

COMMISSION MEETING MINUTES
April 28, 2015

The Board of Davis County Commissioners met in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah on April 28, 2015 at 10:00 am. Members present were Commissioner P. Bret Millburn - Chair, Commissioner John Petroff, Jr., Commissioner Jim Smith, Clerk/Auditor Curtis Koch, Chief Civil Deputy County Attorney Neal Geddes and Deputy Clerk/Auditor Shauna Brady.

Meeting Agenda as posted:

PUBLIC NOTICE is hereby given that the Board of Davis County Commissioners, Farmington, Utah, will hold a Commission Meeting at the Davis County Administration Building, 61 South Main Street, Room 303, Farmington, Utah, commencing at 10 a.m. on April 28, 2015.

OPENING

Pledge of Allegiance – Curtis Koch, Davis County Clerk/Auditor

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

RFP Opening – Removal and replacement of roadway section – Davis County Public Works

Bid for Surplus Tax Sale Property – Davis County Planning

Introduction of Mack McDonald, newly appointed Davis County Facilities Director

Wildland Interface Ordinance proposal – Ted Black, Chief Deputy, Utah State Fire Marshal

BUSINESS/ACTION

Chris Sanford, Davis County Library Director, presenting:

Agreement with Val Bagley – Art Programs for Summer Reading Program (payable)

Luke Love, Davis County Facilities, presenting:

Agreement with Mountain Valley Mechanical – HVAC upgrades at Autumn Glow Senior Center (payable)

Richard Maughan, Davis County Recorder, presenting:

Agreement with CoreLogic Solutions – ownership plats on CD for use on commercial website (receivable)

Brooks Burr, Davis County Fair Coordinator, presenting:

Agreement with Eyes of the Tiger Productions – tiger performance at 2015 Davis County Fair (payable)

Agreement with Equine Health Sciences LLC – 2015 Davis County Fair sponsor (receivable)

Mike Moake, Davis County Legacy Events Center Marketing, presenting:

Agreement with Intermountain Reining Horse – space rental for reining horse show (receivable)

Agreement with Legacy Raceway BMX – space rental for summer BMX practice and racing (receivable)

Agreement with ZD Cattle Company Inc. – space rental for team cattle roping in May 2015 (receivable)

Agreement with ZD Cattle Company Inc. – space rental for team cattle roping in July 2015 (receivable)

Clint Thacker, Davis County Animal Care & Control Director, presenting:

Amendment with Best Friends Animal Society – adoption specialist financial donation & program details (receivable)

Chief Deputy Kevin Fielding, Davis County Sheriff's Office, presenting:

Grant award from Utah Division of Emergency Management – FY2015 Hazardous Materials Emergency Preparedness (HMEP) (receivable)

Agreement with Ritchiephoto Inc. – Davis County Sheriff's Office will provide security services for commercial shoot at Antelope Island (receivable)

Commissioner Millburn, presenting:

Resolution of Davis County, Utah, approving the appointments of 2 persons to fulfill the remaining unexpired terms of Steve S. Rawlings and Dennis Yarrington on the South Davis Recreation District Administrative Control Board

BOARD OF EQUALIZATION

Request approval of the Property Tax Register

CONSENT ITEMS

Personnel Register

Meeting Minutes

Check Registers

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

CLOSED SESSION:

CLOSED SESSION: UCA 52-4-205(1)(c) strategy session to discuss pending or reasonably imminent litigation

RECONVENE COMMISSION MEETING

Curtis Koch, Davis County Clerk/Auditor, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

RFP Opening

Curtis Koch, Davis County Clerk/Auditor, opened 5 bids for what Commissioner Petroff explained as a project that includes the removal and replacement of a roadway section at 850 West 3900 South in the Val Verde area between Bountiful and North Salt Lake. Adam Wright, Davis County Public Works, confirmed this is a complete rebuild of the road. Curtis said the bids will be reviewed by Public Works to make sure all the specifications have been met. Public Works will present a Notice of Award and the recommended contract at a future Commission meeting. Commissioner Millburn thanked those in attendance for their bids and interest in doing business with the County. The following bids were opened and read by Curtis:

Project: **825 West 3900 South Street Rebuild**

	BIDDER	AMOUNT
1	Jordan Valley Construction, Inc.	\$130,598.20
2	Granite Construction	\$156,900.00
3	Acme Construction	\$113,000.00
4	Bowen Construction Co.	\$135,556.10
5	England Construction	\$166,450.00

Bid for Surplus Tax Sale Property

Tony Thompson, Davis County Property Manager, announced 1 bid has been received for bid No. 03-2015 for surplus tax sale property identified as Tax ID number 09-084-0034 located at approximately 3071 East Orson F Drive in Layton. The property is .01 acre. The County's Assessor assemblage value for this property is \$872.00. The property was struck to the County in 1992. The delinquent taxes and penalty due at the tax sale were \$97.23. Commissioner Millburn opened a sealed bid of \$905.00 received from Greg Evans, 3112 Lakeview Circle in Layton and confirmed the property is adjacent to Mr. Evans' property. Tony will prepare the bid and request approval at an upcoming Commission meeting.

Introduction of Mack McDonald, newly appointed Davis County Facilities Director

Commissioner Millburn recognized and expressed appreciation for Luke Love, who has spent the last number of months serving as the Interim Facilities Director and for the Facilities team for their patience during the process of selecting a new director.

Commissioner Millburn announced Mack McDonald is the newly-appointed Davis County Facilities Director. Commissioner Millburn said he and Commissioner Smith realized that Mack was a good pick when they attended the Governor's Economic Summit recently and sat at a table with Mack's former manager. She expressed her disappointment that Mack was leaving his current position to work for the County. Commissioner Millburn invited Mack to introduce himself. Mack said he was raised in a small town in southern Utah and moved north to attend college. He worked for Salt Lake City in the areas of economic development and project management. His background is in construction project management. He had an opportunity to go to Iraq and Afghanistan where he applied his government project management skills to help build up war-torn areas. He has worked the past 5 years with the State of Utah overseeing the Department of Human Services facilities. He is enjoying the 5-minute commute now from his home in Kaysville to Farmington. Mack said he is excited and thankful for this opportunity and looks forward to working many years for the County. He feels the Facilities employees are great and is excited to work with them. Commissioner Millburn welcomed Mack to the County and looks forward to working with him.

Wildland Interface Ordinance Proposal

Ted Black, Chief Deputy, Utah State Fire Marshal, presented proposed changes to the Wildlife Interface Ordinance. Commissioner Millburn welcomed Chief Deputy Black, Dave Vickers and Robert Saunders of the State of Utah Department of Natural Resources-Wasatch Front Fire Management Office, and Ellis Bruch, Davis County Emergency Services Coordinator. He commented that he hopes fires don't keep them too busy this summer. Chief Black reported a few years ago, his office started hearing rumblings that

the code was not meeting the needs of some of the counties, primarily the rural counties. After researching, they found the problems were not coming from the building or fire codes, they were coming from the Wildland Urban Interface Code, which is administered by the Department of Natural Resources – Division of Forestry, Fire and State Lands. The proposed changes have the approval of the state forester, as well as the state fire marshals. The Urban Wildland Interface Code is unique in that it allows each county full authority to manipulate the code and make changes based on the needs of the county. Three documents were distributed to the commissioners, Curtis and Neal: a document referencing the changes, a document containing more explanation and a document listing frequently asked questions. Chief Deputy Black said because of the geographic layout of Davis County, it is the easiest county in the state to draw the line of the Wildland Urban Interface. Davis County also has the fewest dirt roads of any county in the state, with maybe the exception of Salt Lake County. He said the applicability of the changes and how much Davis County wants to adopt may differ from other counties. He encouraged the commissioners to consult with the building and fire officials to make a determination that meets the needs of Davis County. Commissioner Smith asked if we know yet what we have adopted? Ellis said we have adopted the code with the changes; however, Davis County code does have different numbers. Commissioner Millburn thanked Chief Black for coming and asked Ellis to work with Robert, Dave, Barry and the County attorneys to review the changes. Mr. Vickers from the State commented he is on the committee that reviewed the current code and can review it with Ellis. His recommendation is to go ahead and make the changes. Mr. Vickers updated the Urban Wildland Interface activity in Davis County saying they just completed a Community Wildland Fire Protection Plan (CWPP) for North Salt Lake, they are currently working with Bountiful and are about to start with Layton. Their goal is to take care of the entire bench. Farmington already has a CWPP, so by mid-summer, they will have a 300% increase of Wildland Fire Protection Plans along the Davis County bench. They have kept Robert employed all winter doing a fire break project above Fruit Heights and per the County's request, Robert is now on duty. Commissioner Millburn said we opted to bring Robert on a little early this year, given the dry winter we have had. He commented that he is glad to see the cities are engaging in putting plans together. In a recent conversation with Bountiful City Manager Gary Hill, he expressed his concern of the fire danger in the Maple Hills area in Bountiful. He said, "It's nice to see that the city and residents are catching the vision that we need to have a plan in place because of the nature of the topography and geography. It is not a matter of if, but when we have an incident and we want to be prepared." Chief Deputy Black announced this year the fire marshal's office is celebrating 50 years of service to the State of Utah and presented a commemorative pin to each of the commissioners.

Agreement #2015-172 with Val Bagley for art instruction for summer reading program

Chris Sanford, Davis County Library Director, presented agreement #2015-172 with Val Bagley to provide an art instruction session at each of the 7 County libraries for the Summer Reading Program. The payable contract amount is \$350.00. The contract period is July 6 -16, 2015.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2015-143 with Mountain Valley Mechanical to replace HVAC at Autumn Glow Senior Center

Luke Love, Davis County Facilities, presented agreement #2015-143 with Mountain Valley Mechanical pursuant to the Notice of Award on April 7. They will replace 26-year old HVAC equipment at the Autumn Glow Senior Center. The new system will increase efficiency from 80% to 95%. The payable contract amount is \$61,620.00 and is a CDBG project. Luke confirmed the typographical errors in the contract were corrected and the contractor signed the corrected contract prior to the meeting. The contract period is 8 weeks.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All

voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2015-173 with CoreLogic Solutions to receive ownership plats for use on their commercial website

Richard Maughan, Davis County Recorder, welcomed Mack McDonald to the County and expressed his delight that Mack must have gone to the University of Utah.

He presented agreement #2015-173 with CoreLogic Solutions, a subsidiary of First American National Title and a data provider for title companies across the country. Davis County Recorder's office will provide ownership plats on CD for use on the Corelogic Solutions' commercial website. The receivable contract amount is \$2,000.00. The contract period is until renewed.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Introduction of LEC student intern

Brooks Burr, Davis County Fair Coordinator, introduced intern Bethany Zatarain from Houston, Texas. As a student in the Business Program with an emphasis on Recreation Management at Brigham Young University, she has been involved with event planning and will be graduating at the end of the year. She will be helping with the fair.

Brooks presented the following agreements:

Agreement #2015-174 with Eyes of the Tiger Productions

Agreement #2015-174 with Eyes of the Tiger Productions to host a circus-style tiger performance 3 times a day at the 2015 Davis County Fair. Brooks said the show provides an educational look into the world of tigers while entertaining the audience with amusing tricks that showcase the amazing abilities of tigers. This is the first time at the fair. The payable contract amount is \$8,000.00. The contract period is August 9 – 16, 2015. Commissioner Smith asked what we do to advertise. Brooks confirmed the fair will be advertised through a variety of venues including radio, internet, the Kaysville Theater, brochures, flyers and a contract with Hometown Values.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2015-175 with Equine Health Sciences LLC

Agreement #2015-175 with Equine Health Sciences LLC for sponsorship of the 2015 Davis County Fair. This includes placing an 8' x 4' banner in the Legacy Events Center year round to promote their pharmaceutical products for horses. The receivable contract amount is \$500.00. The contract period is May 2015 through May 2016.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Mike Moake, Davis County Legacy Events Center Marketing, presented the following:

Agreement #2015-176 with Intermountain Reining Horse for horse show at LEC

Agreement #2015-176 with Intermountain Reining Horse for space rental at the Legacy Events Center for a reining horse show. Mike said this is a large show that includes 200 stalls. The receivable contract amount is \$2,350.00. The contract period is June 10-14, 2015.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2015-177 with Legacy Raceway BMX for events at LEC

Agreement #2015-177 with Legacy Raceway BMX for rental of the south outdoor arena at the Legacy Events Center for summer BMX practice and racing events. This show averages 200 racers. The receivable contract amount is \$2,500.00. The contract dates are May 2015 through September 2015.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2015-178 with ZD Cattle Co for team cattle

Agreement #2015-178 with ZD Cattle Company Inc. for a team cattle roping event to be held at the Legacy Events Center. The receivable contract amount is \$2,180.00. The contract dates are

roping event at
LEC

May 23–25, 2015.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2015-179 with
ZD Cattle Co
for team cattle
roping event at
LEC

Agreement #2015-179 with ZD Cattle Company Inc. for a team cattle roping event to be held at the Legacy Events Center. The receivable contract amount is \$1,380.00. The contract dates are July 24 - 25, 2015.

Commissioner Petroff pointed out 4 of the 6 contracts for the Legacy Events Center involve horses. The reining horse events are tremendous. He said, “If you know anything about horses and watch what they do, it’s pretty darn amazing. I know one thing, I couldn’t even ride a horse the way they ride them. It’s fun to watch.” Commissioner Millburn commented that the Legacy Events Center is very multi-faceted and able to host all kinds of events. He complimented the LEC staff for all they do and encouraged them to keep up the good work.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment
#2014-349A
with Best
Friends Animal
Society

Clint Thacker, Davis County Care & Control Director, presented amendment #2014-349A with Best Friends Animal Society. Clint said in the past this contract has been a Memorandum of Understanding. However, this year they will list it as Addendum #1. Best Friends Animal Society also subsidizes the adoptions, since the County prices adoptions at a discount. The funds received will be used for the adoption specialist position. Commissioner Millburn asked what key things the County agrees to do. Clint said one thing is to hold 5 adoption events at the shelter. Seven animals were adopted at a recent adoption event. Clint is excited that Best Friends will be giving the County \$10,000.00 in-kind donation for marketing. Commissioner Millburn said this is a big win for us, but the biggest win is for the animals. The receivable contract amount is \$14,500.00. The contract date is January 1 through December 31, 2015.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Chief Deputy Kevin Fielding, Davis County Sheriff’s Office, presented the following:

Grant award
#2015-82A
from Utah Div
of Emer Mgmt
for HMEP

Grant award #2015-82A from the Utah Division of Emergency Management for the FY2015 Hazardous Materials Emergency Preparedness (HMEP). The total receivable contract amount is \$3,437.50 including a local match of \$687.50 (20% cash or in-kind). The contract date is October 1, 2014 through September 30, 2015.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2015-180 with
Ritchiephoto
Inc for DCSSO
security
services

Agreement #2015-180 with Ritchiephoto Inc. to provide security services for a commercial shoot at Antelope Island. The receivable contract amount is \$1,600.00. The contract date is April 28, 2015.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Resolution
#2015-181 for
appointments
to South Davis
Rec District
Administrative
Control Board

Commissioner Millburn presented resolution #2015-181 of Davis County, Utah, approving the appointments of two (2) persons to fulfill the remaining unexpired terms of Steve S. Rawlings and Dennis Yarrington on the South Davis Recreation District Administrative Control Board. By state statute, the appointments to be filled were advertised publicly and letters of interest have been received. Mr. Rawlings’ term ends December 31, 2015. Dennis Yarrington’s appointment runs through December 31, 2017. Commissioner Millburn read: “Whereas the Board of County Commissioners of Davis County, Utah, desires

to appoint Marti L. Money to fill the remaining unexpired term of Steve S. Rawlings on the Board; and, whereas the Board of County Commissioners of Davis County, Utah desires to appoint Mel Miles to fill the remaining unexpired term of Dennis Yarrington on the Board. Now, therefore be it resolved, that Marti L. Money is hereby appointed to fill the remaining unexpired term of Steve S. Rawlings on the Board; and Be It Further Resolved, that Mel Miles is hereby appointed to fill the remaining unexpired term of Dennis Yarrington on the Board; and be it further resolved, that this Resolution shall become effective immediately upon its adoption.”

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Petroff made a motion to convene as the Board of Equalization. Commissioner Smith seconded the motion. All voted aye.

Property Tax
Registers
approved

Diane Law, Davis County Tax Administration, presented the Property Tax Register which reflected:

Recommend for denial:

- 1 request for deferral of property taxes

Recommend for approval:

- 2 abatements for circuit breakers for 2 separate years
- 3 VA abatements
- 11 personal property adjustments up
- 1 escape of which the value has been adjusted downward
- 1-year correction that should not have been charged

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye.

Commissioner Petroff made a motion to reconvene Commission Meeting. Commissioner Smith seconded the motion. All voted aye.

Personnel
Register
approved

Commissioner Smith made a motion to approve the Personnel Register. Commissioner Petroff seconded the motion. All voted aye.

Commission
mtg minutes
approved

Commissioner Petroff made a motion to approve the Commission Meeting minutes of April 14 and 21, 2015. Commissioner Smith seconded the motion. All voted aye.

Check
Registers
approved

Check registers as prepared by the Davis County Clerk/Auditor’s Office were approved with a motion by Commissioner Smith. Commissioner Petroff seconded the motion. All voted aye. The documents are on file in the Davis County Clerk/Auditor’s Office.

Commission
Comments

Commissioner Comments:

Commissioner Petroff commented that he has had the opportunity of serving on the Weber Basin Water Board for the past 3-4 years. He said it has been great having rain the last 2 weeks, but he hopes people will remember to shut off their automatic sprinklers when we are having rain. If we are going to make it through the summer without additional water restrictions, we need to be careful and conservative. He knows we can do it. We’ve already shown a lot of cuts on water usage over the last few years. He is just passing on some information from Weber Basin in the sense that we are going to need to be as careful as we can. We have enough water now, but we don’t know what next year will bring. If we deplete all of our reservoir storage this spring, we won’t have enough water next summer. He suggested we adjust sprinklers to work correctly and efficiently and not be afraid to let neighbors know if their sprinklers need adjusting.

Public Comments:

Lorna Rosenstein, 1421 East 300 North of Layton, founder of Waterwatch of Utah, read and presented

copies of an April 27, 2015 press release from the U.S. Department of Health and Human Services announcing the final Public Health Service recommendation for the optimal fluoride level in drinking water to prevent tooth decay. The new recommendation is for a single level of 0.7 milligrams of fluoride per liter of water. It updates and replaces the previous recommended range (0.7 to 1.2 milligrams per liter) issued in 1962. Since 2010, the control range of fluoride in Davis County's drinking water was determined to be between 0.6 to 0.8 milligrams per liter with an annual average of 0.7 gram per liter. Ms. Rosenstein provided a formal request to have the commission adopt the 2015 review. Commissioner Millburn agreed to take it under consideration.

Cindy Criswell, 365 Millcreek Lane in Kaysville, spoke of concerns with the Davis County Sheriff's Department regarding funds being taken from commissary accounts at the Davis County Jail to be used for pay-for-stay. Her son is currently on work release in the jail system. Ms. Criswell said she placed money in his commissary account last Thursday and was told the next day by Keith Majors of the Sheriff's office that the funds were taken to be used for pay-for-stay. She also has concerns about the charges for telephone calls by inmates. She would like the Commissioners to investigate this further.

Closed Session

Commissioner Millburn indicated there was need to move to a closed session for UCA 52-4-205 (1)(c) strategy session to discuss pending or reasonably imminent litigation.

Commissioner Petroff made a motion to go to closed session. Commissioner Smith seconded the motion. All voted aye.

Commissioner Petroff made a motion to reconvene Commission Meeting. Commissioner Smith seconded the meeting. All voted aye.

Adjourned

Commissioner Millburn, having no further business, adjourned the meeting at 12:18 p.m.

Meeting Adjourned

Clerk/Auditor

Chair