

## COMMISSION MEETING MINUTES

September 26, 2017

The Board of Davis County Commissioners met on September 26, 2017 at 10:00 AM in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Members present were: Commissioner James E. Smith - Chair, Commissioner P. Bret Millburn, Commissioner Randy B. Elliott, Clerk/Auditor Curtis Koch, Chief Civil Deputy County Attorney Neal Geddes and Deputy Clerk/Auditor Janet Hanson.

Agenda as posted

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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, Suite 303, Farmington, Utah, commencing at **10:00 AM on Tuesday, September 26, 2017.**

### OPENING:

Pledge of Allegiance – By Invitation

### RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS:

- County Seat update – Chad Booth
- 2017 Davis County Fair Wrap-up Report – Brooks Burr
- Public Notice – Commissioners will attend the Layton City Council Meetings on October 5, 2017; Work Session @ 5:30 PM and Council Meeting @ 7:00 PM

### BUSINESS/ACTION:

#### ***Brian Hatch, Davis County Health Director, presenting:***

Agreement with Connect America – provide direct purchase of needed in-home services for clients (payable)  
Agreement with Solera Health, Inc. – mutual non-disclosure to comply with HIPPA (n/a)  
Memo of Agreement with Utah Highway Safety Office – funding for continued support of the child passenger safety programs (CPS) and activities (receivable)

#### ***Neka Roundy, Davis County Community & Economic Development Specialist, presenting:***

Receivable contract summary – low-dollar receivable agreements (31) for various events (receivable)  
Payable contract summary – low-dollar payable agreements (7) for various events (payable)

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

Agreement with Layton Strikers – rental space for winter soccer training (receivable)  
Agreement with Rocky Mountain Gun Show – rental space for gun show (receivable)  
Agreement with Tobin Family Karate, LLC – rental space for regional karate tournament (receivable)  
Agreement with High Desert Bucking Bull Assoc. – rental space for bucking bull competition (receivable)

#### ***Mark Langston, Davis County Information Systems Director, presenting:***

Agreement with Avaya – telephone system maintenance (payable)

#### ***Mark Altom, Davis County Treasurer, presenting:***

Authorization Certificate with Wells Fargo Bank, NA authorizing County employees on accounts (n/a)  
Government Customer Certification as a government entity authorizing County employees on accounts (n/a)

#### ***Dax Teuscher, Davis County Purchasing Manager, presenting:***

Request adoption of RFP (Request for Proposals) Policy and Procedures

#### ***Commissioner Smith presenting:***

Request cancellation of October 3, 2017 of Board of Davis County Commissioners Meeting  
Amendment with Utah Department of Health, DSAMH – reallocation of State FY2018 Substance Abuse funding to Partners for Success Prevention and decreasing allocation to Drug Court (receivable) (pass through to Davis Behavioral Health)

#### ***Commissioner Elliott presenting:***

Ratify agreement with Michael Marcus – upon receipt of impound fee, return of German shepherd to be immediately transported out of Davis County (receivable)

### BOARD OF EQUALIZATION:

Property Tax Register

### CONSENT ITEMS:

- Check Registers
- Indigent Abatement Register
- Meeting Minutes: September 12, 2017

### COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

Pledge of Allegiance

Neka Roundy, Davis County Community & Economic Development Specialist, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

“The County Seat” update

Chad Booth, Executive Producer of “The County Seat” and “At Your Leisure” television programs introduced Rick Peterson, Sales Director, in the audience. The programs are a platform to discuss in-depth local governmental issues. It is the longest single-topic format (23 minute) discussion in any media in the state which enables them to thoroughly vet issues. Audience numbers have increased, especially during the legislative session. “The County Seat” is broadcast on Channel 4 and is available through a variety of rebroadcast options, including YouTube.

Their new opportunity is “County Seat Live” to be utilized as a clearing house of breaking news. Chad recommended on important issues to “say it once, say it clearly, and say it first.” This is to be proactive rather than reactive to issues. This new service will be demonstrated at the upcoming USACCC (UAC) Conference. Commissioner Millburn noted that social media hasn’t been vetted for accuracy and rumors spread quickly.

Chad invited the commissioners to suggest topics for “The County Seat”. Topics suggested were: 1) West Davis Corridor; 2) US Highway 89; 3) what a Health Department does; 4) State Transportation Task Force; 5) Hill Air Force Base’s Enhanced Use Lease (EUL) along with the F22’s and the F35’s; 6) Animal Care & Control; and 7) Farmington Bay. Commissioner Millburn indicated that they will provide additional ideas at the USACCC Conference. Chad thanked the Commissioners and indicated that they will be contacted for sponsorship opportunities.

2017 DC Fair wrap-up report

Brooks Burr, Davis County Fair Coordinator, gave a PowerPoint presentation and report of the 2017 Davis County Fair which was themed “Come and Sea It!” He highlighted the many attractions: Monster Trucks, a ticketed event which exceeded expectations; traditional fair rodeo; Sea Lion Splash Show, hence the name of the fair theme which was the largest attraction; pirate performances by a local Clearfield company; pirate ships; a circus performed at ground level; BMX practice and racing events; game shows; SeaQuest animal attraction; the always popular pony rides and petting zoo; and main stage performances and entertainment. Vendors were given an exit survey giving feedback on their experience. He was very pleased with the contracted parking company. He gave a conservative estimate of 50,000 attendees. There was an increase of \$5,000.00 above the second best intake of revenue in 2015. Commissioner Millburn made a couple of suggestions: 1) have an exit survey presented to fair attendees, and 2) due to congested walkways, to move the vendor booths back away from the sidewalks.

The commissioners gave Brooks and his team high commendations on another successful fair and recognized his excellent organizational skills. Brooks also credited their intern, who had advertising and marketing experience, and was a great asset to the fair.

Commissioners to attend Layton City Council

Public notice was given that the Commissioners will attend the Layton City Council Meetings on October 5, 2017: Work Session at 5:30 PM; and Council Meeting @ 7:00 PM.

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

Agreement #2017-393 Connect America in-home services

Agreement #2017-393 with Connect America to provide direct purchase of needed in-home services (security monitoring) for clients. The period of contract is July 1, 2017 through June 30, 2019. The payable amount is service dependent.

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

Mutual non-disclosure agreement #2017-394 Solera Health

Mutual non-disclosure agreement #2017-394 with Solera Health, Inc. to comply with HIPAA. The contract period is August 22, 2017 until terminated.

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

Memo of agreement #2017-395 UT Highway Safety Office

Memo of agreement #2017-395 with Utah Highway Safety Office to fund the child passenger safety programs (CPS) and activities designed to increase the use of appropriate safety restraining systems. The period of contract is October 2, 2017 through September 30, 2018. The receivable amount is \$10,000.00.

Commissioner Elliott 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.

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

Receivable contract summary #2017-396 for CED

Receivable contract summary #2017-396 of low dollar receivable agreements (31) for various events (Commissioners’ Cup Golf Tournament and Moonlight Bike Ride). Receivable amounts are various.

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

Payable  
contract  
summary  
#2017-397 for  
CED

Payable contract summary #2017-397 of low dollar payable agreements (7) for the Moonlight Bike Ride event. Payable amounts are various.

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

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

Agreement  
#2017-398  
Layton Strikers  
@ LEC

Agreement #2017-398 with Layton Strikers for space rental for their winter soccer training. The contract period is November 6, 2017 through March 15, 2018. The receivable amount is \$12,240.00.

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

Agreement  
#2017-399  
Rocky  
Mountain Gun  
Show @ LEC

Agreement #2017-399 with Rocky Mountain Gun Show for space rental for a gun show. The contract period is February 15-18, 2018. The receivable contract amount is \$4,880.00.

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

Agreement  
#2017-400  
Tobin Family  
Karate @ LEC

Agreement #2017-400 with Tobin Family Karate, LLC for space rental to conduct a regional karate tournament. The contract period is March 29-31, 2018. The receivable contract amount is \$3,740.00.

Commissioner Elliott 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  
#2017-401 High  
Desert Bucking  
Bull Assoc. @  
LEC

Agreement #2017-401 with High Desert Bucking Bull Association for space rental to conduct a bucking bull competition. The contract period is April 12-14, 2018. The receivable contract amount is \$3,255.00.

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

Agreement  
#2017-402  
Avaya phone  
system  
maintenance

Janette Price, Davis County Information Systems, presented agreement #2017-402 with Avaya for phone system maintenance. The price has gone down from \$250,000.00 due to restructuring. The contract period is October 1, 2017 through October 1, 2020. The payable amount is \$117,840.60 (\$39,280.20 annually).

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

Mark Altom, Davis County Treasurer, presented amendment #2017-350A with Wells Fargo Bank as follows:

Government  
Customer  
Certification  
#2017-350A  
Wells Fargo

Authorization Certificate with Wells Fargo Bank authorizing Davis County employees, Curtis Koch-Clerk/Auditor and himself, Mark Altom-Treasurer, to sign on the bank accounts. Mark explained that Wells Fargo has requested (for the third time) to change the name on the documents to Davis County rather than Davis County Government.

Commissioner Smith asked if there wasn't an inconsistency with what they have accepted and again asking for a name change. Mark agreed, but said, "That it is what needs to be done." Commissioner Smith inquired how long Davis County has had a relationship with Wells Fargo. Mark indicated that it had been since Wells Fargo purchased First Security Bank in the late 1990's or early 2000's. Commissioner Millburn asked why at this point they can't get the paperwork correct. Mark indicated that there had never been any paperwork with Wells Fargo. Commissioner Millburn said "that is an even bigger problem." Mark agreed saying it was a bigger problem for them and for Davis County and that we are working on a contract right now that will be coming before the Commission at some future date which will reduce the fees that we are now paying. Commissioner Smith asked if Mark was negotiating for new terms right now with Wells Fargo. Mark indicated that he was. Commissioner Smith noted that they had had a discussion about opening this up to other banks and that Mark had elected not to. Mark indicated that Wells Fargo has agreed to reduce the fees compared to what they are currently charging and that it can be discussed independent of this request. Commissioner Millburn asked how it was that we didn't have a contract with somebody. Mark said from the perspective that there had been a contract with First Security Bank. He didn't know if the contract was covered under the provisions of that for the purchaser which may be the case.

Commissioner Millburn indicated that there was some confusion as to which document was being presented as the "Authorization Certificate" had been crossed out on his agenda. Janet Hanson said that it was her mistake. Mark said there was only one document. (It was the Government Customer Certification.)

Commissioner Elliott 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.

RFP Policy &  
Procedures  
#2017-403

Dax Teuscher, Davis County Purchasing Manager, requested adoption of the Request for Proposals (RFP) Policy and Procedures #2017-403. He indicated that this will formalize the RFP practice within Davis County. Commissioner Smith indicated that it was a much more robust definition of the policy.

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

Oct. 3 2017  
Commission  
Meeting  
cancelled

Commissioner Smith requested cancelation of the October 3, 2017 Board of Davis County Commissioners Meeting due to business requiring 2 of the 3 commissioners to be out of town next week.

Commissioner Millburn made a motion to cancel the October 3<sup>rd</sup> Commission Meeting. Commissioner Elliott seconded the motion. All voted aye.

Amendment  
#2015-327J  
UT Dept of  
Human  
Services,  
DSAMH  
funding  
allocations

Commissioner Smith presented amendment #2015-327J with Utah Dept. of Health (correction: Human Services), Division of Substance Abuse & Mental Health of Substance Abuse funding allocations to increase Partners for Success Prevention \$41,607.00 (Use as Directed Campaign) and reduce Drug Court funding by \$16,825.00. Period of contract is July 1, 2017 through June 30, 2018. Contract amount is an additional \$24,781.00 for a total of \$4,389,394.00. (pass through to DBH)

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

Ratify  
agreement  
#2017-404  
Michael Marcus  
for Zeus,  
German  
Shephard

Commissioner Elliott presented agreement #2017-404 with Michael Marcus to be ratified. He explained that Davis County is very compassionate about animals. A German Shephard, Zeus, has been at-large 11 times. With the work of our civil attorneys, the owner agreed to locate the dog outside of Davis County. The dog was returned to the owner last week and has now been transported out of Davis County. Therefore, the need to ratify the agreement. The period of contract was September 21, 2017. The receivable contract amount is an impound fee of \$250.00.

Commissioner Elliott made a motion to ratify the agreement. Commissioner Millburn seconded the motion.

Commissioner Millburn asked if, by policy, an animal is impounded an X number of times if it then isn't returned to the owner, or did this animal have particular challenges as far as posing a nuisance or a threat. Neal indicated that his understanding was that this dog was deemed a potentially dangerous animal. Mike Kendall, Deputy Civil County Attorney, explained that being at-large a particular number of times does not necessarily give rise to an agreement such as this. The circumstances with this dog, who had been deemed potentially dangerous and subsequently deemed dangerous because of the numerous at-large and the violation of the code, it was the Animal Care & Control officers and department's opinion that the dog was not evidencing violent or threatening behaviors when they interacted with the dog. As a result, they did not want to take action to euthanize the dog. The dog owner really wanted the dog. The agreement for ratification was to address this; to return the dog to the owner with the caveat that if the dog returns to the County, for any reason other than passing through, then ownership will be turned back to the County who would then try to adopt the dog to another home. Commissioner Millburn stated that "Zeus just needs a little more space to run." Mike agreed.

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 Elliott seconded the motion. All voted aye.

Property Tax  
Register  
approved

Curtis Koch presented the Property Tax Register which included: Auditor's Adjustments of various appeals and abatements; (2) veteran exemption corrections for 2016; and various Assessor's adjustments for personal property penalty waivers totaling \$3,017.45.

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

Reconvened

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

Check registers  
approved

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

Indigent  
Hardship  
Abatements  
approved

Commissioner Elliott made separate motions to approved the following Indigent Hardship Abatements:  
Beverly Vilabos

Monica Reynoso  
Sheri Chatwin

Commissioner Millburn seconded the motions. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Meeting minutes approved

Commissioner Millburn made a motion to approve the Commission Meeting minutes for September 12, 2017. Commissioner Elliott seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner comments

Commissioner comments:

Commissioner Millburn apologized for being absent last week. He was attending the Railvolution Conference in association with his service on the UTA Board. The conference is centered on all aspects of transit. He found it interesting to see and learn, from different areas around the country, what they were doing and how they utilize transit. He witnessed both light rail and bus rapid transit, which are in use in downtown Denver, “particularly as we are looking at a potential for a bus rapid transit in south Davis County. It was very informative.”

Commissioner Elliott indicated that this past week he was putting out fires in different departments. “You learn as a commissioner that you are a fire fighter and try to resolve issues and peoples complaints when really there is nothing factual about them. Thanks to social media, rumors get expounded exponentially.” He spent his whole weekend trying to squash those rumors. He gave a reminder to not believe everything you hear and see on social media, to go to the source to ask us to find out if there is any factual basis behind it.

Public Comments

No public comments.

Meeting adjourned.

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Clerk/Auditor

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Chair