ACTIONS ORIGINATING DECEMBER 19, 2002

9. SET A PUBLIC HEARING TO AMEND SECTIONS 5-8-B-13 AND 5-8-D-2 OF THE UTAH COUNTY ZONING ORDINANCE TO ALLOW INDEPENDENT AUTOMOBILE REPAIR FACILITIES IN THE NC-1 ZONE ON A MINIMUM OF ONE ACRE - Suggested Date: January 14, 2003

11. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A USE AGREEMENT WITH APCO INTERNATIONAL IN ORDER TO LEASE THE NORTH ANNEX CLASSROOM FOR AN OPEN COMMUNICATIONS TRAINING OFFICER COURSE

12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN ELECTRIC SERVICE AGREEMENT WITH STRAWBERRY ELECTRIC SERVICE DISTRICT, FOR A STREET LIGHT TO BE LOCATED AT 1600 WEST HIGHWAY 198

13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN ELECTRIC SERVICE AGREEMENT WITH STRAWBERRY ELECTRIC SERVICE DISTRICT FOR A STREET LIGHT TO BE LOCATED AT 1200 WEST 8000 SOUTH

16. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO ADOPT THE RESOLUTION APPOINTING JAN ANDERSON AS AN ALTERNATE MEMBER OF THE UTAH COUNTY PLANNING COMMISSION

17. ADOPT RESOLUTION APPOINTING TOM LIDDLE AS A MEMBER TO THE UTAH COUNTY PLANNING COMMISSION

18. ADOPT RESOLUTION APPOINTING LYLE R. HILLIER AS A MEMBER TO THE UTAH COUNTY BOARD OF ADJUSTMENT

19. CONFIRM OR CANCEL PUBLIC COMMISSION MEETING SCHEDULED FOR WEDNESDAY, DECEMBER 25, 2002 AT 5:30 PM
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

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

Consent Agenda Item Nos. 1-11; and Regular Agenda Item Nos. 2, 9, 11, 12, 13, 16, 17, 18, 19, 20 and 21, moved to Consent were unanimously approved, authorized, denied, adopted, modified, set for public hearing, cancelled, stricken and set for time.

RESOLUTION NOS. 2002-91, 2002-92, 2002-93 and 2002-94
ORDINANCE NO. 2002-40

REGULAR AGENDA

1. RECOGNIZE DELBERT JAY FOR THE BRONZE STAR MEDAL/JOINT SERVICE COMMENDATION MEDAL RECEIVED WHILE ENGAGED IN COMBAT OPERATIONS AS A MEMBER OF THE UNITED STATES ARMY SPECIAL FORCES

Jim Tracy introduced Delbert Jay as a recipient of the Bronze Star Medal/Joint Service Commendation Medal while in the US Army Special Forces and as a member of the Fire-Fighting team with the Utah County Sheriff’s Office. He cited Mr. Jay as an exemplary Utah County employee and citizen soldier. Commissioner Herbert read the citation for the Bronze Star Medal for Delbert Jay, MSG into the record:

“For exceptionally meritorious service from 08 May 02 through 15 Sep 02, while performing as Operations NCO for ODB-920. MSG Jay was instrumental in the protection of U.S. and Afghan Forces while under fire and during the conduct of combat operations. MSG Jay applied his training and expertise to the conduct of combat operations against enemy forces with great enthusiasm and effort. His personal initiative in carrying out combat operations and UXO missions, successfully resulted in the destruction of enemy supply routes, supply points and weapons caches. His gallant conduct while engaged in combat operations during OPERATION ENDURING FREEDOM, reflects great credit upon himself, the United States Army Special Forces and the United States of America.”

Commissioner Grover noted the press packet had additional information for the news media.

3. APPROVE OR DENY A REQUEST FOR THE AMERICAN RED CROSS TO OBTAIN SURPLUS RADIOS FROM THE UTAH COUNTY SHERIFF’S OFFICE (ONE VEHICLE RADIO AND EIGHT HAND-HELD RADIOS WITH CHARGERS) TO BE USED FOR THE EMERGENCY OPERATIONS COMMUNICATIONS

(Continued from the December 10, and December 17, 2002 meetings)

Clyde Naylor reported that upon further research, it was determined that there were no surplus radios in the county and recommended the matter be stricken.

Commission Gardner made the motion to strike Agenda Item No. 3 regarding surplus radios.

The motion was seconded by Commissioner Herbert and carried with the following vote:

AYE: Jerry D. Grover
        David J. Gardner
        Gary R. Herbert

NAY: None

4. APPROVE AND ADOPT A RESOLUTION AUTHORIZING THE COMMISSION CHAIR TO SIGN AN INTERLOCAL COOPERATION AGREEMENT WITH EAGLE MOUNTAIN CITY FOR LAW ENFORCEMENT SERVICES

(Continued from the December 10, and December 17, 2002 meetings)

Kent Sundberg indicated legal counsel has revised the agreement and it has been reviewed by the Sheriff’s Office. It has not yet been reviewed by Eagle Mountain City.
Commissioner Herbert made the motion to adopt a resolution authorizing the Commission Chair to sign an interlocal cooperation agreement with Eagle Mountain City for Law Enforcement Services. The motion was seconded by Commissioner Gardner and carried with the following vote:

AYE: Jerry D. Grover
     David J. Gardner
     Gary R. Herbert

NAY: None

AGREEMENT NO. 2002-639
RESOLUTION NO. 2002-95

5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH MICHAEL W. ERICKSON AS A UTAH COUNTY CONSTABLE (Continued from the December 17, 2002 meeting)

6. ADOPT RESOLUTION APPROVING RECOMMENDATIONS OF COUNTY NOMINATING COMMISSION AND APPOINTING COUNTY CONSTABLE - MICHAEL W. ERICKSON

Kent Sundberg reported the agreement had been rewritten with revised insurance requirements and all information, including the insurance, had been received by legal counsel to their satisfaction.

Commissioner Herbert the motion to adopt a resolution appointing Michael W. Erickson as a Utah County Constable and to approve an agreement with Mr. Erickson as a Utah County Constable. The motion was seconded by Commissioner Gardner and carried with the following vote:

AYE: Jerry D. Grover
     David J. Gardner
     Gary R. Herbert

NAY: None

AGREEMENT NO. 2002-640
RESOLUTION NO. 2002-96

7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ANTHONY FERNLUND AS A UTAH COUNTY CONSTABLE (Continued from the December 17, 2002 meeting)

8. ADOPT RESOLUTION APPROVING RECOMMENDATIONS OF COUNTY NOMINATING COMMISSION AND APPOINTING COUNTY CONSTABLE

Kent Sundberg noted Mr. Fernlund’s agreement had also been revised as to the insurance requirement; however, he has received no information from him. Mr. Sundberg added, Mr. Fernlund is aware that he has until the end of December to provide the required information. Commissioner Grover expressed the opinion that Mr. Fernlund had had sufficient time to provide the required information.

Commissioner Herbert made the motion to continue Agenda Item Nos. 7 and 8 to the December 31, 2002 Regular Agenda. The motion was seconded by Commissioner Herbert and carried with the following vote:

AYE: David J. Gardner
     Gary R. Herbert

NAY: Jerry D. Grover

10. APPROVE (OR DENY) THE SALE OF PROPERTY OWNED BY UTAH COUNTY IN SECTION 17, T7S, R3E, IN THE RA-5 ZONE, ALSO IDENTIFIED AS PARCEL 22:046:0077

Clyde Naylor said this is a portion of a larger parcel, less roads and a railroad which leaves approximately 1.17 acres of useable property that the county would like to sell for $40,000. No bid is necessary as long as fair market value is received.
Commissioner Herbert made the motion to approve the sale of property owned by Utah County in Section 17, T7S, R3E, in the RA-5 Zone, also identified as Parcel No. 22:046:0077, and to authorized the Utah County Clerk to sign the document. The motion was seconded by Commissioner Gardner and carried with the following vote:

**AYE:** Jerry D. Grover  
David J. Gardner  
Gary R. Herbert  

**NAY:** None

**AGREEMENT NO. 2002-643**

14. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE PUBLIC LIBRARY DEVELOPMENT GRANT AND THE LIBRARY SERVICE SUSTAINING SUBSIDY**

15. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE BOOKMOBILE LIBRARY AGREEMENT WITH THE STATE OF UTAH**

Commissioner Grover explained these contracts have to do with the grant to fund the bookmobile in rural areas of Utah County. This has changed this year because Salem City has opted not to utilize the bookmobile in favor of starting their own library.

Commissioner Gardner made the motion to approve the Public Library Development Grant and Library Service Sustaining Subsidy, as well as the Bookmobile Library Agreement as presented. The motion was seconded by Commissioner Herbert and carried with the following vote:

**AYE:** Jerry D. Grover  
David J. Gardner  
Gary R. Herbert  

**NAY:** None

**AGREEMENT NOS. 2002-641 and 2002-642**

**WORK SESSION**

1. **PLACE ON REGULAR AGENDA TO ADOPT AN ORDINANCE TO APPROVE OR DENY THE AMENDMENTS TO CHAPTER 7, BUILDING, OF THE UTAH COUNTY CODE, TO COMPLY WITH THE STATE OF UTAH MANDATED REQUIREMENTS CONCERNING BUILDING AND SAFETY CODES**

Commissioner Grover stated the code is modified periodically as changes occur. Jeff Mendenhall agreed, stating the electrical code is the only major change over previous years. All other codes remain the same, although the administrative portion of the code will be revised somewhat for this jurisdiction. The matter was referred to the December 31, 2002 Consent Agenda for approval.

2. **DISCUSS BOUNDARY AND INFRASTRUCTURE STUDY FOR THE DRAPER CITY INCORPORATED AREA WITHIN UTAH COUNTY**

Commissioner Grover reminded those present that part of the terms of the Timpanogos Special Service District annexation of part of Draper City into the district was that a study would be conducted to determine the boundary and infrastructure of the Draper City area incorporated within Utah County. Steve Sowby and Ken Berg presented the study and the various options available. Mr. Sowby said that Lehi and Highland Cities wish to annex the remaining unincorporated area up to the Draper City boundary into their cities. He expressed the belief that the cities would have to determine their next step and no further action was required by the county. No action was necessary for the Board of Commissioners and Community Development was directed to make the final payment to the consultants if they were satisfied with the study.

There being no further business nor public comments, the meeting adjourned at 9:50 AM. The minutes of the December 24, 2002 meeting were read and approved as transcribed.