

STATE OF UTAH

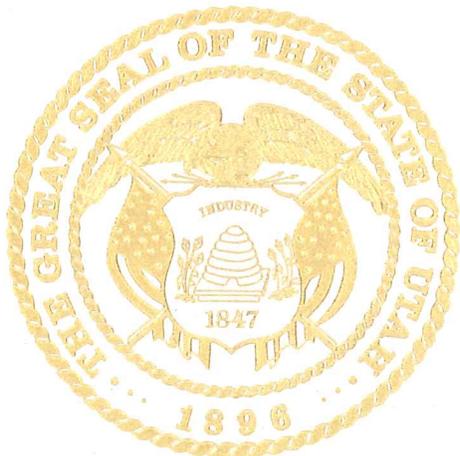


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF WITHDRAWAL

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of withdrawal pertaining to the WHITE HILLS SPECIAL SERVICE DISTRICT, dated January 29th, 2009, complying with Section 17D-1-603, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of withdrawal, referred to above, on file with the Office of the Lieutenant Governor pertaining to WHITE HILLS SPECIAL SERVICE DISTRICT, located in Utah County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 9th day of February, 2009.

Handwritten signature of Gary R. Herbert in black ink.

GARY R. HERBERT
Lieutenant Governor



Utah County Attorney

Civil Division

Jeffrey R. Buhman, County Attorney
E. Kent Sundberg, Civil Division Chief

E. Kent Sundberg
David H. Shawcroft
Kent O. Willis
M. Cort Griffin

Chris Yannelli
Paul Wake
Robert J. Moore
Dianne R. Orcutt

100 East Center Street,
Suite 2100
Provo, UT 84606
Phone (801)851-8026
Facsimile (801)851-8009

January 29, 2008

Utah State Lt. Governor
Utah State Capitol Complex
P.O. Box 142325
Salt Lake City, UT 84114-2325

Re: *Withdrawal of area from the White Hills Special Service District*

To Whom It May Concern:

Pursuant to Section 17D-1-603, Utah Code Annotated, 1953 as amended, please find enclosed a Notice and Certification, with accompanying copy of the fully executed and recorded Resolution which withdrew area from the White Hills Special Service District, Utah County, Utah, and provided for other related matters. Also enclosed is a fully executed and recorded Resolution which approved a corrected legal description in connection with the withdrawal of area from the White Hills Special Service District. We have also attached a map showing the area withdrawn from the White Hills Special Service District to the Notice and Certification.

If you have any questions regarding the enclosed, please contact our office.

Sincerely,

E. Kent Sundberg
Deputy Utah County Attorney

Encl.

L:\KENTS\White Hills SSD\Lt Gov White Hills SSD Withdraw Cert.let.wpd

Received

FEB 09 2009

Gary R. Herbert
Lieutenant Governor

NOTICE AND CERTIFICATION

Pursuant to the provisions of Section 17D-1-603, Utah Code Annotated, 1953 as amended, notice is hereby given that the Board of County Commissioners, Utah County, Utah, approved the withdrawal of an area from the White Hills Special Service District, Utah County, Utah, by Resolution No. 2009-7 adopted on January 13, 2009, and recorded by the Utah County Recorder on January 21, 2009. A copy of said Resolution is attached hereto as Exhibit "A" and incorporated herein by reference.

After the adoption of Resolution No. 2009-7, it was discovered that the legal description attached to said Resolution inadvertently contained typographical errors. The Board of County Commissioners, Utah County, Utah, thereafter on January 27, 2009 adopted Resolution No. 2009-15, which approved a corrected legal description in connection with the withdrawal of certain properties from the White Hills Special Service District. A copy of said Resolution No. 2009-15 is attached hereto as Exhibit "C" and incorporated herein by reference.

A map showing the boundaries of the area withdrawn from the White Hills Special Service District is attached hereto as Exhibit "B" and incorporated herein by reference.

Pursuant to the provisions of Section 17D-1-603, Utah Code Annotated, 1953 as amended, certification is hereby made by the undersigned officers that all necessary legal requirements relating to the withdrawal of area from the White Hills Special Service District have been fully met.

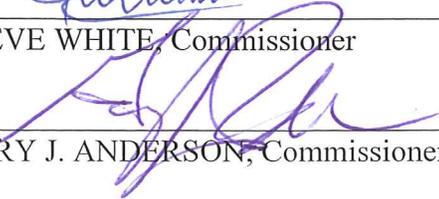
DATED this 29th of January, 2009.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH


LARRY A. ELLERTSON, Chair



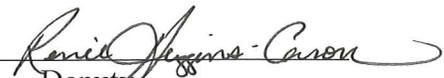
STEVE WHITE, Commissioner



GARY J. ANDERSON, Commissioner

ATTEST:

Bryan E. Thompson
Utah County Clerk/Auditor

By: 
Deputy

APPROVED AS TO FORM:

Jeffrey R. Buhman
Utah County Attorney

By: 
Deputy

EXHIBIT A

Provo, Utah

January 13, 2009

The Board of County Commissioners (the "Board") of Utah County, Utah, met in regular public session at its regular meeting place of the Board in Provo, Utah, on Tuesday, January 13, 2009, at 9:00 a.m. The meeting was called to order by the Chair of the Board with the following being present, and constituting a quorum:

| | |
|--------------------|--------------|
| Larry A. Ellertson | Chair |
| Gary J. Anderson | Commissioner |

Also present:

| | |
|-------------------|----------------------|
| Bryan E. Thompson | County Clerk/Auditor |
|-------------------|----------------------|

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, a Certificate of Compliance with Open Meeting Law with respect to this January 13, 2009, meeting was presented to the County Commission, a copy of which is attached hereto as Exhibit A.

Thereupon, the following resolution was approved and adopted on the following recorded vote:

AYE: Commissioner Larry A. Ellertson
 Commissioner Gary J. Anderson

NAY: none

ABSENT: Commissioner Steve White

The resolution was then signed by the Chair in open meeting and recorded by the Clerk/Auditor in the official records of Utah County, Utah. The resolution is as follows:

ENT 5779:2009 PG 1 of 17
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2009 Jan 21 1:56 pm FEE 0.00 BY CS
RECORDED FOR UTAH COUNTY ATTORNEY

RESOLUTION NO. 2009-7

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, WITHDRAWING CERTAIN PROPERTIES FROM AND DISCONTINUING THE PROVISION OF WATER SERVICE WITHIN THE WHITE HILLS SPECIAL SERVICE DISTRICT AND RELATED MATTERS.

WHEREAS, the Board of County Commissioners (the "Board") of Utah County, Utah (the "County"), has heretofore created the White Hills Special Service District, Utah County, Utah (the "District") pursuant to the Limited Purpose Local Government Entities—Other Entities, Title 17D, Utah Code Annotated, 1953, as amended (the "Act");

WHEREAS, pursuant to Section 17D-1-601 of the Act, and after careful consideration of the development of the District and its surrounding areas, the County has determined that it would be beneficial to remove certain properties from the District's boundaries, which properties are more fully described in the attached Exhibit B; and

WHEREAS, upon further review of the development of District and its surrounding areas, the County has determined that (i) it would be beneficial to create a basic local district to provide certain services, including water services, to such properties rather than the District, and (ii) the provision of water service within the boundaries of the District should be discontinued; and

WHEREAS, proceedings have been presented to the Board which would provide for the creation of a basic local district to provide certain services, including water services, to these areas:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH AS FOLLOWS:

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by the officers of the County directed toward the withdrawal of property from and discontinuation of services within the District, are hereby ratified, approved and confirmed.

Section 2. The Board hereby finds and determines that the property identified in attached Exhibit B should not be provided with services by the District and hereby approves the withdrawal of said area from the District.

Section 3. The Board hereby approves the discontinuation of water service within the District.

Section 4. The officers of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 5. If any one or more sections, sentences, clauses, or parts of this resolution shall, for any reason, be questioned or held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this resolution, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this resolution so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause, or part of this resolution in any one or more instances shall not affect or prejudice in any way the applicability and validity of this resolution in any other instances.

Section 6. All resolutions of the County in conflict with this resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, by-law or regulation, or part thereof, heretofore repealed.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH THIS JANUARY 13, 2009.

(SEAL)



By: *Dwight E. Johnson*
Chair

ATTEST:

By: *Bryan E. Chung*
County Clerk/Auditor

(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the Board adjourned.

(SEAL)



By: *[Signature]*
Chair

ATTEST:

By: *[Signature]*
County Clerk/Auditor

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

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I, Bryan E. Thompson, the duly qualified and acting County Clerk/Auditor of Utah County, Utah (the "County"), do hereby certify according to the records of the County in my possession that the foregoing constitutes a true, correct, and complete copy of the minutes of the regular meeting of the County's Board of County Commissioners held on January 13, 2009, as it pertains to a resolution (the "Resolution") adopted by the Board at said meeting, including the Resolution, as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the County this January 13, 2009.

(SEAL)



By: Bryan E Thompson
County Clerk/Auditor

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Bryan E. Thompson, the undersigned County Clerk/Auditor of Utah County, Utah (the "County") do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the January 13, 2009, public meeting held by the Board of County Commissioners as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the County on January 9, 2009, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to The Daily Herald, on January 9, 2009, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>).

In addition, the Notice of 2009 Annual Meeting Schedule for the Board of County Commissioners (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Board of the County to be held during the year, by causing said Notice to be posted on December 11, 2008, at the principal office of the County and by causing a copy of said Notice to be provided to at least one newspaper of general circulation within the geographic jurisdiction of the County on December 11, 2008.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this January 13, 2009.

(SEAL)



By: Bryan E. Thompson
County Clerk/Auditor

SCHEDULE 1

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NOTICE OF MEETING

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

WILL HOLD ITS REGULAR PUBLIC MEETING
 IN THE COMMISSION CHAMBERS, ROOM 1400
 OF THE UTAH COUNTY ADMINISTRATION BUILDING
 100 East Center Street, Provo UT
 January 13, 2009 - 9:00 A.M.

CONSENT

1. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR A SHARP MODEL AR405 COPY MACHINE, SN 96604116 - Located in Community Development
2. DECLARE SPECIFIED ITEMS AS SURPLUS AND AUTHORIZE THE DISPOSITION THEREOF THROUGH PUBLIC AUCTION
3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE RENEWAL APPLICATION FOR A CLASS A RETAIL BEER LICENSE (OFF-PREMISE CONSUMPTION) FOR CEDAR HAVEN SINCLAIR, LLC - ANDREW ROSE, LOCATED AT 13205 E HWY 6 IN THE SPANISH FORK CANYON AREA OF UNINCORPORATED UTAH COUNTY
4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO ACCEPT THE AWARD TO THE UTAH COUNTY SHERIFF'S OFFICE FROM THE ROCKY MOUNTAIN INFORMATION NETWORK IN THE AMOUNT OF \$4,000
5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN ONE TERMINATION AGREEMENT AND GENERAL RELEASE (SEVERANCE PAYMENT OPTION) WITH ONE COUNTY EMPLOYEE
6. APPROVE AND AUTHORIZE EXECUTION OF A STIPULATION FOR DECLARATORY JUDGEMENT REGARDING GARY FISHER AND MARLISE FISHER VS UTAH COUNTY FOR RESOLUTION OF ZONING ISSUES
7. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY
8. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 09-419
9. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 20172
10. APPROVE THE MINUTES OF THE UTAH COUNTY BOARD OF COMMISSIONERS' JANUARY 5, 2009 MEETING

11. RATIFICATION OF WARRANT REGISTER SUMMARY

| | | | | |
|-----------------|--------------|---------------------------|-----------|-----------|
| Register No. 7 | Jan 05, 2008 | Direct Deposit: 5225-5225 | Total: \$ | 11.00 |
| Register No. 8 | Jan 05, 2008 | Direct Deposit: 5226-5260 | Total: \$ | 3,044.93 |
| Register No. 9 | Jan 05, 2008 | Check Nos. 108681-108701 | Total: \$ | 29,188.82 |
| Register No. 10 | Jan 05, 2008 | Direct Deposit: 5261-5261 | Total: \$ | 355.00 |
| Register No. 11 | Jan 05, 2008 | Check Nos. 108702-108715 | Total: \$ | 44,408.47 |
| Register No. 12 | Jan 05, 2008 | Check Nos. 108716-108734 | Total: \$ | 41,196.00 |
| Register No. 13 | Jan 06, 2008 | Direct Deposit: 5262-5262 | Total: \$ | 276.46 |

| | | | |
|-----------------|--------------|---------------------------|-------------------------------------|
| Register No. 14 | Jan 06, 2008 | Check Nos. 108735-108751 | Total: \$ 41,775.49 |
| Register No. 15 | Jan 06, 2008 | Check Nos. 108752-108756 | Total: \$ 1,219.12 |
| Register No. 16 | Jan 06, 2008 | Direct Deposit: 5263-5264 | Total: \$ 343.87 |
| Register No. 17 | Jan 06, 2008 | Check Nos. 108757-108768 | Total: \$ 36,877.73 |
| Register No. 18 | Jan 07, 2008 | Direct Deposit: 5265-5272 | Total: \$ 1,781.63 |
| Register No. 19 | Jan 07, 2008 | Check Nos. 108769-108782 | Total: \$ 19,831.33 |
| Register No. 20 | Jan 07, 2008 | Direct Deposit: 5273-5273 | Total: \$ 12.75 |
| Register No. 21 | Jan 07, 2008 | Check Nos. 108783-108799 | Total: \$ 125,234.42 |
| Register No. 22 | Jan 07, 2008 | Check Nos. 108800-108809 | Total: \$ 31,054.00 |
| Register No. 23 | Jan 08, 2008 | Check Nos. 108810-108829 | Total: \$ 121,340.00 |
| Register No. 24 | Jan 08, 2008 | Check Nos. 108830-108836 | Total: \$ 6,387.14 |
| Register No. 25 | Jan 08, 2008 | Check Nos. 108837-108859 | Total: \$ 44,858.07 |
| Register No. 26 | Jan 09, 2008 | Direct Deposit: 5274-5276 | Total: \$ 85.00 |
| Register No. 27 | Jan 09, 2008 | Check Nos. 108860-108864 | Total: \$ 5,162.00 |
| Register No. 28 | Jan 09, 2008 | Check Nos. 108865-108868 | Total: \$ 993.25 |
| Register No. 29 | Jan 09, 2008 | Check Nos. 108869-108889 | Total: \$ 274,262.05 |
| Register No. 30 | Jan 09, 2008 | Check Nos. 108890-108900 | Total: \$1,281,544.75 |
| | | | Total: <u>\$2,111,243.28</u> |

REGULAR

1. APPROVE PERSONNEL ACTIONS ORIGINATING JANUARY 8, 2009
 - Lana Jensen, Personnel Director -

2. APPROVE EMPLOYEE DONATION OF LEAVE TIME WITHIN VARIOUS DEPARTMENTS
 - Lana Jensen, Personnel Director -

3. ANNOUNCE THE FOLLOWING CHANGES TO THE DIVISION OF SUBSTANCE ABUSE STAFFING PLAN
 - SUBSTANCE ABUSE - JAIL EXPANSION (ACCOUNT NO. 273-42731)
 - Delete (1) Full-Time Career Service Program Secretary Position No. 6360-3-1
 - Delete (1) Full-Time Career Service Clinical Therapist II Position No. 2052-1-1
 - Delete (1) Full-Time Career Service Substance Abuse Counselor I Position No. 5039-2-1
 - SUBSTANCE ABUSE - ACCOUNT NO. 210-43350)
 - Delete (3) Half-Time Grant-Funded Clinical Therapist II Positions Nos. 992052-13-1; 992052-13-2; 992052-58-2
 - Delete (1) Full-Time Grant-Funded Substance Abuse Prevention Specialist Position No. 995358-22-1
 - Delete (1) Full-Time Grant-Funded Substance Abuse Counselor I Position No. 995039-73-1
 - Delete (1) Full-Time Grant-Funded Substance Abuse Counselor Aide Position No. 995040-28-1
 - Upgrade (1) Three-Quarter-Time Grant-Funded Program Secretary - Substance Abuse Position No. 996360-69-1-.75 to (1) Full-Time Career Service Program Secretary - Substance Abuse Position No. 6360-69-1-1.0
 - Change (1) Full-Time Grant-Funded Clinical Therapist II Position No. 992052-30-1 to (1) Full-Time Career Service Clinical Therapist II Position No. 2052-30-1
 - Lana Jensen, Personnel Director -

4. ANNOUNCE THE FOLLOWING CHANGES TO THE HEALTH DEPARTMENT STAFFING PLAN
 - ENVIRONMENTAL HEALTH (ACCOUNT NO. 230-43110)
 - Reduce (1) Full-Time Career Service Environmental Health Scientist II Position No. 3010-5-1 to (1) Full-Time Career Service Environmental Health Scientist I Position No. 3610-5-1
 - HEALTH EDUCATION (ACCOUNT NO. 230-43130)
 - Reduce (1) Full-Time Career Service Health Educator II Position No. 3120-4-1 to (1) Full-Time Career Service Career Service Health Educator I Position No. 3620-4-1

- NURSING (ACCOUNT NO. 230-43120)
 - Reduce (1) Full-Time Career Service Clinical Assistant III Position No. 6605-60-1 to (1) Full-Time Clinical Assistant II Position No. 6604-60-1
 - Reduce (1) Half-Time Career Service Clinical Assistant III Position No. 6605-71-1 to (1) Half-Time Clinical Assistant II Position No. 6604-71-1
 - Reduce (1) Half-Time Career Service Public Health Nurse II Position No. 2022-48-2 to (1) Half-Time Career Service Clinical Assistant II Position No. 6604-48-2
 - Change (1) Three-Quarter-Time Career Service Outreach/Home Visitation Aide Position No. 5142-69-1 to (1) Three-Quarter-Time Grant-Funded Outreach/Home Visitation Aide Position No. 995142-69-1
 - Delete (1) Half-Time Career Service Public Health Nurse II Position No. 2022-49-1
 - Lana Jensen, Personnel Director -

- 5. APPROVE AND ADOPT A RESOLUTION TRANSFERRING FUNDS BETWEEN DEPARTMENTS OF UTAH COUNTY - *Public Works - CDBG*
 - Danene Jackson, Clerk/Auditor - Finance -

- 6. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH DARREN MARROTT PAINTING, INC.
 - Richard Nielson, Public Works Director/Engineer -

- 7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CONTRACT BETWEEN UTAH VALLEY UNIVERSITY AND UTAH COUNTY LOCAL SUBSTANCE AUTHORITY, UTAH COUNTY DIVISION OF SUBSTANCE ABUSE FOR SUBSTANCE ABUSE PREVENTION SERVICES
 - Pat Bird, Substance Abuse -

- 8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH SUNRISE ENGINEERING, INC., FOR BUILDING PLAN REVIEW AND BUILDING INSPECTION ENGINEERING SERVICES (*Continued from the January 5, 2009 meeting*)
 - Steve Kitchen, Community Development -

- 9. APPROVE THE AMENDED BUILDING PERMIT FEE SCHEDULE AND ADOPT AN ORDINANCE TO AMEND THE UTAH COUNTY GOVERNMENT FEE SCHEDULE ADOPTED IN BOOK FORM
 - Jeff Mendenhall, Community Development Director -

- 10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE A LETTER DIRECTING THE UTAH COUNTY PLANNING COMMISSION TO REVIEW AND MAKE A RECOMMENDATION ON A PROPOSAL TO AMEND THE UTAH COUNTY GENERAL PLAN; TO CREATE THE I-2 INDUSTRIAL ZONE; AND TO RE-ZONE APPROXIMATELY 750 ACRES IN THE GOSHEN AREA TO THE I-2 INDUSTRIAL ZONE
 - Commissioner Gary Anderson -

- 11. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE A LETTER DIRECTING THE UTAH COUNTY PLANNING COMMISSION TO REVIEW AND MAKE A RECOMMENDATION ON A PROPOSAL TO AMEND THE UTAH COUNTY GENERAL PLAN; TO ADOPT A SPECIAL AREA PLAN FOR THE GOSHEN VALLEY; TO CREATE THE P-C- PLANNED COMMUNITY ZONE; AND TO RE-ZONE APPROXIMATELY 27,000 ACRES TO THE P-C PLANNED COMMUNITY ZONE
 - Commission Gary Anderson -

- 12. APPROVE THE SELECTION OF UTAH STATE UNIVERSITY, JON M. HUNTSMAN SCHOOL OF BUSINESS [MARK THOMAS] AS FEASIBILITY CONSULTANT FOR THE PROPOSED SPRING LAKE INCORPORATION; AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH UTAH STATE UNIVERSITY, JON. M. HUNTSMAN SCHOOL OF BUSINESS [- MARK THOMAS] FOR A FINANCIAL FEASIBILITY STUDY TO DETERMINE THE AVERAGE ANNUAL AMOUNT OF REVENUES AND THE AVERAGE ANNUAL AMOUNT OF COSTS OF THE PROPOSED SPRING LAKE INCORPORATING IN THE AMOUNT OF \$10,000.00
 - Robert Moore, Deputy Attorney -

UTAH COUNTY BOARD OF COMMISSIONERS

AGENDA - January 13, 2009

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13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE A LETTER TO THE UNITED STATES DEPARTMENT OF INTERIOR BUREAU OF LAND MANAGEMENT REGARDING THE RE-OPENING OF THE LEWISTON AND MANNING CANYON COUNTY ROADS
- Robert Moore, Deputy Attorney -
14. ADOPT A RESOLUTION OF APPOINTMENT OF AN ALTERNATE MEMBER TO THE UTAH COUNTY BOARD OF ADJUSTMENT *(Continued from the January 5, 2009 meeting)*
- Kent Sundberg, Attorney/Civil Division Chief -
15. ADOPT A RESOLUTION ESTABLISHING THE UTAH COUNTY TOURISM TAX ADVISORY BOARD AND APPOINTMENT MEMBERS THERETO *(Continued from the December 9, 23, and 30, 2008 meetings)*
- Kent Sundberg, Attorney/Civil Division Chief -
16. ADOPT A RESOLUTION OF APPOINTMENT TO THE UTAH COUNTY FAIR COMMITTEE
- Kent Sundberg, Attorney/Civil Division Chief -
17. ADOPT A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, WITHDRAWING CERTAIN AREAS FROM AND DISCONTINUING THE PROVISION OF WATER SERVICE WITHIN THE WHITE HILLS SPECIAL SERVICE DISTRICT AND RELATED MATTERS
- Kent Sundberg, Attorney/Civil Division Chief -
18. ADOPT A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, PROPOSING THE CREATION OF A BASIC LOCAL DISTRICT, DESCRIBING THE AREA TO BE INCLUDED IN THE PROPOSED LOCAL DISTRICT AND THE SERVICES TO BE PROVIDED THEREIN, PROVIDING FOR A HEARING ON THE CREATION OF SAID LOCAL DISTRICT, PROVIDING FOR NOTICE OF SAID HEARING AND RELATED MATTERS
- Kent Sundberg, Attorney/Civil Division Chief -
19. 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
- Kent Sundberg, Attorney/Civil Division Chief -
20. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION
- Kent Sundberg, Attorney/Civil Division Chief -
21. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY
- Kent Sundberg, Attorney/Civil Division Chief -
22. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY
- Kent Sundberg, Attorney/Civil Division Chief -
23. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., 1953 AS AMENDED
- Kent Sundberg, Attorney/Civil Division Chief -

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Linda Strickland at 851-8111 at least one day prior to the meeting.

SCHEDULE 2

ANNUAL MEETING NOTICE

ENT

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**ANNUAL NOTICE OF REGULAR MEETING SCHEDULE
OF THE BOARD OF COUNTY COMMISSIONERS
OF UTAH COUNTY, UTAH
FOR THE YEAR 2009**

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PUBLIC NOTICE is hereby given that the 2009 Annual Meeting Schedule of the Board of County Commissioners of Utah County, Utah, is as follows:

Regular meetings of the Board of County Commissioners of Utah County, Utah, will be held during 2009 at the county seat of Utah County on Tuesday of each week, from 9:00 a.m. until finished, except for those Tuesdays upon which a national or state holiday occur, and on the first Monday of January, from the hour of 12:00 noon until finished, unless otherwise changed by action of a quorum of the Board of County Commissioners of Utah County, Utah. All regular meetings of the Board of County Commissioners of Utah County, Utah will be held in Room 1400 of the Utah County Administration Building, 100 East Center Street, Provo, Utah, unless otherwise changed by action of a quorum of the Board of County Commissioners of Utah County, Utah.

**2009 REGULAR MEETING DATES FOR THE BOARD OF COUNTY
COMMISSIONERS OF UTAH COUNTY, UTAH**

| | | | | | |
|-----------|---|----|----|----|----|
| January | 5 | 6 | 13 | 20 | 27 |
| February | 3 | 10 | 17 | 24 | |
| March | 3 | 10 | 17 | 24 | 31 |
| April | 7 | 14 | 21 | 28 | |
| May | 5 | 12 | 19 | 26 | |
| June | 2 | 9 | 16 | 23 | 30 |
| July | 7 | 14 | 21 | 28 | |
| August | 4 | 11 | 18 | 25 | |
| September | 1 | 8 | 15 | 22 | 29 |
| October | 6 | 13 | 20 | 27 | |
| November | 3 | 10 | 17 | 24 | |
| December | 1 | 8 | 15 | 22 | 29 |

A regular meeting may be canceled without notice by action of a quorum of the Board. When, because of unforeseen circumstances, it is necessary for the Board to hold an emergency meeting to consider matters of an emergency or urgent nature, the best notice practicable shall be given. No such emergency meeting of the Board shall be held unless an attempt has been made to notify all of the members of the Board and there is a majority vote in the affirmative to hold the meeting.

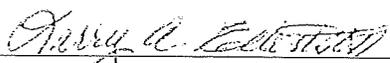
All regular meetings of the Board shall be open to the public unless closed by the Board in the manner described in Section 52-4-204, Utah Code Annotated, 1953 as amended, and, for a purpose described in Section 52-4-205, Utah Code Annotated, 1953 as amended.

ADOPTED AND APPROVED this 9th day of December, 2008.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH



Gary J. Anderson, Chair

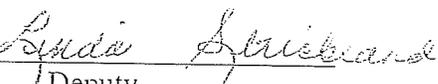


Larry A. Ellertson, Commissioner



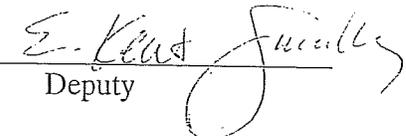
Steve White, Commissioner

ATTEST:
Bryan E. Thompson
Utah County Clerk/Auditor

By: 

Deputy

APPROVED AS TO FORM:
Jeffrey R. Buhman
Utah County Attorney

By: 

Deputy

EXHIBIT B

A portion of Sections 16, 17, 18, 19, 20 and 21 of Township 6 South, Range 2 West, and a portion of Section 13, Township 6 South, Range 3 West, Salt Lake Base and Meridian, described as follows:

Beginning at the East 1/4 corner of Section 16, Township 6 South, Range 2 West, Salt Lake Base and Meridian, and running thence South 00°25'25" West, 2668.17 feet along the section line to the Southwest corner of said Section 16; thence North 89°39'34" West, 1383.11 feet along the section line to the northeast corner of the West 1/2 of the Northeast 1/4 of Section 21, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence South 00°07'26" East, 2655.86 feet along the 1/16 line to the southeast corner of the West 1/2 of the Northeast 1/4 of said Section 21; thence North 89°39'48" West, 1359.67 feet along the center section line to the Center 1/4 corner of said Section 21; thence South 00°37'47" East, 1243.93 feet along the center section line; thence South 87°12'10" East, 1001.36 feet to the west boundary line of the "Lehi to Fairfield" road; thence South 51°20'10" East, 28.00 feet to the centerline of said road; thence South 38°39'50" West, 123.17 feet along said centerline; thence North 51°20'10" West, 28.00 feet to the west boundary line of said road; thence North 87°12'10" West, 923.22 feet to the center section line; thence South 00°37'47" East, 643.56 feet along the center section line to the north boundary line of "2500 North Street"; thence leaving the center section line and running North 88°30'22" West, 2664.40 feet along said north boundary line to the west line of the Southwest 1/4 of said Section 21; thence North 88°46'05" West, 2853.85 feet to the center section line of Section 20, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence North 02°56'34" East, 1905.75 feet to the Center 1/4 corner of said Section 20; thence North 89°21'12" West, 2549.27 feet along the center section line to the West 1/4 corner of said Section 20; thence North 89°54'53" West, 4000.34 feet along the center section line of Section 19, Township 6 South, Range 2 West, Salt Lake Base and Meridian to the southwest corner of the East 1/2 of the Northwest 1/4 of said Section 19; thence North 00°22'32" East, 2691.68 feet to the northwest corner of the East 1/2 of the Northwest 1/4 of said Section 19; thence North 89°30'26" West, 1334.74 feet along the section line to the northwest corner of said Section 19; thence North 89°25'32" West, 2701.52 feet along the south line of Section 13, Township 6 South, Range 3 West, Salt Lake Base and Meridian to the South 1/4 corner of said Section 13; thence North 00°44'00" East, 5331.71 feet along the center section line to the North 1/4 corner of said Section 13; thence South 89°28'51" East, 2683.99 feet to the northeast corner of said Section 13; thence South 89°25'11" East, 2665.67 feet along the north line of Section 18, Township 6 South, Range 2 West, Salt Lake Base and Meridian to the North 1/4 corner of said Section 18; thence South 89°32'03" East, 2670.91 feet along the section line to the northeast corner of said Section 18; thence South 89°30'22" East, 61.03 feet along the north line of Section 17, Township 6 South, Range 2 West, Salt Lake Base and Meridian to the westerly right-of-way line of "State Route 73"; thence South 08°40'29" East, 2717.10 feet along said right-of-way to the south line of the northwest 1/4 of said Section 17; thence South 89°51'20" East, 2173.51 feet along the center section line to the Center 1/4 corner of said Section 17; thence South 89°51'20" East, 512.21 feet along the center section line to the northwest corner of the

“White Hills Special Service District Parcel No. 59:049:0021, Entry No. 40239; thence along said parcel boundary in the following three courses; South 00°23'34" West, 1336.39 feet to the south 1/16 line of said Section 17; thence South 89°40'18" East, 811.68 feet along the south 1/16 line to the southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 17; thence North 00°30'03" East, 1339.00 feet along the east 1/16 line of said Section 17 to the northeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 17; thence South 89°51'20" East, 1326.425 feet along the center section line to the East 1/4 corner of said Section 17; thence North 00°23'57" East, 2668.89 feet along the section line to the Northeast corner of said Section 17; thence South 89°22'57" East, 2667.025 feet along the section line to the North 1/4 corner of Section 16, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence South 89°23'26" East, 2667.39 feet along the section line to the Northeast corner of said Section 16; thence South 00°21'33" West, 2675.15 feet along the section line to the East 1/4 corner of said Section 16 and point of beginning.

Containing 3,016.15 acres more or less.

Less and excepting the following described parcel.

Land lying in the Northeast 1/4 and the Southeast 1/4 of Section 18, and in the Southwest 1/4 of Section 17, Township 6 South, Range 2 West, Salt Lake Base and Meridian, described as follows:

Beginning at a point South 00°28'00" West, 907.02 feet along the section line, and North 89°58'40" West, 107.87 feet from the northeast corner of Section 18, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence South 00°01'20" West, 110.00 feet to the north boundary line of “White Hills Subdivision Plat C”; thence along the east boundary line of said subdivision in the following five courses: South 00°01'20" West, 100.00 feet; thence South 89°58'40" East, 108.24 feet; thence South 00°28'00" West, 329.21 feet; thence North 89°58'40" West, 1.00 feet; thence South 00°28'00" West, 64.80 feet to the north boundary line of “White Hills Subdivision Plat B”; thence along the east boundary line of said subdivision in the following three courses: South 00°28'00" West, 45.20 feet; thence South 89°58'40" East, 1.00 feet; thence South 00°28'00" West, 743.85 feet to the north boundary of “White Hills Subdivision Plat A Amended”; thence along the easterly, southerly and westerly boundary of said subdivision in the following twelve courses: South 00°28'00" West, 402.37 feet; thence North 89°33'23" West, 489.51 feet; thence South 08°33'23" East, 66.82 feet; thence North 89°33'23" West, 751.57 feet to the point of a 742.11 foot radius curve to the right; thence Westerly 273.40 feet along the arc of said curve through a central angle of 21°06'30"; thence South 00°01'20" West, 66.13 feet; thence North 89°28'47" West, 209.45 feet; thence North 31°31'20" East, 117.29 feet; thence North 89°28'47" West, 851.85 feet; thence North 00°01'20" East, 321.15 feet; thence South 89°58'40" East, 143.00 feet; thence North 00°01'20" East, 300.00 feet to the south boundary line of “White Hills Subdivision Plat B”; thence North 00°01'20" East, 273.52 feet along said boundary line and its Northerly prolongation; thence South 89°58'40" East, 276.00 feet; thence North 00°01'20" East, 870.00 feet; thence South 89°58'40" East, 1004.00 feet to the point of beginning. Containing 53.33 acres more or less.

EXHIBIT C

Provo, Utah

January 27, 2009

The Board of County Commissioners (the "Board") of Utah County, Utah, met in regular public session at its regular meeting place of the Board in Provo, Utah, on Tuesday, January 27, 2009, at 9:00 a.m. The meeting was called to order by the Chair of the Board with the following being present, and constituting a quorum:

| | |
|--------------------|--------------|
| Larry A. Ellertson | Chair |
| Steve White | Vice-Chair |
| Gary J. Anderson | Commissioner |

Also present:

| | |
|-------------------|----------------------|
| Bryan E. Thompson | County Clerk/Auditor |
|-------------------|----------------------|

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, a Certificate of Compliance with Open Meeting Law with respect to this January 27, 2009, meeting was presented to the County Commission, a copy of which is attached hereto as Exhibit A.

Thereupon, the following resolution was approved and adopted on the following recorded vote:

| | |
|------|--------------------------------|
| AYE: | Larry A. Ellertson, Chair |
| | Steve White, Vice-Chair |
| | Gary J. Anderson, Commissioner |

ENT 9054:2009 PG 1 of 15
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2009 Jan 29 10:24 am FEE 0.00 BY SW
RECORDED FOR UTAH COUNTY ATTORNEY

NAY:

The resolution was then signed by the Chair in open meeting and recorded by the Clerk/Auditor in the official records of Utah County, Utah. The resolution is as follows:

RESOLUTION NO. 15

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, APPROVING A CORRECTED LEGAL DESCRIPTION IN CONNECTION WITH THE WITHDRAWAL OF CERTAIN PROPERTIES FROM THE WHITE HILLS SPECIAL SERVICE DISTRICT.

WHEREAS, the Board of County Commissioners (the "Board") of Utah County, Utah (the "County"), has heretofore created the White Hills Special Service District, Utah County, Utah (the "District") pursuant to the Limited Purpose Local Government Entities—Other Entities, Title 17D, Utah Code Annotated, 1953, as amended (the "Act");

WHEREAS, on January 13, 2009, the Board adopted a Resolution (the "Withdrawal Resolution") approving the removal of certain properties from the District's boundaries; and

WHEREAS, it has come to the Board's attention that the legal description attached to the Withdrawal Resolution, which described the properties removed from the District's boundaries, inadvertently contained a typographical error; and

WHEREAS, the Board desires to replace the legal description contained in its Withdrawal Resolution with the corrected legal description attached hereto as Exhibit B, which accurately reflects the properties to be withdrawn from the District:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH AS FOLLOWS:

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by the officers of the County directed toward the withdrawal of property from the District, are hereby ratified, approved and confirmed.

Section 2. The Board hereby approves the corrected legal description attached hereto as Exhibit B and hereby replaces Exhibit B of the Withdrawal Resolution with the attached Exhibit B.

Section 3. The officers of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

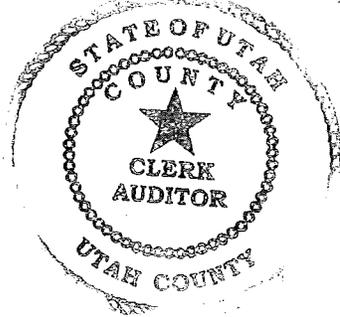
Section 4. If any one or more sections, sentences, clauses, or parts of this resolution shall, for any reason, be questioned or held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this resolution, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this resolution so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause, or part of this resolution in any one or more instances shall

not affect or prejudice in any way the applicability and validity of this resolution in any other instances.

Section 5. All resolutions of the County in conflict with this resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, by-law or regulation, or part thereof, heretofore repealed.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH THIS JANUARY 27, 2009.

(SEAL)



By: *Mary A. Entwistle*
Chair

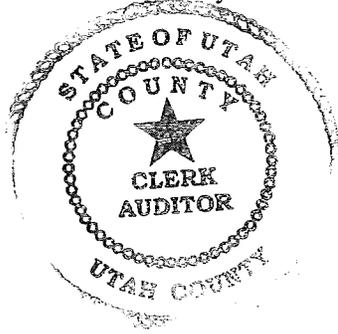
ATTEST:

By: *Erin E. Chang*
County Clerk/Auditor

(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the Board adjourned.

(SEAL)



By: *Andy A. Estabrook*
Chair

ATTEST:

By: *Bryan E. Thayer*
County Clerk/Auditor

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Bryan E. Thompson, the duly qualified and acting County Clerk/Auditor of Utah County, Utah (the "County"), do hereby certify according to the records of the County in my possession that the foregoing constitutes a true, correct, and complete copy of the minutes of the regular meeting of the County's Board of County Commissioners held on January 27, 2009, as it pertains to a resolution (the "Resolution") adopted by the Board at said meeting, including the Resolution, as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the County this January 27, 2009.

(SEAL)



By: Bryan E. Thompson
County Clerk/Auditor

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Bryan E. Thompson, the undersigned County Clerk/Auditor of Utah County, Utah (the "County") do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the January 27, 2009, public meeting held by the Board of County Commissioners as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the County on January 23, 2009, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

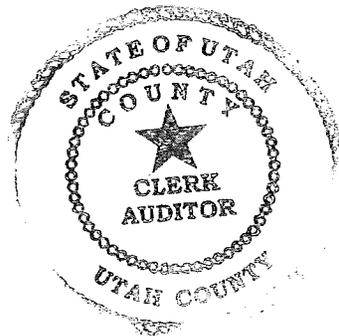
(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to The Daily Herald, on January 23, 2009, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>).

In addition, the Notice of 2009 Annual Meeting Schedule for the Board of County Commissioners (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Board of the County to be held during the year, by causing said Notice to be posted on January 23, 2009, at the principal office of the County and by causing a copy of said Notice to be provided to at least one newspaper of general circulation within the geographic jurisdiction of the County on January 23, 2009.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this January 27, 2009.

(SEAL)



By: _____

Bryan E. Thompson
County Clerk/Auditor

SCHEDULE 1

NOTICE OF MEETING

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

WILL HOLD ITS REGULAR PUBLIC MEETING
 IN THE COMMISSION CHAMBERS, ROOM 1400
 OF THE UTAH COUNTY ADMINISTRATION BUILDING
 100 East Center Street, Provo UT
 January 27, 2009 - 9:00 A.M.

CONSENT

1. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR A SHARP MODEL MU55 COPIER, SN65033027 - Located in Substance Abuse: Spanish Fork
2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR A SHARP MODEL AR-M455 COPIER, SN 6506000X - Located in Sheriff's Office: Dispatch
3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR A SHARP MODEL AR-287 COPIER, SN 0650593Y - Located in Personnel
4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE HISTORIC COUNTY COURTHOUSE LEASE AGREEMENT WITH LELIA OGDEN FOR A WEDDING RECEPTION TO BE HELD ON FEBRUARY 27, 2009
5. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY
6. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2009-2
7. SET A PUBLIC HEARING FOR DISCUSSION OF THE UPPER WHITMORE MHD, PLAT "F", A VACATION OF LOTS 121, 122 AND COMMON AREA OF UPPER WHITMORE MHD, PLAT "A" AND THE ESTABLISHMENT OF NEW LOTS 164, 165 AND COMMON AREA FOR NEW PLAT "F", SECTION 32, T6S, R4E, LEFT FORK, HOBBLE CREEK CANYON - Suggested Date: February 17, 2009 at 9:00 A.M. in Room 1400 of the County Administration Building
8. ADOPT A RESOLUTION MODIFYING SECTION IX.A-Y.e OF THE UTAH COUNTY PERSONNEL RULES AND REGULATIONS PERTAINING TO FAMILY AND MEDICAL LEAVE TO PROVIDE LEAVE FOR MILITARY FAMILY MEMBERS TO ASSIST THOSE CALLED TO ACTIVE DUTY OR TO CARE FOR AN ILL OR INJURED SERVICE MEMBER
9. APPROVE THE MINUTES OF THE UTAH COUNTY BOARD OF COMMISSIONERS' JANUARY 20, 2009 MEETING

10. RATIFICATION OF WARRANT REGISTER SUMMARY

| | | | | |
|-----------------|--------------|---------------------------|-----------|------------|
| Register No. 62 | Jan 20, 2009 | Check Nos. 109279-109289 | Total: \$ | 18,752.62 |
| Register No. 63 | Jan 20, 2009 | Check Nos. 109290-109317 | Total: \$ | 70,546.73 |
| Register No. 64 | Jan 20, 2009 | Direct Deposit: 5329-5332 | Total: \$ | 5,109.00 |
| Register No. 65 | Jan 20, 2009 | Direct Deposit: 5333-5342 | Total: \$ | 3,012.18 |
| Register No. 66 | Jan 20, 2009 | Check Nos. 109318-109337 | Total: \$ | 83,372.18 |
| Register No. 67 | Jan 20, 2009 | Check Nos. 109338-109367 | Total: \$ | 17,452.70 |
| Register No. 68 | Jan 21, 2009 | Direct Deposit: 5343-5343 | Total: \$ | 439,036.06 |
| Register No. 69 | Jan 21, 2009 | Direct Deposit: 5344-5344 | Total: \$ | 651.25 |

| | | | |
|-----------------|--------------|---------------------------|------------------------------|
| Register No. 70 | Jan 21, 2009 | Check Nos. 109368-109375 | Total: \$ 51,722.62 |
| Register No. 71 | Jan 21, 2009 | Check Nos. 109376-109399 | Total: \$ 153,139.21 |
| Register No. 72 | Jan 22, 2009 | Direct Deposit: 5345-5345 | Total: \$ 15,050.00 |
| Register No. 73 | Jan 22, 2009 | Check Nos. 109400-109406 | Total: \$ 126,703.74 |
| Register No. 74 | Jan 22, 2009 | Check Nos. 109407-109429 | Total: \$ 63,893.61 |
| Register No. 75 | Jan 22, 2009 | Direct Deposit: 5346-5346 | Total: \$ 49.08 |
| Register No. 76 | Jan 22, 2009 | Direct Deposit: 5347-5357 | Total: \$ 3,723.44 |
| Register No. 77 | Jan 22, 2009 | Check Nos. 109430-109447 | Total: \$ 38,131.43 |
| Register No. 78 | Jan 22, 2009 | Check Nos. 109448-109481 | Total: \$ 58,772.19 |
| Register No. 79 | Jan 23, 2009 | Direct Deposit: 5358-4358 | Total: \$ 4.50 |
| Register No. 80 | Jan 23, 2009 | Check Nos. 109482-109487 | Total: \$ 2,486.47 |
| Register No. 81 | Jan 23, 2009 | Check Nos. 109488-109499 | Total: \$ 132,376.99 |
| Register No. 82 | Jan 23, 2009 | Check Nos. 109500-109526 | Total: \$ 37,538.20 |
| Register No. 83 | Jan 23, 2009 | Direct Deposit: 5359-5360 | Total: \$ 614.40 |
| | | | Total: \$1,322,138.60 |

REGULAR

1. APPROVE PERSONNEL ACTIONS ORIGINATING JANUARY 22, 2009
- Lana Jensen, Personnel Director -
2. APPROVE OR DENY LATE VETERAN ABATEMENT APPLICATION FOR WILLIAM A. FREELAND ON SN 58:036:0049
- Sandy Nielson, Clerk/Auditor - Abatements -
3. ADOPT A RESOLUTION TRANSFERRING FUNDS BETWEEN DEPARTMENTS OF UTAH COUNTY - Sheriff - COPS CSPP Grant and K-9 Donated Travel: Attorney - Investigative Reports and Non-Reimbursable Witness Travel
- Danene Jackson, Clerk/Auditor - Finance -
4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UTAH COMMERCIAL TITLE TO ACCESS LAND INFORMATION ON THE UTAH COUNTY MAINFRAME
- Neil Peterson, Data Processing Director -
5. APPROVE THE AMENDMENT TO SECTION 5-10-B, INDUSTRIAL ZONE PERMITTED USES; TO ADD A NEW SUBSECTION 24, WINDMILLS; AND ADOPT AN ORDINANCE ENACTING THE AMENDMENT TO THE LAND USE ORDINANCE
- Jeff Mendenhall, Community Development Director -
6. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE C-2 LOCAL HEALTH DEPARTMENT GENERAL GRANT FY09 WITH THE UTAH DEPARTMENT OF HEALTH'S BUREAU OF CHILDREN WITH SPECIAL HEALTH CARE NEEDS
- Dr. Joseph Miner, Health Department Director -
7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE C-5 LOCAL HEALTH DEPARTMENT GENERAL AGREEMENT FY 2009 WITH THE UTAH STATE DEPARTMENT OF HEALTH
- Dr. Joseph Miner, Health Department Director -
8. ADOPT AN ORDINANCE REPEALING CURRENT ARTICLE 2-2 OF THE UTAH COUNTY CODE RELATING TO OFFICIAL BONDS AND ENACTING NEW ARTICLE 2-2 RELATING TO THEFT OR CRIME INSURANCE
- Kent Willis, Deputy Attorney -

UTAH COUNTY BOARD OF COMMISSIONERS
AGENDA - January 27, 2009
Page 3

9. ADOPT A RESOLUTION ESTABLISHING THE UTAH COUNTY TOURISM TAX ADVISORY BOARD AND APPOINTMENT OF MEMBERS THERETO (*Continued from the December 9, 23, and 30, 2008 meetings and the January 5 and 20, 2009 meetings*)
 - Kent Sundberg, Attorney/Civil Division Chief -
10. ADOPT A RESOLUTION OF APPOINTMENT OF BOARD MEMBER TO THE UTAH COUNTY BOARD OF HEALTH
 - Kent Sundberg, Attorney/Civil Division Chief -
11. ADOPT RESOLUTION OF APPOINTMENT TO THE UTAH COUNTY FIRE CODE BOARD OF APPEALS
 - Kent Sundberg, Attorney/Civil Division Chief -
12. CONSIDERATION OF A RESOLUTION APPROVING A CORRECTED LEGAL DESCRIPTION IN CONNECTION WITH THE WITHDRAWAL OF CERTAIN PROPERTIES FROM THE WHITE HILLS SPECIAL SERVICE DISTRICT AND RELATED MATTERS
 - Kent Sundberg, Attorney/Civil Division Chief -
13. 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
 - Kent Sundberg, Attorney/Civil Division Chief -
14. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION
 - Kent Sundberg, Attorney/Civil Division Chief -
15. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY
 - Kent Sundberg, Attorney/Civil Division Chief -
16. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY
 - Kent Sundberg, Attorney/Civil Division Chief -
17. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., 1953 AS AMENDED
 - Kent Sundberg, Attorney/Civil Division Chief -

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Linda Strickland at 851-8111 at least one day prior to the meeting.

SCHEDULE 2

ANNUAL MEETING NOTICE

**ANNUAL NOTICE OF REGULAR MEETING SCHEDULE
OF THE BOARD OF COUNTY COMMISSIONERS
OF UTAH COUNTY, UTAH
FOR THE YEAR 2009**

PUBLIC NOTICE is hereby given that the 2009 Annual Meeting Schedule of the Board of County Commissioners of Utah County, Utah, is as follows:

Regular meetings of the Board of County Commissioners of Utah County, Utah, will be held during 2009 at the county seat of Utah County on Tuesday of each week, from 9:00 a.m. until finished, except for those Tuesdays upon which a national or state holiday occur, and on the first Monday of January, from the hour of 12:00 noon until finished, unless otherwise changed by action of a quorum of the Board of County Commissioners of Utah County, Utah. All regular meetings of the Board of County Commissioners of Utah County, Utah will be held in Room 1400 of the Utah County Administration Building, 100 East Center Street, Provo, Utah, unless otherwise changed by action of a quorum of the Board of County Commissioners of Utah County, Utah.

**2009 REGULAR MEETING DATES FOR THE BOARD OF COUNTY
COMMISSIONERS OF UTAH COUNTY, UTAH**

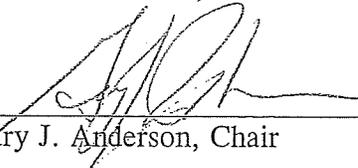
| | | | | | |
|-----------|---|----|----|----|----|
| January | 5 | 6 | 13 | 20 | 27 |
| February | 3 | 10 | 17 | 24 | |
| March | 3 | 10 | 17 | 24 | 31 |
| April | 7 | 14 | 21 | 28 | |
| May | 5 | 12 | 19 | 26 | |
| June | 2 | 9 | 16 | 23 | 30 |
| July | 7 | 14 | 21 | 28 | |
| August | 4 | 11 | 18 | 25 | |
| September | 1 | 8 | 15 | 22 | 29 |
| October | 6 | 13 | 20 | 27 | |
| November | 3 | 10 | 17 | 24 | |
| December | 1 | 8 | 15 | 22 | 29 |

A regular meeting may be canceled without notice by action of a quorum of the Board. When, because of unforeseen circumstances, it is necessary for the Board to hold an emergency meeting to consider matters of an emergency or urgent nature, the best notice practicable shall be given. No such emergency meeting of the Board shall be held unless an attempt has been made to notify all of the members of the Board and there is a majority vote in the affirmative to hold the meeting.

All regular meetings of the Board shall be open to the public unless closed by the Board in the manner described in Section 52-4-204, Utah Code Annotated, 1953 as amended, and, for a purpose described in Section 52-4-205, Utah Code Annotated, 1953 as amended.

ADOPTED AND APPROVED this 9th day of December, 2008.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH



Gary J. Anderson, Chair



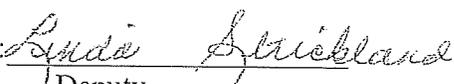
Larry A. Ellertson, Commissioner



Steve White, Commissioner

ATTEST:

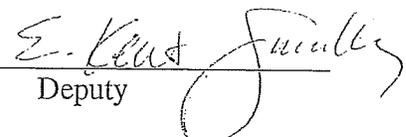
Bryan E. Thompson
Utah County Clerk/Auditor

By: 

Deputy

APPROVED AS TO FORM:

Jeffrey R. Buhman
Utah County Attorney

By: 

Deputy

EXHIBIT B

A portion of Sections 16, 17, 18, 19, 20 and 21 of Township 6 South, Range 2 West, and a portion of Section 13, Township 6 South, Range 3 West, Salt Lake Base and Meridian, described as follows:

Beginning at the East 1/4 corner of Section 16, Township 6 South, Range 2 West, Salt Lake Base and Meridian, and running thence South 00°25'25" West, 2668.17 feet along the section line to the Southeast corner of said Section 16; thence North 89°39'34" West, 1383.11 feet along the section line to the northeast corner of the West ½ of the Northeast 1/4 of Section 21, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence South 00°07'26" East, 2655.86 feet along the 1/16 line to the southeast corner of the West ½ of the Northeast 1/4 of said Section 21; thence North 89°39'48" West, 1359.67 feet along the center section line to the Center 1/4 corner of said Section 21; thence South 00°37'47" East, 1243.93 feet along the center section line; thence South 87°12'10" East, 1001.36 feet to the west boundary line of the "Lehi to Fairfield" road; thence South 51°20'10" East, 28.00 feet to the centerline of said road; thence South 38°39'50" West, 123.17 feet along said centerline; thence North 51°20'10" West, 28.00 feet to the west boundary line of said road; thence North 87°12'10" West, 923.22 feet to the center section line; thence South 00°37'47" East, 643.56 feet along the center section line to the north boundary line of "2500 North Street"; thence leaving the center section line and running North 88°30'22" West, 2664.40 feet along said north boundary line to the west line of the Southwest 1/4 of said Section 21; thence North 88°46'05" West, 2853.85 feet to the center section line of Section 20, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence North 02°56'34" East, 1905.75 feet to the Center 1/4 corner of said Section 20; thence North 89°21'12" West, 2549.27 feet along the center section line to the West 1/4 corner of said Section 20; thence North 89°54'53" West, 4000.34 feet along the center section line of Section 19, Township 6 South, Range 2 West, Salt Lake Base and Meridian to the southwest corner of the East ½ of the Northwest 1/4 of said Section 19; thence North 00°22'32" East, 2691.68 feet to the northwest corner of the East ½ of the Northwest 1/4 of said Section 19; thence North 89°30'26" West, 1334.74 feet along the section line to the northwest corner of said Section 19; thence North 89°25'32" West, 2701.52 feet along the south line of Section 13, Township 6 South, Range 3 West, Salt Lake Base and Meridian to the South 1/4 corner of said Section 13; thence North 00°44'00" East, 5331.71 feet along the center section line to the North 1/4 corner of said Section 13; thence South 89°28'51" East, 2683.99 feet to the northeast corner of said Section 13; thence South 89°25'11" East, 2665.67 feet along the north line of Section 18, Township 6 South, Range 2 West, Salt Lake Base and Meridian to the North 1/4 corner of said Section 18; thence South 89°32'03" East, 2670.91 feet along the section line to the northeast corner of said Section 18; thence South 89°30'22" East, 61.03 feet along the north line of Section 17, Township 6 South, Range 2 West, Salt Lake Base and Meridian to the westerly right-of-way line of "State Route 73"; thence South 08°40'29" East, 2717.10 feet along said right-of-way to the south line of the northwest 1/4 of said Section 17; thence South 89°51'20" East, 2173.51 feet along the center section line to the Center 1/4 corner of said Section 17; thence South 89°51'20" East, 512.21 feet along the center section line to the northwest corner of the

“White Hills Special Service District Parcel No. 59:049:0021, Entry No. 40239; thence along said parcel boundary in the following three courses; South 00°23'34" West, 1336.39 feet to the south 1/16 line of said Section 17; thence South 89°40'18" East, 811.68 feet along the south 1/16 line to the southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 17; thence North 00°30'03" East, 1339.00 feet along the east 1/16 line of said Section 17 to the northeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 17; thence South 89°51'20" East, 1326.425 feet along the center section line to the East 1/4 corner of said Section 17; thence North 00°23'57" East, 2668.89 feet along the section line to the Northeast corner of said Section 17; thence South 89°22'57" East, 2667.025 feet along the section line to the North 1/4 corner of Section 16, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence South 89°23'26" East, 2667.39 feet along the section line to the Northeast corner of said Section 16; thence South 00°21'33" West, 2675.15 feet along the section line to the East 1/4 corner of said Section 16 and point of beginning.
Containing 3,016.15 acres more or less.

Less and excepting the following described parcel.

Land lying in the Northeast 1/4 and the Southeast 1/4 of Section 18, and in the Southwest 1/4 of Section 17, Township 6 South, Range 2 West, Salt Lake Base and Meridian, described as follows:

Beginning at a point South 00°28'00" West, 907.02 feet along the section line, and North 89°58'40" West, 107.87 feet from the northeast corner of Section 18, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence South 00°01'20" West, 110.00 feet to the north boundary line of “White Hills Subdivision Plat C”; thence along the east boundary line of said subdivision in the following five courses: South 00°01'20" West, 100.00 feet; thence South 89°58'40" East, 108.24 feet; thence South 00°28'00" West, 329.21 feet; thence North 89°58'40" West, 1.00 feet; thence South 00°28'00" West, 64.80 feet to the north boundary line of “White Hills Subdivision Plat B”; thence along the east boundary line of said subdivision in the following three courses: South 00°28'00" West, 45.20 feet; thence South 89°58'40" East, 1.00 feet; thence South 00°28'00" West, 743.85 feet to the north boundary of “White Hills Subdivision Plat A Amended”; thence along the easterly, southerly and westerly boundary of said subdivision in the following twelve courses: South 00°28'00" West, 402.37 feet; thence North 89°33'23" West, 489.51 feet; thence South 08°33'23" East, 66.82 feet; thence North 89°33'23" West, 751.57 feet to the point of a 742.11 foot radius curve to the right; thence Westerly 273.40 feet along the arc of said curve through a central angle of 21°06'30"; thence South 00°01'20" West, 66.13 feet; thence North 89°28'47" West, 209.45 feet; thence North 31°31'20" East, 117.29 feet; thence North 89°28'47" West, 851.85 feet; thence North 00°01'20" East, 321.15 feet; thence South 89°58'40" East, 143.00 feet; thence North 00°01'20" East, 300.00 feet to the south boundary line of “White Hills Subdivision Plat B”; thence North 00°01'20" East, 273.52 feet along said boundary line and its Northerly prolongation; thence South 89°58'40" East, 276.00 feet; thence North 00°01'20" East, 870.00 feet; thence South 89°58'40" East, 1004.00 feet to the point of beginning. Containing 53.33 acres more or less.