

## COMMISSION MEETING MINUTES

January 9, 2018

The Board of Davis County Commissioners met on January 9, 2018 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 will hold a Commission Meeting at the Davis County Administration Building, 61 South Main Street - Suite 303 in Farmington, Utah commencing at **10:00 AM on Tuesday, January 9, 2018.**

### OPENING:

Pledge of Allegiance – By Invitation

### RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS:

#### BUSINESS/ACTION:

##### **Brandon Hatch, CEO, Davis Behavioral Health, presenting:**

Amendment with Utah Department of Human Services, Division of Substance Abuse & Mental Health – increase SFY 2018 funding allocation for the Justice Reinvestment Initiative (JRI) (receivable – pass through/DBH)

##### **Curtis Koch, Davis County Clerk/Auditor, presenting:**

Amendment with Davis Behavioral Health – provide comprehensive substance abuse and mental health services in Davis County for 2018 (payable)

##### **Brian McKenzie, Davis County Chief Deputy Clerk/Auditor, presenting:**

Resolution approving interlocal agreement with Lieutenant Governor’s Office for candidate signature petition processing

Interlocal agreement with Lieutenant Governor’s Office – for candidate signature petition processing (receivable)

##### **Todd Utzinger, Davis County Legal Defender Coordinator, presenting:**

Amendment with Michael Murphy – legal defense services for indigents based on change in workload (payable)

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

Agreement with RMUS – facility rental for Drone Training Classes (receivable)

##### **Josh Johnson, Davis County Chief Deputy Libraries, presenting:**

Agreement with Infogroup Inc. – subscription for access to “Reference USA” database (payable)

##### **Chief Deputy Kevin Fielding, Davis County Sheriff’s Office, presenting:**

Memorandum of Understanding with Utah Department of Corrections – access to “Offender Watch – Utah Sex and Kidnap Offender Registry” database (n/a)

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

Agreement with Le Bus – bus service for the 2018 Great Salt Lake Bird Festival (payable)

##### **Tony Thompson, Davis County Property Manager, presenting:**

Quitclaim Deed to Christopher Lee Snow and Katie Jo Snow – finalize the sale of Davis County surplus real property parcel Tax ID 11-111-0072 (926 E 200 N, Kaysville) (n/a)

##### **Jeff Oyler, Davis County Planning Manager, presenting:**

Request approval of 2017 Proposition 1 grant application from Bountiful City – Holbrook Canyon Bridge Construction (payable to be funded in the 2018 budget)

Request approval of 2017 Proposition 1 grant application from Clinton City – 800 North Road Design (payable to be funded in the 2018 budget)

Request approval of 2017 Proposition 1 grant application from Farmington City – 950 North Road Design (payable to be funded in the 2018 budget)

Request approval of 2017 Proposition 1 grant application from Layton City – Adams Canyon Trailhead (payable to be funded in the 2018 budget)

Request approval of 2017 Proposition 1 grant application from City of North Salt Lake – Jordan River Trail Extension (payable to be funded in the 2018 budget)

Request approval of 2017 Proposition 1 grant application from West Bountiful City – 640 West Bike Lanes (payable to be funded in the 2018 budget)

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

Amendment with Utah Department of Health – increase funding of the National Syndromic Surveillance Program (NSSP) and replace Attachment A for continued services (receivable)

Agreement with Utah Clean Air Partnership (UCAIR) – 2017 Grant Partnership for Davis County Vehicle Repair Assistance Program (receivable)

Agreement with Worldwide Environmental Products, Inc. – provide inspection/maintenance program support for diesel testing and lease of property (payable/receivable)

Agreement with U.S. Food and Drug Administration (FDA) – FDA Retail Standards Grant Program funding to perform verification audits on Food Standard 5 (receivable)

Agreement with U.S. Food and Drug Administration (FDA) – funding to allow attendance at the FDA Regional Conference as part of Retail Standards Grant Program (receivable)

### BOARD OF EQUALIZATION:

Property Tax Register

### CONSENT ITEMS:

Check Registers

Indigent Abatement Register

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

CLOSED SESSION via telecommunication: Per UCA 52-4-205(1)(e) strategy sessions to discuss pending or reasonably imminent litigation.

**Action taken, if any, regarding matters discussed in Closed Session**

Introduction of  
Nina Morse

Commissioner Smith introduced new employee, Nina Morse (Public Outreach Specialist), who is helping the Commission and the County with public outreach efforts. He expressed his appreciation for her excellent skill set and indicated that she has been a great addition to the team.

Pledge of  
Allegiance

Nina Morse, Davis County Public Outreach Specialist, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Amendment  
#2015-327O  
UT Dept of Human  
Services, DSAMH  
Increased SFY18  
funding for JRI

Brandon Hatch, CEO of Davis Behavioral Health, amendment #2015-327O with Utah Department of Human Services, Division of Substance Abuse and Mental Health for increased SFY2018 funding allocation for the Justice Reinvestment Initiative (JRI). He explained the funds will go back to Utah Association of Counties to be utilized for evidence based training throughout the entire state. The period of contract is July 1, 2017 through June 30, 2018. The additional pass-through funding is in the amount of \$60,000.00.

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.

The Commissioners commended Brandon on his leadership throughout the state, of the newly mandated Justice Reinvestment Initiative program.

Amendment  
#2015-102C  
With DBH for  
2018 SAMH  
services

Curtis Koch presented amendment #2015-102C with Davis Behavioral Health to provide comprehensive substance abuse and mental health services in Davis County in 2018. The period of contract is January 1, 2018 through December 31, 2018. The payable amount is \$1,729,500.00 (a 2.5% increase for inflation).

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.

Resolution  
#2018-6 to approve  
I/A with Lt Gov  
for processing of  
Candidate  
signature petitions

Brian McKenzie, Davis County Chief Deputy Clerk/Auditor, presented the following:

Resolution #2018-6 to approve an interlocal agreement with the Lieutenant Governor's Office for the processing of candidate signature petitions. He explained that we have the facilities and temporary workers to complete the work. The benefit to Davis County is that there will be no cost to process local candidate signature petitions. Recruitment costs, wages, etc. for the temporary workers will be reimbursed.

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.

Interlocal  
agreement  
#2018-6  
with Lt Gov for  
processing of  
Candidate  
signature  
petitions

Interlocal agreement #2018-6 with the Lieutenant Governor's Office for processing of candidate signature petitions. The contract period of January 9, 2018 through December 31, 2018. The receivable amount is fee based.

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.

DBH commended

Todd Utzinger, Davis County Legal Defender Coordinator, commended Davis Behavioral Health for their efforts with the JRI Program.

Amendment  
#2017-3A  
Michael Murphy  
for legal defense  
services

Todd presented amendment #2017-3A with Michael Murphy for legal defense services for indigent cases. Mr. Murphy's workload has increased. He is now, as required under the constitution, providing council to indigent defendants' initial appearance in Justice Court before Judge Ynchausti. He is also working with juvenile court cases and conflicts cases for parental rights cases in Judge Neal's court. The period of contract is January 1, 2018 through December 31, 2018. The annual payable amount is \$65,000.00.

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  
#2018-7 with  
RMUS for LEC  
rental to conduct  
drone training  
classes

Mike Moake, Davis County Legacy Events Center Marketing Manager, presented agreement #2018-7 with RMUS for facility rental to conduct drone training classes. The training will be for emergency responders, i.e. wildfire and search and rescue. Commissioner Elliott noted that drones are also used to pick up samples for mosquito abatement. The period of contract is February 2, 2018 through May 10, 2018. Classes will be held twice each month. The receivable amount is \$3,926.50.

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 #2018-8 Infogroup, Inc. Subscription access to "Reference USA"

Josh Johnson, Davis County Library Chief Deputy, presented agreement #2018-8 with Infogroup, Inc. for subscription access to "Reference USA" which links to the white pages, job and internship postings. The period of contract is January 1, 2018 through January 1, 2019.

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.

MOU #2018-9 UT Dept of Corrections to access Offender Watch-Utah Sex & Kidnap Offender Registry"

Chief Deputy Kevin Fielding presented Memo of Understanding #2018-9 with Utah Department of Corrections for access to "Offender Watch – Utah Sex and Kidnap Offender Registry" database. The period of contract is January 1, 2018 through December 31, 2020. There are no monies exchanged.

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 #2018-10 with LeBus to provide service during the 2018 GSLBF

Neka Roundy, Davis County Community and Economic Development Tourism Specialist, presented agreement #2018-10 with Le Bus to provide bus service during the 2018 Great Salt Lake Bird Festival. The calendar for the Festival is now available on the Davis County website. Registration will begin the end of February. The period of contract is May 17 - 21, 2018. The payable amount is \$7,685.50.

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.

QCD #2017-410C Christopher & Katie Snow to finalize sale of Kaysville surplus property

Tony Thompson, Davis County Property Manager, presented Quit Claim Deed #2017-410C to Christopher Lee Snow and Katie Jo Snow to finalize the sale of Davis County real property parcel Tax ID 11-111-0072 (926 E 200 N, Kaysville). The receivable amount is \$64,243.00.

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.

Information regarding Proposition 1 grant process

Jeff Oyler explained that the Commission asked the Community and Economic Development Office, Division of Planning to create a grant program whereby, some of the Proposition 1 monies could be made available to cities to help fund projects of regional significance (roads and trails) in Davis County. 2017 was the first year of the program. There were 14 applicants/projects with 6 projects being recommended for funding. Commissioner Millburn indicated that it was with a pretty rigid and set criteria that the projects were analyzed. They worked with Wasatch Front Regional Council (WFRC) to put together a process of reviewing the applications which is a similar process WFRC follows for their federal and state funds through different programs. Davis County is looking for street related and trail projects with regional significance that may go through multiple cities or has a tie in with a regional system which Prop 1 funding allows. There are 30 different categories that are considered in the process with points given accordingly. Jeff felt it was a rigorous process as well as a learning experience. The process will be refined and defined in the future. Commissioner Millburn said this is an opportunity to fund projects that benefit a large number of people from across the county or coming into the county. Davis County's Prop 1 funds are not meant to supplement a city's existing budget for filling pot holes, etc. They have their own Prop 1 funds and budget for those projects. Another key component is the development of partnerships. When doing things in partnership you can get a lot more accomplished. Jeff noted that all of the projects are required to be new construction. Commissioner Smith realized that this was a rigorous process and gave his appreciation to Jeff and the team. He indicated that spending tax payers' dollars is taken seriously and we want to make sure it is seriously looked at.

Commissioner Millburn noted that once projects are approved, contractual agreements will be entered into with the entity.

Jeff Oyler, Davis County Planning Manager, presented, with projected images, the following:

2017 Prop 1 Application #2018-11 from Bountiful City

2017 Proposition 1 grant application #2018-11 from Bountiful City for their Holbrook Canyon Bridge Construction project (3 bridges). It is a very popular hiking trail. The requested payable amount is \$20,000.00 (2018 budget).

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.

2017 Prop 1 Application #2018-12 from Clinton City

2017 Proposition 1 grant application #2018-12 from Clinton City for their 800 North Road design which is in need of rebuilding. They are on WFRC STEP funding list for this street rebuild project. The design will include active transportation with bike lanes on both sides of the road. The requested payable amount is \$70,000.00 (2018 budget).

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.

2017 Prop 1  
Application  
#2018-13  
from  
Farmington City

2017 Proposition 1 grant application #2018-13 from Farmington City for their 950 North road design. This is a new road connection between a new Shephard Lane interchange and a connection to the West Davis Highway. The requested payable amount is \$101,255.00 (2018 budget).

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.

2017 Prop 1  
Application  
#2018-14  
from  
Layton City

2017 Proposition 1 grant application #2018-14 from Layton City for the rebuilding of Adams Canyon Trailhead to include asphalt with amenities, i.e. restroom and kiosk. It is part of the whole redesign of Highway 89 and the new interchange at Oak Hills Drive which will remove the existing trailhead. Adams Canyon is the most popular hiking area and has direct access to the Bonneville Shoreline Trail and Adams Canyon. This project will also include funding from Layton City and Utah Department of Transportation. This project would be constructed prior to the new highway project. Commissioner Millburn has mixed feelings recognizing the year-round use the trailhead receives, but realizing that it is a much needed improvement and is a good example of partnerships. He recognized Mr. Price, Layton City, in the audience. The requested payable amount is \$385,677.00 (2018 budget).

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

2017 Prop 1  
Application  
#2018-15  
from  
City of NSL

2017 Proposition 1 grant application #2018-15 from the City of North Salt Lake for their Jordan River Trail Extension to the new boat take out area. They will construct a trail off of the existing Legacy Trail and continue it along the Jordan River up to their boat take out area. This is the only water related trailhead in Davis County. Canoeing and boating on the Jordan River is an increasing activity that people are enjoying. The requested payable amount is \$50,000.00 (2018 budget)

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.

Commissioner Elliott indicated that the Jordan River Council is working to change the stigma of the River.

2017 Prop 1  
Application  
#2018-16  
from  
West Bountiful  
City

2017 Proposition 1 grant application #2018-16 from West Bountiful City for street improvements on approximately 550 North 800 West, i.e. bike lanes, curb gutter and sidewalk. It is located on the border of Centerville and will connect to Centerville's new commercial development (movie theaters). The requested payable amount is \$115,000.00 (2018 budget).

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.

Health goals also  
met with Prop 1  
projects

Brian Hatch, Davis County Health Director, indicated the Proposition 1 funding projects align well with health goals and missions with active transportation. It will have a great health benefit to the county as well. Brian presented the following:

Amendment  
#2016-382A  
UT Dept of  
Health  
NSSP for  
continued  
services

Amendment #2016-382A with Utah Department of Health to provide funding of the National Syndromic Surveillance Program (NSSP) and to replace Attachment A for continued services. This is to gather information into a national database that benefits the whole U.S. The contract period is September 1, 2017 through August 31, 2018. The receivable amount is \$23,164.00.

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  
#2018-17  
UCAIR for  
Vehicle Repair  
Assistance  
Program

Agreement #2018-17 with Utah Clean Air Partnership (UCAIR) for 2017 grant partnership for the Davis County Vehicle Repair Assistance Program (tied to I/M Program). The Health Department has matching funds to assist vehicle owners to repair their vehicles to be air quality compliant. It also applies to EPA's movement to improve air quality. The contract period is January 9, 2018 through October 31, 2018. The receivable amount is \$20,000.00.

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.

Agreement  
#2018-18  
Worldwide  
Environmental  
Products, Inc.  
I/M support for  
diesel testing &  
lease of property

Agreement #2018-18 with Worldwide Environmental Products, Inc. to provide Inspection/Maintenance Program support for diesel testing and lease of property. They will also be registering and training I/M technicians and stations. Davis County provides the facility which they will lease. The contract period is January 1, 2018 through December 31, 2020. The payable amount is \$126,000.00 – 1<sup>st</sup> year; \$136,000.00 – 2<sup>nd</sup> & 3<sup>rd</sup> year. The receivable amount is \$1.00/year.

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  
#2018-19  
USFDA – FDA  
Retail Standards  
for Food  
Standard 5

Agreement #2018-19 with the U.S. Food and Drug Administration (FDA) for FDA Retail Standards Grant Program funding to perform verification audits on Food Standard 5 (standardize food inspections). The contract period is January 1, 2018 through December 31, 2018. The receivable amount is \$2,000.00.

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.

Agreement  
#2018-20  
USFDA funding to  
attend FDA  
Regional  
Conference

Agreement #2018-20 with the U.S. Food and Drug Administration (FDA) for funding to allow attendance at the FDA Regional Conference as part of the Retail Standards Grant Program. The contract period is September 17-20, 2018. The receivable amount is \$3,000.00.

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.

BOE

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

Property Tax  
Register approved

Curtis Koch presented the Property Tax Register which reflected the following:

- Auditor: various appeals  
6 veteran exemptions  
4 properties purchased by tax exempt entities
- Treasurer: small dollar write offs - \$19.50
- Assessor: various initiated corrections

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.

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

Indigent  
Abatement  
Register  
approved

Commissioner Elliott made separate motions to approve the following Indigent Hardship Abatements:

Curtis Call  
Colette Hadlock

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

Commissioner  
Comments

Commissioner comments:

Commissioner Smith pointed out that he is wounded again. This time last year he injured his right arm and to keep things balanced this year it is his left arm. He has an amazing appreciation for what they can do medically today. But, he also has an appreciation for how fragile we are, especially as you get more mature. Last night he and his wife watched a documentary on the influenza outbreak of 1918 which has been swept under the public's awareness. It accounted for more deaths than all of the wars in the 20<sup>th</sup> century combined in the United States. He REALLY appreciates what Brian and his team (Health Department) does. It is a great example of things that take place in a county that people don't realize. We read about outbreaks, food poisoning, etc., which he appreciates are not in Davis County. He and Brian understand that the less we are in the newspaper the better we are doing our job. He thanked Brian, his team and to everyone in attendance, because everyone brings a little piece to the slice of what a county has to do and does it very, very well.

Commissioner Elliott is glad to have Commissioner Smith back. He too is thankful for the team we have. Last weekend, along with Commissioner Millburn, the League of Women Voters hosted an event to learn about the Health Department, Library, and Justice Court. Representatives from each department participated. The League are the informed voters that wanted the detailed information and learned a lot. Nina has been tremendous in getting the word out to the citizens to what the county does.

Public  
Comments

Public comments:

David Price, Layton resident and serves as Layton City Parks and Recreation Director. He came to thank the commission and staff for the work that has been performed on the Proposition 1 proposals. He recognizes that it is a labor intensive process, for not only the commissioners for but for the staff. They believe it serves an important process that brings projects that you may not have heard of before to your attention. They think this is a wonderful partnership between the state the city and the county. They are very grateful that time was taken to look at it and want to partner with them. Commissioner Smith commended him on their application package, which was also labor intensive.

Commissioner Millburn gave a teaser saying to keep your eyes and ears open for an announcement that will be coming tomorrow regarding Tour of Utah and potential hosts and routes. Davis County has participated the last few years and he is guessing that there may be an opportunity for Davis County again this year.

Katie Snow, Kaysville, thanked the commission for all the work that went into the process of the surplus property (she and her husband purchased). She also gave thanks for the Prop 1 initiatives. She looks forward to those projects being completed and using them.

Closed Session

Commissioner Elliott made a motion to move to closed session via telecommunication per UCA 52-4-205(1)(e) strategy session to discuss pending or reasonably imminent litigation. Commissioner Millburn seconded the motion. All voted aye.

Reconvene

Commission Meeting reconvened.

Participation in centrally assessed property tax appeals

Commissioner Millburn made a motion to approve participation in the stipulations cross appeals associated with cases: #15-1012; #16-932; #17-955; and Beaver County et al vs Property Tax Division Case #15-1028 a centrally assessed property tax appeal. Commissioner Elliott seconded the motion. All voted aye.

Settlement & Release Agreement #2018-21 with Kenneth Hammon, Jr.

Commissioner Millburn made a motion to approve the settlement and release agreement #2018-21 with Kenneth Hammon Jr. Period of contract is one time. Payable amount is \$58,447.55 (wages) plus \$14,566.03 (insurance). Commissioner Elliott seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Meeting adjourned.

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Clerk/Auditor

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Chair