

COMMISSION MEETING MINUTES
September 6, 2016

The Board of Davis County Commissioners met in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah on September 6, 2016 at 10 am. Members present were Commission Chair Pro-Tem Jim Smith, Commissioner P. Bret Millburn, Clerk/Auditor Curtis Koch, Chief Deputy Civil County Attorney Neal Geddes and Deputy Clerk/Auditor Shauna Brady.

Meeting Agenda as posted:

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 AM on Tuesday, September 6, 2016.**

OPENING

Pledge of Allegiance – By Invitation

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

BUSINESS/ACTION

Johnathan Ward, Zions Bank Public Finance, presenting:

Consideration for adoption of a resolution providing for the financing by Davis County, Utah (the “Issuer”) of the purchase of an existing manufacturing facility and the acquisition, construction, improvement, equipping and furnishing of related facility improvements and manufacturing equipment to be located in Layton City, Utah to be owned by JI Properties Utah, LLC and Janicki Industries, Inc.; authorize the issuance by the Issuer of not to exceed \$10,000,000 facility revenue bonds (to be issued in one or more series designations as determined by the Issuer); and related matters.

Mark Langston, Davis County Information Systems Director, presenting:

Agreement with Comcast Enterprise – fiber connection between Administration Building and Health WIC office located in Bountiful (payable)

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

Agreement with Grass Roots MX, LLC – winter motocross series (receivable)
Agreement with Layton Strikers – winter indoor soccer training (receivable)

Tony Zambrana, Davis County Grants Auditor, presenting:

Sub-grantee agreement with North Salt Lake City – for the Community Development Block Grant (CDBG) program for funding grants to eligible homeowners for necessary physical improvements/repairs to their homes and the disposal of a mobile home and purchase of replacement mobile home (payable)

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

Agreement with Utah Reptile Rescue Service, Jim Dix – lease for temporary housing of reptiles (receivable)

Shawn Beus, Davis County Community & Economic Development Manager, presenting:

Request for reappointments and appointments of Tourism Tax Advisory Board (TTAB) members

Mack McDonald, Davis County Facilities Director, presenting:

Agreement with IBI Group – Davis County Memorial Courthouse Reuse Plan (payable)
Notice of Award to Morgan Pavement Maintenance Inc. – asphalt repairs on properties outlined in RFP

Brian Hatch, Davis County Health Department Director, presenting:

Agreement with Utah Campus Compact AmeriCorps Program – allows Health Department to be a site for volunteers (n/a)
Event agreement with USAF-151 MSG-Environmental Management – utilization of two 151st personnel for operation of air sampling equipment and data analysis at Viewmont High School (n/a)

BOARD OF EQUALIZATION

Request approval of the Property Tax Register

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

CONSENT ITEMS

Check Registers
Personnel Register

Pledge of
Allegiance

Clint Thacker, Davis County Animal Care & Control Director, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Consideration
for adoption of
resolution
#2016-199D
providing
financing via
revenue bonds
of JI Properties
Utah LLC &
Janicki
Industries, Inc.

Johnathan Ward, Zions Bank Public Finance, presented consideration for adoption of resolution #2016-199D providing for the financing by Davis County, Utah (the “Issuer”) of the purchase of an existing manufacturing facility and the acquisition, construction, improvement, equipping and furnishing of related facility improvements and manufacturing equipment to be located in Layton City, Utah to be owned by JI Properties Utah, LLC and Janicki Industries, Inc.; authorize the issuance by the Issuer of not to exceed \$10,000,000 facility revenue bonds (to be issued in one or more series designations as determined by the Issuer); and related matters.

Johnathan explained this authorizes Zions Bank to move forward on the issuance of bonds for and in behalf of Janicki Industries. The resolution spells out specifically that the bonds will be divided into two parts – Series A and Series B. It authorizes Zions Bank to borrow the funds and lend them to Janicki for their

purposes. Johnathan said Ballard Spahr, the firm preparing the documents, wants to make sure the Commission is clear that although this authorizes the issuance of bonds and the execution of a financing agreement, Davis County is not responsible for the repayment of the bonds. Janicki is responsible for repayment according to the terms of the legal documents. Zions Bank recommends approval of the resolution.

The contract issue amounts are Series A - \$6.4 million and Series B - \$3.6 million and will not exceed \$10,000,000.00 in facility revenue bonds. The period of contract will not mature in more than 30 years.

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.

Agreement #2016-358 with Comcast Enterprise for fiber connection

Mark Langston, Davis County Information Systems Director, presented agreement #2016-358 with Comcast Enterprise for fiber connection between the Davis County Administration Building and the Health Department's WIC office located at 596 West 750 South, Suite 100 in Bountiful. This will improve their phone system and increase their internet speed. The payable contract amount is \$385.00 MRC. The contract period is a 3-year term.

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.

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

Agreement #2016-359 with Grass Roots MC LLC for rental space at LEC for Winter Motocross series

Agreement #2016-359 with Grass Roots MC LLC for rental space at the Legacy Events Center for a winter motocross series. Commissioner Petroff asked about the attendance at these events. Mike answered those who attend are usually just family members because of the cold weather. The receivable contract amount is \$12,180.00. The contract period is November 9-20, 2016 and January 18-21, 2017.

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 #2016-360 with Layton Strikers for rental space at LEC for indoor winter soccer training

Agreement #2016-360 with Layton Strikers for rental space at the Legacy Events Center for indoor winter soccer training in Building #3. The receivable contract amount is \$10,224.00. The contract period is November 1, 2016 through March 3, 2017.

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.

Sub-grantee agreement #2016-361 with North Salt Lake for CDBG for funding grants to eligible homeowners for home improvements/repairs/replace

Tony Zambrana, Davis County Grants Auditor, presented sub-grantee agreement with North Salt Lake City for the Community Development Block Grant (CDBG) program for funding grants to eligible homeowners for necessary physical improvements/repairs to their homes and the disposal of an existing mobile home and purchase of a replacement mobile home. Tony confirmed that North Salt Lake City accepts applications from individuals who are in need of home repairs and then applies to the County for the CDBG funds. The County receives the CDBG funds from HUD. It then allocates the funds for those approved by our review committee. Commissioner Petroff mentioned that Tony has the awesome responsibility to verify that everything is done correctly. Tony said this is the second year North Salt Lake City has applied and been approved for funding. He knows of no other cities that do this through the County's CDBG funds. However, other cities might be doing similar services through other revenue sources. The payable grant amount is \$50,000.00. The contract period is July 1, 2016 through December 31, 2017.

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.

Agreement #2016-362 with Utah Reptile Rescue

Clint Thacker, Davis County Animal Care & Control Director, presented agreement #2016-362 with Utah Reptile Rescue Services for temporary housing of reptiles. Clint explained that on August 2nd, James

Services for temporary housing of reptiles

Dix, a reptile rescuer who has helped Davis County Animal Control and other agencies for the past 20 years, lost the area where he housed the reptiles. Mr. Dix contacted Davis County Animal Care & Control and was allowed to use a building temporarily. Clint said the old emissions center is engulfed in reptiles of every kind you can imagine. Commissioner Petroff said we are trying to help find another location to house the reptiles. If a location is not found by September 30th, we will have to step in and locate multiple locations to divide the reptiles. There is always the risk that some will have to be euthanized if someone won't take them.

Commissioner Millburn said that is unfortunate. He has been to the current location and said there are some beautiful reptiles being housed. He has never seen so many reptiles and imagines it must be a full-time job for Mr. Dix to take care of them. Clint said Mr. Dix estimates he spends \$50,000.00 - \$60,000.00 annually to feed the reptiles. He uses the reptiles for educational purposes for groups such as scouts, fairs and especially law enforcement. The receivable contract amount is \$972.05. The contract period is August 2 through September 30, 2016.

Commissioner Millburn made a motion to approve. Commissioner Smith asked about the "unique" contract amount. Clint said one part of the expense is for County officers to help Mr. Dix move the animals to the emissions center, including overtime. The amount also includes a 50 cents per square foot rental fee. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Reappointments and appointments to Tourism Tax Advisory Board (TTAB)

Shawn Beus, Davis County Community & Economic Development Manager, explained Utah Code Section 17-31-8 guides the use of taxpayer dollars. Pursuant to that, Shawn quoted "Each board shall advise the County legislative body on the best use of revenues collected from the tourism taxes, which is primarily the restaurant tax and the hotel tax, by providing the legislative body with a priority listing for proposed expenditures based on projected available tax revenues from those two sources and do so on an annual basis." With that directive from the State, Shawn presented requests to reappoint and appoint individuals to the Tourism Tax Advisory Board (TTAB).

Commissioner Millburn expressed appreciation to Shawn and Neka Roundy, Davis County CED Specialist, for the work they have put into this. There has been a TTAB board in the past and has operated according to the State statute. He said the new appointees will bring a fresh perspective.

Shawn listed the following appointees and their terms, which are in effect through December 31st of the years listed:

Reappointments: Commissioner P. Bret Millburn – 2017 and Terry Capener, Lagoon Park – 2018

Appointments: Teri Cowan, Davis Arts Council – 2017; Brad Boyle, Seaquest – 2018;

Dave Webster, Jr., Western States Lodging – 2017; Mike Andersen, MacCool's Restaurant – 2018

Also included as staff support to the board are Shawn, Neka and Randy Cook, all of whom are employees in the Davis County Community & Economic Development and Tourism office, and Curtis Koch, Davis County Clerk/Auditor.

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

Mack McDonald, Davis County Facilities Director, presented the following:

Agreement #2016-354 to IBI Group to initiate reuse plan for DC Memorial Courthouse

Agreement #2016-354 with the IBI Group to initiate a reuse plan for the Davis County Memorial Courthouse. The payable contract amount is \$73,900.00. The contract period is 4 months.

Commissioner Millburn thanked Mack for the perspective he brings to the Facilities Department and the work he does to review the County's assets. Mack said a committee of stakeholders will be formalized and will include a commissioner, some of the city mayors (Farmington City has already accepted the

assignment), as well as some of the other local entities.

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.

Notice of award #2016-363 to Morgan Pavement to complete asphalt repairs at various County locations

Notice of award #2016-363 presented to Morgan Pavement Maintenance, Inc. to complete asphalt repairs at the Layton and Centerville libraries, the Department of Motor Vehicles (DMV) parking and a portion of the Legacy Events Center parking. Mack explained the original payable contract amount was \$350,874.86. It was reduced after meeting with the budget committee to the payable contract amount of \$145,000.00, as well as the scope of work. The contract period is as weather permits. Mack expressed appreciation and acknowledged the help of the Public Works Department as they reviewed the scope of work and participated on the selection committee.

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.

Brian Hatch, Davis County Health Director, presented the following:

Agreement #2016-364 with Utah Campus Compact AmeriCorps Program allowing DC Health Dept to be a volunteer site

Agreement #2016-364 with the Utah Campus Compact AmeriCorps Program to allow the Health Department to be a site for volunteers. Brian explained this allows us to place volunteers through 10 universities that are part of this compact for students that are learning and place them in programs as volunteers. This particular program is the senior services to help evaluate keeping people in their homes, teaches students and gives us the ability to provide that. Commissioner Smith said this is a great resource and the Health Department makes good use of volunteers that saves hundreds of thousands of dollars for our taxpayers. There are no monies involved. The contract period is until terminated.

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.

Agreement #2016-365 with USAF-151 MSG Environmental Mgmt for personnel to complete air sampling and data analysis

Agreement #2016-365 with the U S Armed Forces (USAF) -151 Environmental Management Division for utilization of two 151st personnel for 4-8 hours to perform the operation of a piece of equipment called a Hapsite to give air sampling and data analysis on site at Viewmont High School in Bountiful. This agreement basically allows them to bring two people and equipment to help us with air quality testing in the south end of the County. It is a great partnership and provides them the ability to use their equipment and we benefit by the resources and information. There are no monies exchanged. The contract period will be determined.

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.

Convene as 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

Curtis reported 6 veteran abatements totaling \$4,245.36 and 1 small dollar write off of \$1.78.

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.

Reconvene Commission Meeting

Commissioner Millburn made a motion to reconvene Commission Meeting. 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 Millburn. Commissioner Smith seconded the motion. All voted aye. The documents are on file in the Davis County Clerk/Auditor's Office.

Personnel Register approved

Personnel register was approved by the motion from Commissioner Smith. Commissioner Millburn

seconded the motion. All voted aye.

Commissioner
comments:
Commissioner
Millburn

Commissioner comments:

Commissioner Millburn said he can't believe that summer is gone and he hopes everyone had an enjoyable and safe Labor Day weekend. He is not ready for the countdown to Christmas.

Commissioner
Petroff

Commissioner Petroff commented that the Labor Day weather was as pretty as it could be. He enjoyed it with his family. He hopes everyone in attendance had a wonderful day too.

Public
comments

Public comments:

David and Russin Howes, 612 South 650 West, Farmington, approached the podium to present concerns regarding proposed assessments by Farmington City to residents living on 650 West for road, curb and gutter expenses for the road leading to the new Farmington High School. They were in attendance because they were told by Farmington City offices they should voice their concerns to the commissioners.

Meeting Adjourned.

Clerk/Auditor

Chair