

COMMISSION MEETING MINUTES
May 10, 2016

The Board of Davis County Commissioners met on May 10, 2016 at 10 am in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Members present were: Commissioner Jim Smith – Chair Pro-tem, Commissioner P. Bret Millburn, Chief Deputy Clerk/Auditor Heidi Voordeckers, Chief Deputy Civil County Attorney Neal Geddes, and Deputy Clerk/Auditor Janet Hanson (Commissioner John Petroff, Jr. – excused).

Agenda as posted

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AMENDED 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 **10:00 a.m. on May 10, 2016**

OPENING

Pledge of Allegiance – By Invitation

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

- Opening of sealed bid received for purchase of Surplus Tax Sale Property located at 150 West 2675 North in Sunset (Tax ID 13-057-0038)
- Public Notice of Special Meeting – Commissioners will attend Farmington City Council Meeting May 17, 2016: 6:30 PM work session and 7 PM Council Meeting
- Davis County Delinquent Tax Sale scheduled for May 18, 2016 at 10 AM (pre-registration at 9 AM)

BUSINESS/ACTION

PUBLIC HEARING

IHC HEALTH SERVICES, INC. PUBLIC HEARING: Conducting a public hearing with respect to the proposed issuance by Utah County, Utah (the “Issuer”) of its hospital revenue bonds (the “Bonds”) in one or more series and in an aggregate principal amount not to exceed \$155,000,000 with respect to certain health care facilities of IHC Health Services, Inc. located in Davis County, Utah, for the purpose of financing, refinancing or providing reimbursement for the acquisition, improvement and equipping of such health care facilities and considering for adoption a resolution approving the issuance of the Bonds for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Public comments

Close Public Hearing

Dustin Matsumori, Intermountain Health Care, presenting:

Resolution approving the proposed issuance by Utah County, Utah of its hospital revenue bonds in one or more series, in an aggregate principal amount not to exceed \$155,000,000.00 with respect to facilities in Davis county.

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

Summary List of animal adoptions for April (79) (receivable)

Tony Thompson, Davis County Property Manager, presenting:

Request assignment of sealed bid #9-2016 to Gibbs Smith for surplus tax sale property located at 1651 East 525 North in Layton (Tax ID 11-002-0078)

Neka Roundy, Davis County Economic Development Specialist, presenting:

Donation agreement from Chevron – 2016 Great Salt Lake Bird Festival (receivable)
Agreement with GONZO Boat Rentals & Tours – rental of boats for 2016 Great Salt Lake Bird Festival (payable)

Barry Burton, Davis County Community & Economic Development Director, presenting:

Amendment with Sprint Spectrum L.P. – site lease of communications tower in Farmington (receivable)
Amendment with Western States Lodging and Management – Davis Conference Center Management to include food & beverage sales to hotel lounge patrons (n/a)
Estoppel and agreement with Starwood Mortgage Capital LLC – confirm Davis Conference Center Joint Use Agreement will allow Summit Lodging to secure a first mortgage loan (n/a)
Estoppel and agreement with Starwood Mortgage Capital LLC – confirm Davis Conference Center Vehicular Access and Maintenance Agreement will allow Summit Lodging to secure a first mortgage loan (n/a)

Jerry Meyer, Davis County Assistant Library Director, presenting:

Agreement with Kim’s Taekwondo – martial arts presentations for Summer Reading program (payable)
Agreement with Jean Taylor’s Studio 1 Dance – dance presentation for Summer Reading program (payable)
Agreement with Wendy Jones – yoga presentations for Summer Reading program (payable)
Agreement with Starstruck Studio – dance presentation for Summer Reading program (payable)
Agreement with ReAL Soccer – soccer presentations for Summer Reading program (n/a)

Commissioner Smith, presenting:

Agreement with Utah Department of Human Services – research-based program to address needs of individuals with early onset psychoses (receivable/pass through to DBH)

BOARD OF EQUALIZATION

Request approval of the Property Tax Register

CONSENT ITEMS

Meeting Minutes: 4/19/2016
Check Registers

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

Excused –
Commissioner
Petroff & Curtis
Koch

Commissioner Petroff and Curtis Koch, Davis County Clerk/Auditor, were out-of-town, and were excused. Commissioner Smith welcomed Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor.

Jonathan Ward, Zions Bank Public Finance, was invited to lead the Pledge of Allegiance. All in attendance were invited to stand and join in.

Opening of
sealed bid for
Surplus Tax Sale
Property
150 W 2675 N
Sunset
Tax ID
13-057-0038

Heidi Voordeckers opened the following bid for the purchase of Surplus Tax Sale Property located at 150 West 2675 North in Sunset, Tax ID 13-057-0038:

**Surplus Tax Sale Property located at 150 West 2675 North, Sunset
Tax ID 13-057-0038
May 10, 2016**

	BIDDER	AMOUNT
1.	Kenneth Jensen	\$500.00

Tony Thompson, Davis County Property Manager, will review the bid and return to the Commission with a recommendation at a future meeting.

Commissioners
to attend
Farmington City
Council

Public notice was given that the Commissioners will be attending the Farmington City Council Meeting May 17, 2016. The work session is scheduled for 6:30 PM and the Council meeting is at 7 PM. It is the Commissioners effort to meet with each city council and make themselves available to the citizens.

DC Delinquent
Tax Sale 5/18/16

It was announced that the Davis County Delinquent Tax Sale is scheduled for May 18, 2016 at 10 AM (pre-registration at 9 AM) here in the Davis County Administration Building’s Auditorium 131.

Introduction of
Shawn Beus,
Community &
Economic
Development
Manager

Barry Burton, Davis County Community and Economic Development Director, introduced Shawn Beus as the new Community and Economic Development Manager. He explained that Shawn had been working for Salt Lake City and previously Ogden City. He comes to Davis County with experience and expertise. Shawn said his claim to fame is that he has actually seen a jackalope. He has worked in economic development that past 7 years and has done a lot of business development loan funds from up-start and city management. He received his bachelors at BYU and his law degree at U of U. He and his family live in Hooper City. He had served on the Hooper City Council and is now on the Hooper Water Improvement District Board.

Commissioner Millburn welcomed Shawn noting that it has been a number of months that the position has been empty and we have been going through the process of finding the right individual. He said it will be nice not to have to be the front-man and to turn the day-to-day operations over to Shawn. He told Shawn that having worked for Ogden City and Salt Lake City, he now is at the “center of the universe,” as Commissioner McConkie used to call Davis County. Commissioner Millburn said that there are some great things happening here and said that Shawn can move Davis County forward with his expertise and knowledge.

**Public Hearing
(TEFRA)**
RE: IHC Health
Services, Inc.
With respect to
proposed
issuance by Utah

Commissioner Smith indicated that there was a need to have a public hearing. He read the following:

IHC HEALTH SERVICES, INC. PUBLIC HEARING: Conducting a public hearing with respect to the proposed issuance by Utah County, Utah (the “Issuer”) of its hospital revenue bonds (the “Bonds”) in one or more series and in an aggregate principal amount not to exceed \$155,000,000 with respect to certain health care facilities of IHC Health Services, Inc. located in Davis County, Utah, for the purpose of financing, refinancing or providing

reimbursement for the acquisition, improvement and equipping of such health care facilities and considering for adoption a resolution approving the issuance of the Bonds for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Commissioner Millburn made a motion to convene a public hearing. Commissioner Smith seconded the motion. All voted aye.

Dustin Matsumori, Intermountain Health Care, Director of Financial Planning, gave the following layman's interpretation of the agenda language: The public hearing and the accompanying proposed resolution to be considered following the close of the public hearing are in compliance with federal regulations or federal law that allow or enable Intermountain Health Care (IHC) to issue tax exempt bonds through Utah County yet spend some of those bond proceeds here within Davis County.

Dustin went on to explain that over the next several years, IHC plans to spend a significant amount of money on facilities that are either existing throughout the state or on new facilities that they plan to construct based on growth and needs of the community. This includes \$430-million to be spent at the Utah Valley Hospital project and other expenditures throughout the state. As a not for profit organization, both state law and federal law enable them to borrow or issue debt at tax exempt rates, very similar to the County. However, because they are a 501c3 and not a governmental organization, there is one more step in the process and that is that they partner-up with a local governmental entity and have them issue bonds for and on behalf of them, yet it is not their debt, IHC is the sole obligor on that debt. In this case, because of the substantial Utah Valley Hospital project they have spoken with Utah County who has agreed to be their conduit issuer (a pass-through). Even though Utah County will be the issuer of those bonds, Intermountain Health Care would like to spend some of those bond proceeds, not just in Utah valley, but at the new Layton hospital, as well as some expansion and improvements at the existing Bountiful Clinic. In order for them to do so, because they are tax exempt bonds, the IRS requires them to establish a forum to hold a public hearing so the public can voice comment. With Utah County being the issuer, obviously they will be holding a public hearing related to facilities within their geographical jurisdiction. However, it would be a bit odd, or challenging, for them to hold a public hearing for those within Davis County's geographical jurisdiction. Procedurally the public hearing is being held today to receive any comment from the public related to Intermountain Health Care spending up to \$155 million between both the Layton hospital and the Bountiful Clinic.

Dustin said that one question that comes up is, "What impact does this have to the County?" He recognized Davis County's financial advisor was in the audience (Jonathan Ward, Zions Bank Public Finance). For IHC's part he stated, "Because you are not the conduit issuer in this case, there is no financial obligation or liability for the county as a result of taking this action. Utah County will be the conduit issuer and Intermountain is solely responsible for repayment of that debt. There is no impact to the county's debt incurring capacity or bonding ability which includes bank qualification. Again, because the county is not the conduit issuer there won't be any impact on any bonds that may or may not issue later on this year. This is no impact to the county's ratings. There is no impact to the county's finances. Furthermore, should anything happen to go wrong with them repaying the debt, based on an interlocal agreement that Davis County entered into in 2014 (#2014-215A) you are fully indemnified." They have tried to cover all bases. Again, this is a procedural action, something to help facilitate it so they can spend some of their money on their facilities but within Davis County."

Johnathan Ward, Zions Bank Public Finance, indicated that he had nothing to add.

Commissioner Smith invited the public to make comment on this issue. There was no public comment.

Commissioner Millburn made a motion to close the public hearing. Commissioner Smith seconded

the motion. All voted aye.

Resolution #2016-172 Approving proposed Utah County's hospital revenue bonds and to loan the proceeds to ICH for facilities in Davis County

Related to the public hearing, resolution #2016-172 approving the proposed issuance by Utah County, Utah of its hospital revenue bonds in one or more series, in an aggregate principal amount not to exceed \$155,000,000.00 with respect to Intermountain Health Care facilities in Davis County was presented.

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

Commissioner Millburn thanked Dustin and Johnathan for attending today's meeting. He said Davis County is excited to have these facilities coming to our county noting that the Bountiful Clinic has been there for some time, and it will be nice to have expanded services there. He said it was phenomenal what Intermountain Health Care has proposed and that they have broken ground on in Layton. "To add that new element to our county and community is fantastic. Coupled with all of the other health facilities, he felt everyone in the county will be covered quite well," he said.

Commissioner Smith said Davis County is blessed with wonderful medical services, from top to bottom. Now the addition of the new hospital just continues in that legacy. We are very grateful to have Intermountain Health Care with us.

AC&C summary list #2016-173 of adoptions for April

Clint Thacker, Davis County Animal Care & Control Director, presented the summary list #2016-173 of animal adoption for April (79). They are receivables.

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

Golden Spike anniversary

Tony Thompson, Davis County Property Manager, having come from a railroad family, announced that today, May 10, 1869, is the anniversary of the Union Pacific and Central Pacific railroads meeting in Promontory, Utah to drive a ceremonial last golden spike into a rail line that connected their railroads.

Assignment #2016-174 to Gibbs Smith for surplus sale property 1651 E 525 N Layton Tax ID 11-002-0078

Tony requested an assignment #2016-174 of sealed bid No. 9-2016 opened April 26, 2016, in the amount of \$1,000.00 by Gibbs Smith for property located at 1651 East 525 North in Layton, Tax ID 11-002-0078. Tony recommended acceptance of the bid.

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

Donation #2016-175 from Chevron to GSLBF

Neka Roundy, Davis County Economic Development Specialist presented the following:

Donation agreement #2016-175 from Chevron toward the Great Salt Lake Bird Festival to be held this week, May 12-16, 2016. The receivable amount is \$3,000.00.

Commissioner Millburn 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 #2016-176 GONZO Boat Rental & Tours for GSLBF

Agreement #2016-176 with GONZO Boat Rentals and Tours for the rental of boats and to provide lunch and dinner cruises during the Great Salt Lake Bird Festival. Payable amount is up to \$7,050.00.

Commissioner Millburn 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 #1996-325A Sprint Spectrum for site lease of tower at Justice Center

Barry Burton, Davis County Community & Economic Development Director, presented the following:

Amendment #1996-325A with Sprint Spectrum L.P. for a site lease of a communications tower at the Justice Center in Farmington. He explained there have been 2 cell phone companies utilizing the tower and it had become too weighted. With new technology they were able to alleviate that. It was also time to renegotiate the terms of the contracts. The initial term of the contract is for 5 years (May 1, 2016 –

April 30, 2021); five additional optional terms of 5 years each. Receivable is \$2,500.00 per month plus utilities.

Commissioner Smith indicated he had been involved in these negotiations and gave a special thanks to Barry and his team, the Sheriff's Office personnel who were integrally involved, and the civil attorneys who were hyper involved making sure everything was done properly. He joked that it was inappropriate to have an unsafe tower on the public safety building and that it was counter intuitive. This is a major change and it will allow us to have more flexibility and have it be dedicated to public safety. He thanked all who worked on this endeavor.

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

Amendment
#2014-428B
Western State
Lodging &
Management @
DCC

Amendment #2014-428B with Western States Lodging and Management to the Davis Conference Center Management agreement to include food and beverage sales to hotel lounge patrons. Barry explained that this had been removed from the original renewal agreement, but had inadvertently been included in the subsequent amendment. It is being corrected with this amendment. It is the current practice in place. The period of contract is through December 31, 2019.

Commissioner Millburn 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.

Estoppel &
Agreement
#2016-177
Starwood
Mortgage Capital
re: DCC Joint
Use agreement

Estoppel and agreement #2016-177 with Starwood Mortgage Capital LLC to confirm the Davis Conference Center Joint Use Agreement (#2003-291), kitchen and laundry, is in place which will allow Summit Lodging to secure a first mortgage loan. Barry explained the Hilton Garden Inn, which is attached to the Davis Conference Center, is in the process of remodeling the entire facility and are seeking financing to do that. The finance company, Starwood Mortgage Capital LLC, is asking Davis County to certify to them that the 2 agreements are in place regarding the use of facilities, that they are operating and that no one is in breach of those provisions. Neal Geddes added that one of the other issues they wanted Davis County to certify is that the agreement had not been assigned to anyone else.

Commissioner Millburn 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.

Estoppel &
Agreement
#2016-178
Starwood
Mortgage Capital
re: DCC
Vehicular Access
& Maintenance
agreement

Estoppel and agreement #2016-178 with Starwood Mortgage Capital LLC to confirm the Davis Conference Center Vehicular Access and Maintenance Agreement (#2003-292) is in place which will allow Summit Lodging to secure a first mortgage loan.

Commissioner Millburn 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.

Chris Sanford's
recovery

Jerry Meyer, Davis County Assistant Library Director, reported that Chris Sanford (Director who is recovering from knee surgery) briefly came into work yesterday. The doctor and County have cleared her to come into work a minimal amount of hours (4-10 week). She is doing better than anticipated.

2016 Summer
Reading Program
- "On Your Mark
Get Set, Read!"

Jerry explained the Summer Reading Program's theme "On Your Mark, Get Set, Read!" is based upon the upcoming Olympics and the presentations are related to physical activity. He presented the following agreements:

Agreement
#2016-179 Kim's
Taekwondo at
Summer Reading

Agreement #2016-179 with Kim's Taekwondo for martial arts presentations during the Summer Reading program. Period of contract is June 14-29, 2016. Payable amount is \$100.

Commissioner Millburn 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
#2016-180 Jean
Taylor's Studio 1
Dance at Summer
Reading

Agreement #2016-180 with Jean Taylor's Studio 1 Dance for dance presentations during the Summer Reading program. Period of contract is June 15, 2016. Payable amount is \$50.

Commissioner Millburn 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
#2016-181
Wendy Jones for
yoga at Summer
Reading

Agreement #2016-181 with Wendy Jones for yoga presentations during the Summer Reading program. Period of contract is June 21 through July 6, 2016. Payable amount is \$150.00.

Commissioner Millburn 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
#2016-182
Starstruck Studio
for dance at
Summer Reading

Agreement #2016-182 with Starstruck Studio for a dance presentation during the Summer Reading program. Period of contract is June 23, 2016. Payable amount is \$150.00.

Commissioner Millburn 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
#2016-183 ReAL
Soccer
presentations at
Summer Reading

Agreement #2016-183 with ReAL Soccer. They will bring team soccer players for presentations during the Summer Reading program at all 7 library branch locations. Period of contract is June 20-30, 2016. There is no cost.

Commissioner Millburn 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
#2016-184 UT
Dept of Human
Services early
psychosis
treatment

Commissioner Smith presented agreement #2016-184 with the Utah Department of Human Services. The purpose of this agreement is for Davis Behavioral Health (DBH) to develop and implement an evidence-based early psychosis treatment program. Period of contract is April 15, 2016 through September 30, 2021. Receivable pass-through amount to DBH of \$150,000.00.

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

BOE

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

Property Tax
Register
approved

Heidi Voordeckers presented the Property Tax Register which reflected 6 corrections with the majority being veteran abatements, also some common area for Ivory Homes' parcels.

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

Reconvene

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

Meeting minutes
approved

Commissioner Millburn made a motion to approve the Commission Meeting minutes for April 19, 2016. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Check registers
approved

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

Commissioner
comments

Commissioner comments:

Commissioner Millburn invited Chief Fielding to speak about this morning's upcoming event.

Chief Fielding announced the annual "Law Enforcement Memorial" was being held this morning at

11 AM. The program for the event includes Debbie Dujanivic as the keynote speaker. She was a personal friend of fallen Officer Barney and has spoken on behalf of law enforcement, also on her role as reporter and what she has recently done with law enforcement. He invited all in attendance to attend the event.

Commissioner Millburn expressed his appreciation to law enforcement and first responders, particularly the officers and those that have given the ultimate sacrifice, saying it is an honor to be invited and participate.

Commissioner Smith indicated he spent time with USU Extension Services and baby animals last Friday. On Saturday he was working with the Health Department on Safe Kids Day. He said that both events were very successful. Last night he got to be with the Davis School District for their CARE Awards, honoring the best and brightest of their teachers. He spent this morning with the Health Department in the Board of Health Meeting. He said that every time he does these kinds of things and gets involved he has to express how appreciative he is to work with such great people here in Davis County and that there are some very important things taking place and that these were just a few of them which is scratching the surface.

No public
comments

No public comment.

Adjourned

Meeting adjourned.

Clerk/Auditor

Chair