

Provo, Utah

June 23, 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, June 23, 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
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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 June 23, 2009, meeting was presented to the Board, 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 Steve White
Commissioner Gary J. Anderson

NAY: None

ENT 105846:2009 Pg 1 of 29
RODNEY D. CAMPBELL
UTAH COUNTY RECORDER
2009 Oct 06 10:11 am FEE 0.00 BY SW
RECORDED FOR UTAH COUNTY ATTORNEY

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. 2009-91

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS (THE "BOARD") OF UTAH COUNTY, UTAH, TO CREATE THE POLE CANYON BASIC LOCAL DISTRICT DESCRIBED IN THE NOTICE OF PUBLIC HEARING ON PROPOSED CREATION OF BASIC LOCAL DISTRICT ADOPTED BY THE BOARD ON JANUARY 13, 2009, AND RELATED MATTERS.

WHEREAS, on January 13, 2009, the Board of County Commissioners (the "Board") of Utah County, Utah (the "County"), adopted a resolution (the "Resolution") proposing the creation of a basic local district to be known as the "Pole Canyon Basic Local District" (the "Pole Canyon District") pursuant to the provisions of the Limited Purpose Local Government Entities—Local Districts, Title 17B, Utah Code Annotated, 1953, as amended (the "Act"), for the purposes of providing for (a) the acquisition, construction, and operation of parks or recreation facilities or services, (b) transportation including public transit and streets and roads, (c) the acquisition, construction, and operation of a system, or one or more components of a system, for the collection, storage, retention, control, conservation, treatment, supplying, distribution, or reclamation of water, including storm, flood, sewage, irrigation, and culinary water, and (d) the underground installation of electric utility wires within the Pole Canyon District;

WHEREAS, pursuant to the Resolution, a "Notice of Public Hearing on the Proposed Creation of Basic Local District" (the "Notice") has been provided as required by law and is attached hereto as Exhibit B;

WHEREAS, on February 9, 2009, the Board held a public hearing at which it considered each and every protest filed and every person who wished to be heard in protest against the creation of the Pole Canyon District or on any other matter pertinent to the Pole Canyon District;

WHEREAS, the Board has determined that there are no registered voters within the boundaries of the Pole Canyon District and therefore no election is required on the question of whether the Pole Canyon District should be created; and

WHEREAS, the Pole Canyon District's boundaries are located entirely within the County which, for purposes of the Act, is considered the "responsible body":

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 creation and establishment of the Pole Canyon District, are hereby ratified, approved, and confirmed.

Section 2. The Pole Canyon District, to be formally known as the "Pole Canyon Basic Local District," is hereby created and authorized to finance the improvements described in the Notice.

Section 3. Upon further consideration, the Board has determined that certain parcels of land should be removed from the boundaries of the Pole Canyon District as described in the Resolution. The revised area to be included within the Pole Canyon District is described in Exhibit C attached hereto and is hereby approved by the Board. A map showing the final boundaries of the Pole Canyon District is attached hereto as Exhibit D.

Section 4. The initial Board of Trustees of the Pole Canyon District will be appointed by the Board of the County, as the "responsible body" under the Act. The officers of the County are hereby authorized and directed to prepare and post a Notice of Vacancy in substantially the form attached hereto as Exhibit E and take such other actions necessary or appropriate under the Act to appoint the initial Board of Trustees of the Pole Canyon District.

Section 5. The County Clerk/Auditor is hereby authorized to file or cause to be filed with the Utah Lieutenant Governor (i) a copy of a notice of an impending boundary action, in the form attached hereto as Exhibit F and (ii) a copy of an approved final local entity plat, to obtain a certificate of incorporation for the Pole Canyon District within ten (10) days of the adoption of this resolution.

Section 6. 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 7. 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 8. 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 JUNE 23, 2009.



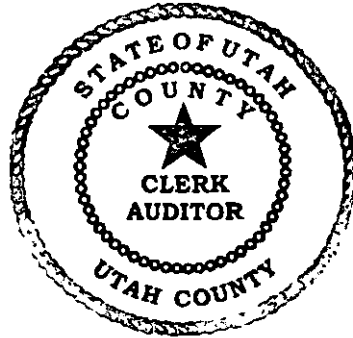
By: *Amy A. [Signature]*
Chair

[Signature]
By: *[Signature]*
County Clerk/Auditor

(Here follows business not pertinent to the above.)

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

(SEAL)



By: *Jerry A. [Signature]*
Chair

ATTEST:

By: *Bryce E. [Signature]*
County Clerk/Auditor

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

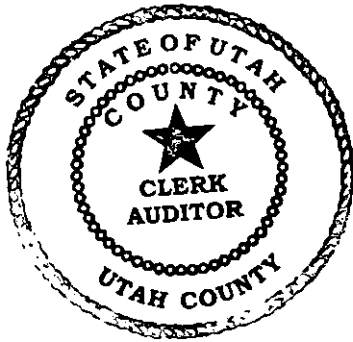
I, Bryan E. Thompson, the duly qualified and acting County Clerk/Auditor of Utah County, Utah (the "County"), do hereby certify:

(i) 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 (the "Board") held on June 23, 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; and

(ii) the Notice of Vacancy authorized by the Resolution was (a) posted in four public places within the Pole Canyon Basic Local District (the "Pole Canyon District") at least one month before the deadline for accepting nominees for appointment to the Pole Canyon District Board of Trustees and (b) published in accordance with Utah law.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the County this June 23, 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 June 23, 2009, public meeting held by the Board of County Commissioners (the "Board") 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 June 19, 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;

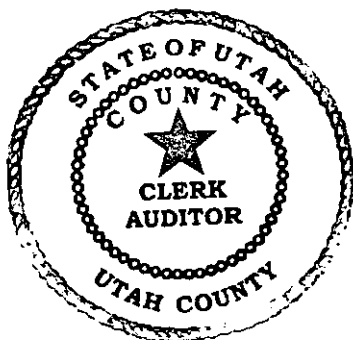
(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Daily Herald, on June 19, 2009, at least twenty-four (24) hours prior to the convening of the meeting; and

(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 (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 5, 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 5, 2008.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this June 23, 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
 100 East Center, Room 1400, Provo, UT
 June 23, 2009 - 9:00 A.M.

CONSENT AGENDA

1. DECLARE AN OLYMPUS C-5050 DIGITAL CAMERA (ICN 14217) AS SURPLUS TO BE GIVEN TO A COUNTY EMPLOYEE UPON RETIREMENT
2. ADOPT A RESOLUTION OF AWARD OF COUNTY PERSONAL PROPERTY AS A GIFT OF RECOGNITION FOR MERITORIOUS SERVICE TO UTAH COUNTY
3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CONTRACT WITH MOUNTAINLAND ASSOCIATION OF GOVERNMENTS FOR THE SENIOR COMPANION PROGRAM IN THE AMOUNT OF \$12,900.00 (\$5,500 RVP MONIES; \$5,400 HCBA MONIES; \$2,000 TITLE III B MONIES) - Effective July 1, 2009 - June 31, 2010
4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CONTRACT WITH THE MOUNTAINLAND ASSOCIATION OF GOVERNMENTS FOR THE SENIOR COMPANION PROGRAM IN THE AMOUNT OF \$10,000.00 (TITLE XX MONIES) - Effective July 1, 2009 - June 31, 2010
5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CONTRACT WITH THE MOUNTAINLAND ASSOCIATION OF GOVERNMENTS FOR THE FOSTER GRANDPARENT PROGRAM IN THE AMOUNT OF \$10,500.00 (\$5,500 RVP MONIES; \$5,000 TITLE III B MONIES) - Effective July 1, 2009 - June 31, 2010
6. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CONTRACT WITH THE MOUNTAINLAND ASSOCIATION OF GOVERNMENTS FOR THE FOSTER GRANDPARENT PROGRAM IN THE AMOUNT OF \$10,000.00 (TITLE XX MONIES) - Effective July 1, 2009 - June 31, 2010
7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A COST SHARE AGREEMENT WITH THE UINTA NATIONAL FOREST FOR THE ANNUAL OPERATING/FINANCIAL PLANS (*Continued from the June 16, 2009 meeting*)
8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN NINE TERMINATION AGREEMENTS AND GENERAL RELEASE (SEVERANCE PAYMENT OPTIONS) WITH NINE COUNTY EMPLOYEES
9. RATIFY AN AGREEMENT WITH GEORGE K. BAUM AND COMPANY
10. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY
11. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60194, DATED JUNE 18, 2009
12. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 229, DATED JUNE 18, 2009
13. APPROVE REQUESTED EXEMPTIONS ON LIST DATED JUNE 18, 2009, APPLIED FOR BY TAXPAYERS, FOR PAYMENT OF TAXES WHERE THE MARKET VALUE OF EQUIPMENT WAS LESS THAN \$3800 AS PROVIDED BY THE UTAH STATE LEGISLATURE FOR 2009

UTAH COUNTY BOARD OF COMMISSIONERS

AGENDA - June 23, 2009 - 9:00 A.M.

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14. APPROVE THE MINUTES OF THE JUNE 16, 2009 COMMISSION MEETING

15. RATIFICATION OF PAYROLL

Period 13	8 Checks: \$8,162.92	1,166 Total Deposits: \$1,582,259.53	Total: \$1,590,422.46
		Federal Payroll Taxes:	Total: \$ 191,769.99

16. RATIFICATION OF WARRANT REGISTER SUMMARY

Register No. 446	Jun 12, 2009	Check Nos. 115433-115491	Total: \$ 807,196.03
Register No. 447	Jun 15, 2009	Check Nos. 115492-115526	Total: \$ 68,221.66
Register No. 448	Jun 15, 2009	Direct Deposit: 6179-6186	Total: \$ 805.54
Register No. 449	Jun 15, 2009	Check Nos. 115527-115474	Total: \$ 67,261.69
Register No. 450	Jun 16, 2009	Direct Deposit: 6187-6187	Total: \$ 32.99
Register No. 451	Jun 16, 2009	Check Nos. 115475-115597	Total: \$ 21,096.41
Register No. 452	Jun 17, 2009	Direct Deposit: 6188-6192	Total: \$ 6,075.37
Register No. 453	Jun 17, 2009	Check Nos, 115598-115625	Total: \$ 24,736.94
Register No. 454	Jun 17, 2009	Direct Deposit: 6193-6193	Total: \$ 426,031.30
Register No. 455	Jun 17, 2009	Check Nos. 115626-115660	Total: \$ 98,468.18
Register No. 456	Jun 18, 2009	Check Nos. 115661-115671	Total: \$ 93,430.41
Register No. 457	Jun 18, 2009	Check Nos. 115672-113689	Total: \$ 48,109.10
Register No. 458	Jun 18, 2009	Direct Deposit: 6194-6197	Total: \$ 415,166.32
Register No. 459	Jun 18, 2009	Check Nos. 113690-115705	Total: \$ 325,648.70
Register No. 460	Jun 18, 2009	Check Nos. 115706-115760	Total: \$ 2,064.00
Register No. 461	Jun 18, 2009	Check Nos. 115761-115777	Total: \$ 85,871.61
Register No. 462	Jun 19, 2009	Direct Deposit: 6198-6205	Total: \$ 1,751.56
Register No. 463	Jun 19, 2009	Check Nos. 115778-115829	Total: \$ 43,871.43
Register No. 464	Jun 19, 2009	Check Nos. 115830-115856	Total: \$ 88,751.16
		Total:	<u>\$2,624,590.40</u>

REGULAR

1. APPROVE PERSONNEL ACTIONS ORIGINATING JUNE 18, 2009
- Lana Jensen, Personnel Director -
2. APPROVE AND ADOPT AN ORDINANCE TO AMEND THE UTAH COUNTY LAND USE ORDINANCE TO SECTION 3-11, FRONTAGE ON AN APPROVED PUBLIC STREET REQUIRED, EXCEPTIONS, TO ADD AN EXCEPTION NO. 8 TO SUBSECTION A
- Jeff Mendenhall, Community Development Director -
3. FINAL APPROVAL BY THE UTAH COUNTY COMMISSION FOR AMENDMENT OF AMENDED AND RE-STATED SUNDANCE RECREATION RESORT PLAT "A" BY ADDING A DEVELOPMENT BOUNDARY SHEET AND DELETION OF SHEET 5 OF 8 FROM THE SUNDANCE RECREATIONAL RESORT, PLAT "A", AMENDED 10; ALSO TO APPROVE AN AMENDED SUNDANCE RESORT COMPREHENSIVE PARKING PLAN
- Jeff Mendenhall, Community Development Director -
4. APPROVE AND ADOPT AN ORDINANCE AMENDING THE UTAH COUNTY LAND USE ORDINANCE, SECTION 6-4, MOUNTAIN HOME DEVELOPMENT, DELETING 6-1-E-17 (b); ADDING SECTION 6-1-E-26, BUILDING PERMITS; AND AMENDING SECTION 6-2-E-13, PLANNED UNIT DEVELOPMENTS; OFF STREET PARKING
- Jeff Mendenhall, Community Development Director -

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5. APPROVE AN AGREEMENT WITH NORTH UTAH VALLEY ANIMAL SERVICES SPECIAL SERVICE DISTRICT TO PROVIDE MAINTENANCE FOR THE ANIMAL SHELTER *(Continued from the June 16, 2009 meeting)*
 - Don Nay, Public Works -
6. AUTHORIZE THE UTAH COUNTY CLERK TO SIGN A QUIT CLAIM DEED AND ANY RELATED DOCUMENTS FOR PARCELS WITHIN THE US89 IN THE MAPLETON AREA
 - Richard Nielson, Public Works Director -
7. APPROVE OR DENY A REQUEST FROM THE PROVO ROTARY CLUB TO INSTALL A STONE BENCH ON THE GROUNDS OF THE HISTORIC COURTHOUSE
 - Richard Nielson, Public Works Director -
8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A REAL ESTATE PURCHASE CONTRACT WITH MICHAEL AND JULIA BOTTITA IN THE AMOUNT OF \$400,000.00 AND TO ALSO AUTHORIZE THE DISPERSAL OF EARNEST MONEY
 - Richard Nielson, Public Works Director -
9. AUTHORIZE THE COMMISSION CHAIR TO SIGN CHANGE ORDER NO. 1 TO AGREEMENT NO. 2009-118 WITH SUNROC CORPORATION IN THE AMOUNT OF \$9,936.00 FOR THE LINDON 700 NORTH STREET WIDENING CONSTRUCTION PROJECT
 - Richard Nielson, Public Works Director -
10. APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 2008-548 WITH THE UTAH DEPARTMENT OF HUMAN SERVICES TO EXTEND THE CONTRACT END DATE, ADD FUNDING FOR FY 2010, REPLACE THE RATE TABLE, AND ADD FY 2010 BUDGET FORMS *(Continued from the June 16, 2009 meeting)*
 - Richard Nance, Substance Abuse Director -
11. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT TO ALLOW UVU STUDENTS TO GAIN EDUCATIONAL EXPERIENCE AT THE UTAH COUNTY HEALTH DEPARTMENT
 - Dr. Joseph Miner, Health Department Director -
12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH WASATCH COUNTY HEALTH DEPARTMENT
 - Dr. Joseph Miner, Health Department Director -
13. APPROVE AN AGREEMENT WITH COMMAND SOLUTIONS, LLC, FOR CRIME ANALYSIS SOFTWARE *(Continued from the June 16, 2009 meeting)*
 - Yvette Rice, Sheriff's Office -
14. APPROVE AN AGREEMENT WITH THE STATE OF UTAH, DEPARTMENT OF ADMINISTRATIVE SERVICES, DIVISION OF FACILITIES CONSTRUCTION AND MANAGEMENT FOR THE SECURITY AGREEMENT RENEWAL *(Continued from the June 16, 2009 meeting)*
 - Darren Gilbert, Sheriff's Office -
15. APPROVE, AUTHORIZE, AND RATIFY THE COMMISSION CHAIR'S SIGNATURE ON THE OJDP FY 2009 PROMOTING CHILD AND YOUTH SAFETY; COMMUNITY INITIATIVES AND PUBLIC AWARENESS GRANT APPLICATION
 - Dalene Higgins, Sheriff's Office -

UTAH COUNTY BOARD OF COMMISSIONERS

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16. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE FY 2009 BULLETPROOF VEST PARTNERSHIP APPLICATION
 - Dalene Higgins, Sheriff's Office -
17. ADOPT A RESOLUTION AMENDING SECTION IX.D.1.C OF THE UTAH COUNTY PERSONNEL RULES AND REGULATIONS TO ALLOW EMPLOYEES OF UTAH COUNTY TO MAKE GREATER CONTRIBUTIONS INTO THEIR 401(K) ACCOUNTS
 - Robert Moore, Deputy Attorney -
18. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE A THIRD AMENDMENT TO THE ADOPTION AGREEMENT FOR THE UTAH COUNTY GOVERNMENTAL 401(k) PLAN AND TRUST
 - Robert Moore, Deputy Attorney -
19. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH IHC HEALTH SERVICES, INC., dba INTERMOUNTAIN WORKMED/SPRINGVILLE
 - Kent Sundberg, Deputy Attorney/Civil Division Chief -
20. ADOPT A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS (THE "BOARD") OF UTAH COUNTY, UTAH, TO CREATE THE POLE CANYON BASIC LOCAL DISTRICT DESCRIBED IN THE NOTICE OF PUBLIC HEARING ON THE PROPOSED CREATION OF BASIC LOCAL DISTRICT ADOPTED BY THE BOARD ON JANUARY 13, 2009, AND RELATED MATTERS
 - Kent Sundberg, Deputy Attorney/Civil Division Chief -
21. 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, Deputy Attorney/Civil Division Chief -
22. 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 -
23. 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 -
24. 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 -
25. 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

1. UPDATE ON THE ENERGY GATEWAY PROJECT BY ROCKY MOUNTAIN POWER
 - Commissioner Larry A. Ellertson -

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**

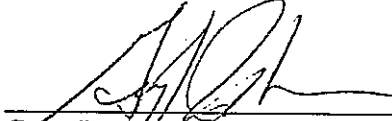
January	5	6	13	20	27
February	3	10	17	24	
March	3	10	17	24	31
April	7	14	21	28	
May	5	12	19	26	
June	2	9	16	23	30
July	7	14	21	28	
August	4	11	18	25	
September	1	8	15	22	29
October	6	13	20	27	
November	3	10	17	24	
December	1	8	15	22	29

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:

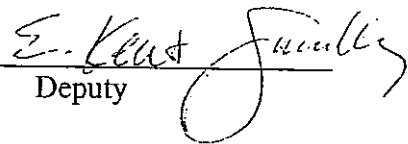
Bryan E. Thompson
Utah County Clerk/Auditor

By: 

Deputy

APPROVED AS TO FORM:

Jeffrey R. Buhman
Utah County Attorney

By: 

Deputy

EXHIBIT B

NOTICE OF PUBLIC HEARING ON
PROPOSED CREATION OF POLE CANYON DISTRICT

UTAH COUNTY, UTAH
County Commission
100 East Center, Suite 2300
Provo, Utah 84606

To: The registered voters residing in and/or the owners of the real property located within the area described on Exhibit A attached hereto

Re: NOTICE OF PUBLIC HEARING ON PROPOSED CREATION OF BASIC LOCAL DISTRICT

NOTICE IS HEREBY GIVEN THAT pursuant to the provisions of the Limited Purpose Local Government Entities—Local Districts, Title 17B, Utah Code Annotated 1953, as amended (the “Act”), on January 13, 2009 the Board of County Commissioners (the “Board”) of Utah County, Utah (the “County”), adopted a Resolution to initiate the creation of a basic local district to be known as the “Pole Canyon Basic Local District” (the “District”) for the purposes of providing for (a) the acquisition, construction and operation of parks or recreation facilities or services, (b) transportation, including public transit and streets and roads, (c) the acquisition, construction and operation of a system, or one or more components of a system, for the collection, storage, retention, control, conservation, treatment, supplying, distribution, or reclamation of water, including storm, flood, sewage, irrigation, and culinary water, and (d) the underground installation of electric utility lines within the proposed District. The Resolution provides for a **public hearing on the creation of the proposed District** to be held at Eagle Mountain City Building, 1650 East Stagecoach Run, Eagle Mountain, Utah County, Utah, at **6:00 p.m. on February 9, 2009**, at which time all interested parties may appear and ask questions of and obtain further information regarding the creation of the proposed District.

DESCRIPTION OF THE PROPOSED AREA TO BE INCLUDED IN THE DISTRICT

The District shall have the boundaries reflected in the map attached to this notice as Exhibit A. For a legal description of the proposed District, see the Resolution adopted by the Board on January 13, 2009.

PROPOSED SERVICES

The District will be authorized to provide for (a) the acquisition, construction and operation of parks or recreation facilities or services, (b) transportation, including public transit and streets and roads, (c) the acquisition, construction and operation of a system, or one or more components of a system, for the collection, storage, retention, control, conservation, treatment, supplying, distribution, or reclamation of water, including storm, flood, sewage, irrigation, and culinary water, and (d) the underground installation of electric utility lines within the District, together with necessary facilities, appurtenances, and equipment therefore.

ANTICIPATED METHOD OF FINANCING

It is anticipated that the District will finance the proposed services using one or more of the following methods: (a) the District may designate an assessment area to finance capital improvements and may issue assessment bonds secured by assessments levied against benefited property; (b) the District may impose fees and charges to pay for certain services and may issue revenue bonds secured by said fees and charges; and (c) the District may annually levy taxes upon all taxable property within the District to provide the proposed services, and may issue bonds for the acquisition and/or construction of facilities to provide said services, provided, however, that said levy to provide said services or to repay said bonds, must be authorized and approved by a majority of the qualified electors of the District at an election for that purpose.

ESTIMATED AVERAGE FINANCIAL IMPACT ON HOUSEHOLD WITHIN PROPOSED DISTRICT

There are currently no residents within the boundaries of the proposed District with which to compute an average financial impact on a household. Based on estimates for the number of households that are currently anticipated to be located within the District once it is fully developed, the creation of the District will result in an estimated average financial impact of \$35,000 on a household within the proposed District.

BOARD OF TRUSTEES OF PROPOSED DISTRICT

The governing body of the District will consist of a Board of Trustees comprised of three members, all of whom shall be appointed to such office by the Board of the County. Since the proposed District currently has fewer than one residential dwelling unit per ten acres of land within the District, a member of the Board of Trustees must be (a) a registered voter and (b) an owner of land within the proposed District that will receive service from the proposed District, or an agent or officer of an owner.

The term of the members of the Board of Trustees shall begin upon the appointment of said members. The term for the members shall be four years, provided that the initial term of one member shall be two years so that the term of approximately half of the members of the Board of Trustees shall expire every two years, and provided further that the initial terms of the members shall be adjusted to expire on the first Monday of January, 2012 and 2014, respectively, such that the next term of all members shall begin the first Monday of January in the appropriate year.

Upon the issuance of a certificate of occupancy for the last lot subject to occupancy within the District (whether commercial or residential), the method for selecting members of the Board of Trustees shall transition to an election procedure, commencing with the first municipal general election at which the applicable election requirements can be met.

EXHIBIT C

DESCRIPTION OF POLE CANYON DISTRICT AREA

BUNDY SURVEYING INCORPORATED

351 S. Valley View Dr #35, St. George, Utah 84770
Phone: (435) 619-1990

June 20, 2009

Land lying in Section 16, the South ½ Section 17, Section 18, the North ½ Section 19, the NW ¼, the NE ¼ and the SE ¼ Section 20 and in Section 21, Township 6 South, Range 2 West, Salt Lake Base and Meridian, and in the East ½ of Section 13, Township 6 South, Range 3 West, Salt Lake Base and Meridian, described as follows:

Beginning at the Northeast corner of Section 18, Township 6 South, Range 2 West, Salt Lake Base & Meridian, and running South 89°30'22" East, 61.03 feet along the Section line to the westerly right-of-way line of State Route No. 73; thence South 08°40'29" East, 175.00 feet along said right-of-way line; thence leaving said right-of-way line and running along the boundary line of the William H. and Teresa Wilson property (development agreement) in the following two courses: South 81°19'31" West, 220.00 feet; thence South 08°40'29" East, 731.76 feet to the north boundary line of the White Hills Water Conservancy property; thence West 97.58 feet along said north boundary line; thence North 00°01'20" East, 23.15 feet; thence North 89°58'40" West, 1004.00 feet; thence South 00°01'20" West, 870.00 feet; thence North 89°58'40" West, 276.00 feet; thence South 00°01'20" West, 110.00 feet to the west boundary line of "White Hills Subdivision Plat B"; thence South 00°01'20" West, 163.52 feet along said west boundary line to the west boundary line of "White Hills Subdivision Plat A Amended"; thence along the west and south boundary of said subdivision in the following nine courses: South 00°01'20" West, 300.00 feet; thence North 89°58'40" W, 143.00 feet; thence South 00°01'20" West, 321.15 feet; thence South 89°28'47" East, 851.85 feet; thence South 31°31'20" West, 117.29 feet; thence South 89°28'47" East, 209.45 feet; thence North 00°01'20" East, 66.13 feet to a point on the arc of a 742.11 foot radius curve to the left, the bearing to radius point being North 21°33'06" East; thence Easterly 273.40 feet along the arc of said curve through a central angle of 21°06'30" to the point of tangency; thence South 89°33'23" East, 909.98 feet along said subdivision boundary line and its Easterly prolongation to the easterly right-of-way line of "State Route No. 73"; thence North 08°40'29" West, 87.54 feet along said right-of-way line to a point on the East-West center section line of Section 17, Township 6 South, Range 2 West, Salt Lake Base & Meridian; thence South 89°51'20" East, 2021.71 feet along said center section line to the Center ¼ corner of said Section 17; thence South 89°51'20" East, 512.21 feet along the center section line to the west boundary line of the "White Hills Special Service District" property recorded as Entry # 040239-1986, in the office of the Recorder for Utah County, State of Utah; thence along the boundary line of said property in the following three courses: South 00°23'34" West, 1336.39 feet to the South 1/16 line; thence South 89°40'18" East, 811.68 feet along the South 1/16 line; thence North 00°30'03" East, 1339.00 feet to the Center Section line; thence South 89°51'20" East, 1326.43 feet along the center Section line to the East ¼ corner of said Section 17; thence North 00°23'57" East, 2668.89 feet along the section line to the Northwest corner of Section 16, Township 6 South, Range 2 West, Salt Lake Base & Meridian; thence South 89°22'57" East, 1333.51 feet along the Section line to the west boundary of the "Safieil" property, Utah County Serial No. 59:048:0077; thence along said boundary in the following three courses: South 00°55'27" West, 667.59 feet; thence South 89°22'01" East, 663.70 feet; thence North 01°11'12" East, 667.79 feet to the Section line; thence South 89°22'57" East, 666.76 feet to the North ¼ corner of said Section 16; thence South 89°23'26" East, 2000.54 feet to the Northeast corner of the Northwest ¼ of the Northeast ¼ of the Northeast ¼ of said Section 16; thence South 00°37'53" West, 2674.28 feet to the Southeast corner of the Southwest ¼ of the Southeast ¼ of the Northeast ¼ of said Section 16; thence North 89°19'10" West, 679.55 feet along the center Section line to the Southwest corner of the Southwest ¼ of the Southeast ¼ of the Northeast ¼ of said Section 16; thence North 00°54'13" East, 2005.11 feet to the Southeast corner of the Northeast ¼ of the Northwest ¼ of the Northeast ¼ of said Section 16; thence North 89°22'21" West, 1340.05 feet to the Northwest corner of the Southwest ¼ of the Northwest ¼ of the Northeast ¼ of said Section 16; thence South 01°26'55" West, 668.01 feet to the Southwest corner of the Southwest ¼ of the Northwest ¼ of the Northeast ¼ of said Section 16; thence South 89°21'16" East, 673.20 feet to the Southeast corner of the Southwest ¼ of the Northwest ¼ of the Northeast ¼ of said Section 16; thence South 01°10'34"

West, 1336.36 feet to the Southeast corner of the Southwest ¼ of the Southwest ¼ of the Northeast ¼ of said

Section 16; thence South $01^{\circ}11'37''$ West, 670.14 feet to the Southeast corner of the Northwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 16; thence North $89^{\circ}24'20''$ West, 682.55 feet to the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 16; thence North $89^{\circ}19'47''$ West, 651.45 feet to the Northwest corner of the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 16; thence South $01^{\circ}11'10''$ West, 671.29 feet to the Southwest corner of the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 16; thence South $89^{\circ}20'26''$ East, 648.38 feet to the Southeast corner of the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 16; thence South $89^{\circ}29'27''$ East, 1371.10 feet to the Northeast corner of the Northeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 16; thence South $00^{\circ}56'16''$ West, 669.10 feet to the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 16; thence South $89^{\circ}34'32''$ East, 1377.10 feet to the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of said Section 16; thence South $00^{\circ}25'25''$ West, 667.04 feet along the Section line to the Southeast corner of said Section 16; thence North $89^{\circ}39'34''$ West, 1383.11 feet along the Section line to the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 21, Township 6 South, Range 2 West, Salt Lake Base & Meridian; thence South $00^{\circ}07'26''$ East, 2655.86 feet along the East 1/16 line to the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 21; thence North $89^{\circ}39'48''$ West, 1359.67 feet along the East-West center section line to the Center 1/4 of said Section 21; thence South $00^{\circ}37'47''$ East, 1243.93 feet along the center section line; thence South $87^{\circ}12'10''$ East, 1001.36 feet to the west boundary line of the Lehi to Fairfield road; thence South $51^{\circ}20'10''$ East, 28.00 feet to the centerline of said road; thence South $38^{\circ}39'50''$ West, 123.17 feet along said centerline; thence North $51^{\circ}20'10''$ West, 28.00 feet to the west boundary line of said road; thence North $87^{\circ}12'10''$ West, 923.22 feet to the center section line; thence South $00^{\circ}37'47''$ East, 643.56 feet along the center section line to the north right-of-way line of "2500 North Street"; thence leaving the center section line and running North $88^{\circ}30'22''$ West, 2664.40 feet along said north right-of-way line to the West line of the Southwest 1/4 of said Section 21, being the East line of the Southeast 1/4 of Section 20, Township 6 South, Range 2 West, Salt Lake Base & Meridian, thence North $88^{\circ}46'05''$ West, 2853.85 feet to the North-South Center section line of said Section 20; thence North $02^{\circ}56'34''$ East, 1905.75 feet along the Section line to the Center 1/4 corner of said Section 20; thence North $89^{\circ}21'12''$ West, 1184.44 feet along the East-West center section line of said Section 20 to the westerly right-of-way line of "State Route No. 73"; thence North $08^{\circ}49'29''$ West, 4497.36 feet along said right-of-way line; thence North $89^{\circ}49'48''$ West, 4.56 feet to the north boundary line of the "White Hills Country Estates "A" subdivision; thence following along said north boundary line in the following three courses: North $89^{\circ}49'48''$ West 630.43 feet; South $00^{\circ}31'27''$ West, 1779.88 feet to the southwest corner of Section 17, Township 6 South, Range 2 West, Salt Lake Base and Meridian; South $00^{\circ}30'29''$ West, 1325.45 feet to the north boundary line of the "White" property, Utah County Serial No. 59:051:0019; thence along the north boundary line of said "White" property and along the north boundary line of the "MMN Investments, LLC" property, Utah County Serial No. 59:051:0015, North $89^{\circ}34'42''$ West, 1333.13 feet to the northwest corner of said "MMN Investments, LLC" property; thence along the west boundary line of said "MMN Investments, LLC" property and along the west boundary line of the "2 B Investments, LLC" property, Utah County Serial No. 59:051:0020, South $00^{\circ}23'27''$ West, 1333.26 feet to the East-West center section line of Section 19, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence North $89^{\circ}54'53''$ West, 2669.90 feet along said East-West center section line to the Southwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section 19; thence North $00^{\circ}22'32''$ East, 2691.68 feet to the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of said Section 19; thence North $89^{\circ}30'26''$ West, 1334.74 feet along the Section line to the Northwest corner of said Section 19; thence North $89^{\circ}25'32''$ West, 2701.52 feet along the South line of Section 13, Township 6 South, Range 3 West, Salt Lake Base & Meridian to the South 1/4 corner of said Section 13; thence North $00^{\circ}44'00''$ East, 5331.71 feet along the North-South center section line to the North 1/4 corner of said Section 13; thence South $89^{\circ}28'51''$ East, 2683.99 feet along the Section line to the Northeast corner of said Section 13; thence South $89^{\circ}25'11''$ East, 2665.67 feet along the north line of Section 18, Township 6 South, Range 2 West, Salt Lake Base & Meridian to the North 1/4 corner of said Section 18; thence South $89^{\circ}32'03''$ East, 2670.91 feet along the section line to the point of beginning. Containing 2,604.06 acres more or less.

Less and excepting from the above described land, the following Parcel 1:

Parcel 1:

A parcel of land lying in the Southwest 1/4 of Section 17, Township 6 South, Range 2 West, Salt Lake Base & Meridian, described as follows:

Beginning at a point South $00^{\circ}36'11''$ West, 1204.17 feet along the Section line, and West, 1687.98 feet from the Center 1/4 corner of Section 17, Township 6 South, Range 2 West, Salt Lake Base & Meridian; thence South $08^{\circ}49'29''$ East, 445.60 feet; thence North $81^{\circ}10'31''$ East, 103.41 feet; thence South $08^{\circ}49'29''$ East, 86.58 feet; thence South $81^{\circ}10'31''$ West, 237.30 feet to the Easterly right-of-way line of "State Route No. 73"; thence North $08^{\circ}49'29''$ West, 532.18 feet along said right-of-way line; thence leaving said right-of-way line running North $81^{\circ}10'31''$ East, 133.89 feet to the point of beginning. Containing 1.84 acres more or less.

EXHIBIT D

MAP OF POLE CANYON BASIC LOCAL DISTRICT AREA

EXHIBIT E

FORM OF NOTICE OF VACANCY

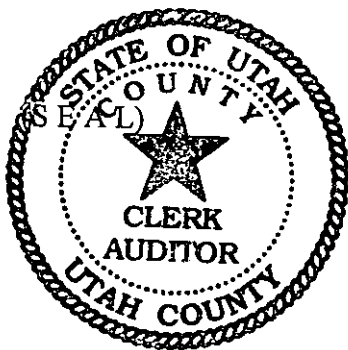
NOTICE OF VACANCY

PLEASE TAKE NOTICE that in accordance with Section 17B-1-304 of the Limited Purpose Local Government Entities—Local Districts, Utah Code Annotated 1953, as amended, the Board of County Commissioners of Utah County, Utah (the “Board”) adopted a resolution on June 23, 2009 creating a Basic Local District to be known as the “Pole Canyon Basic Local District” (the “Pole Canyon District”). The Pole Canyon District Board of Trustees will consist of three members, all of which will be appointed by the Board. In order to qualify as a member of the Board of Trustees, an individual must be a registered voter at the location of the individual’s residence and must be an owner of land within the Pole Canyon District (or an agent or officer of the owner) that receives or will receive service from the Pole Canyon District.

Any interested individual may submit an application to serve on the Board of Trustees. Such application shall state the individuals’ name, address, and include a signed attestation that the individual meets the above requirements to serve as a member of the Board of Trustees. Applications and any questions regarding the application procedure may be submitted to the Utah County Clerk/Auditor, 100 E. Center Street, Room 3600, Provo, Utah 84606, not later than thirty-five (35) days from the date hereof. Thereafter, the Board shall review the applications and appoint the members of the Pole Canyon District Board of Trustees from the applicants meeting the qualifications established by Utah law.

DATED as of this June 33, 2009.

BOARD OF COUNTY COMMISSIONERS OF
UTAH COUNTY, UTAH



Henry A. Ellenton
Chair

[Signature]
Vice-Chair

[Signature]
Commissioner

Attest:

Lyndia Streebland
Secretary

EXHIBIT F

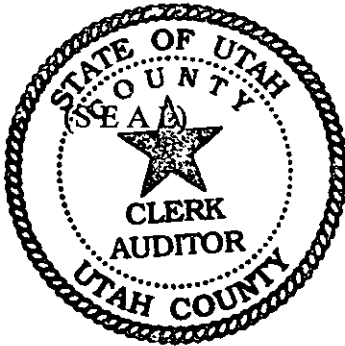
FORM OF NOTICE OF IMPENDING BOUNDARY ACTION

NOTICE OF IMPENDING BOUNDARY ACTION

PLEASE TAKE NOTICE that in accordance with Section 17B-1-215 of the Limited Purpose Local Government Entities—Local Districts, Utah Code Annotated 1953, as amended, the Board of County Commissioners of Utah County, Utah adopted a resolution on June 23, 2009 to create a Basic Local District to be known as the "Pole Canyon Basic Local District." The boundary action to which this notice pertains is the establishment of a local entity through the creation of the Pole Canyon Basic Local District, and the undersigned hereby request the issuance of a certificate of incorporation by the Lieutenant Governor. The undersigned hereby certify that all requirements applicable to the above-described boundary action have been met.

DATED as of this June 23, 2009.

BOARD OF COUNTY COMMISSIONERS OF
UTAH COUNTY, UTAH



[Signature]
Chair

[Signature]
Vice-Chair

[Signature]
Commissioner

Attest:

[Signature]
Secretary