

COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES

December 18, 2018

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10 a.m. on Tuesday, Dec. 18, 2018, in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Appropriate legal notice of this meeting was given.

Present on the dais were: Commissioner Randy B. Elliott, Chair; Commissioner P. Bret Millburn, Vice-Chair; Commissioner James E. Smith; Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

Excused: Curtis Koch, Davis County Clerk/Auditor.

All documents from this meeting are on file in the Davis County Clerk/Auditor's Office.

OPENING

The meeting convened at 10 a.m. and Matt Goff, from the Davis County Library, was invited to lead the Pledge of Allegiance.

Commissioner Elliott excused Clerk Auditor Curtis Koch from the meeting and welcomed Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor, in his place.

Recognitions, Presentations & Informational Items

Dissemination of 2018 Davis County Youth Charities Cup Awards — *Presented by Commissioner Randy Elliott*

Commissioners disbursed monetary awards made possible through the 2018 Davis County Youth Charities Cup Golf Tournament. Representatives from several of the receiving organizations were in attendance and received checks directly from the Commissioners, who expressed appreciation for the work these groups do to help and uplift people in the community.

See Attachment B.

Commissioner Elliott announced that Davis County Offices will be closed on Dec. 24 and Dec. 25, 2018, due to the Christmas holiday.

Notice was given that, because of the holiday, the Board of Davis County Commissioners Meeting will not be held on Dec. 25, 2018.

The regularly scheduled Board of Davis County Commissioners Meeting that would have been held on New Year's Day has been rescheduled to Jan. 2, 2019.

The Oath of Office Ceremony for elected officials is scheduled for 9 a.m. Jan. 7, 2019, in Room 131 of the Davis County Administration Building.

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

BUSINESS/ ACTION

Budget Amendment Resolution #2018-593 for additional 2018 Budget appropriation requests

Budget Amendment Resolution #2018-593 for additional 2018 Budget appropriation requests. Budget increases will be funded by new revenues and/or monies unspent in the prior year — Presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor

This year, because of the Chevron project, the County's Building Inspections department received additional revenues but also incurred additional inspection fees. This budget amendment is to recognize the \$50,000 in revenues and \$50,000 in expenditures as an offset.

See Attachment C.

Members of the public were given the opportunity to address the proposed budget amendment, but none spoke.

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

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Resolution #2018-594 of Davis County, Utah Adopting the Operating and Capital Budgets of Davis County for the 2019 Budget Year

Resolution #2018-594 of Davis County, Utah Adopting the Operating and Capital Budgets of Davis County for the 2019 Budget Year — Presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor

A public hearing was held for the proposed 2019 Budget at 6 p.m. on Tuesday, Dec. 11, 2018. No public comment was received. The proposed budget was then posted online and, again, no comments were received. A request was therefore made for Commissioners to approve the proposed 2019 Budget. It was noted that the proposed budget does include funding for compensation increases for elected officials and one modification from the budget that was presented in the public hearing. The modification was a payroll correction for one department in which the original projection omitted a vacant position. The modification was made in the General Fund in the amount of \$132,965.

Motion to Approve and Adopt, as presented: Com. Millburn

Seconded: Com. Smith

All voted aye

Agreement #2018-595 with Utah Administrative Office of the Courts (AOC) which is required to proceed with request to access Court Xchange program

Agreement #2018-595 with Utah Administrative Office of the Courts (AOC) which is required to proceed with request to access Court Xchange program — Presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor

An agreement with the Administrative Office of the Courts was presented. The agreement allows the administrative and accounting staff in the Clerk/Auditor's Office to have access to the court program through their own login rather than sharing the login of the Corrections Department. This access will be used to prepare and compile information for jail reimbursements. There is no beginning or ending date stated for this contract. The contract is neither payable nor receivable.

Motion to Approve: Com. Smith

Seconded: Com. Millburn

All voted aye

Request Approval of various precinct boundary adjustments

Request Approval of various precinct boundary adjustments — Presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor, in place of Davis County Chief Deputy Clerk Brian McKenzie

The Clerk/Auditor's Office reviews precincts for annexations, and other property adjustments and changes, each year. After this year's review, and in preparation for the 2019 Municipal Elections, two separate precinct changes have been proposed.

The first proposed change, pursuant to Utah State Code 20A-5-303, is to modify LA04 to include a parcel of land incorporated by Layton City at approximately 3404 N. 650 East; no voters will be impacted by this change. The second change is to modify the boundary of SY15 to include a parcel incorporated by Syracuse City at approximately 700 South and Cold Springs Road; this will require also modifying WPO5, and five voters will be impacted.

See Attachment D.

Motion to Approve: Com. Smith

Seconded: Com. Millburn

All voted aye

Request Approval of adjustments to Davis School Board District boundaries

Request Approval of adjustments to Davis School Board District boundaries — Presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor

The Syracuse annexation impacts Davis School District's School Board boundaries. Davis County Chief Deputy Clerk Brian McKenzie met with Craig Carter, from the school district, to review the map. It is recommended that the property annexed by Syracuse City be included in District 6 and that boundary lines of District 7 also be modified to reflect this change. Pursuant to State Statute 20A-5-206, impacted voters will be notified of the changes by the Clerk/Auditor's office.

See Attachment E.

Motion to Approve: Com. Millburn

Seconded: Com. Smith

All voted aye

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Summary List
#2018-598 of
donated
materials

Summary List #2018-598 of donated materials — *Presented by Chris Sanford, Davis County Library Director*

A summary list of 18 agreements for donations of materials to the library was presented. In compliance with the County's donation policy, donated books are assessed at the same value they would be sold for at the book sale: \$1 for a hardback and 25 cents for a paperback. Donations are vetted by librarians to determine if they can be added to the system and in which library they should be placed. If not added to the system, donated materials go into the library's book sale and the funds will be used to purchase new materials. The contract period is 05/02/2018 to 07/28/2018. The receivable amount is \$2,189.75.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Summary List
#2018-599 of
low-dollar,
low-risk
agreements

Summary List #2018-599 of low-dollar, low-risk agreements — *Presented by Chris Sanford, Davis County Library Director*

A summary list of five low-dollar, low-risk contracts was presented. Items on the list are for programs, with the exception of a renewal for the Morningstar investment research database. The contract period is 09/01/2018 to 02/05/2019. The payable amount is \$2,246.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Agreement
#2018-600 with
North American
Grappling
Association
(NAGA) for
rental space at
the Legacy
Events Center
for a Regional
Grappling
Tournament

Agreement #2018-600 with North American Grappling Association (NAGA) for rental space at the Legacy Events Center for a Regional Grappling Tournament — *Presented by Mike Moake, Davis County Legacy Events Center Marketing Manager*

An agreement with the North American Grappling Association was presented. The association will host a regional tournament that will bring approximately 600 participants and their families to the Legacy Events Center. The contract period is 03/21/2019 to 03/23/2019. The receivable amount is \$2,980.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-601 with
Prowest

Agreement #2018-601 with Prowest — *Presented by Richard Maughan, Davis County Recorder*

A service contract renewal with Prowest was presented. The contract is for maintenance and parts replacement for the Canon digital microfiche printer and reader. This is an old machine that will need to be replaced in a couple of years. The contract period is 10/01/2018 to 10/02/2019. The payable amount is \$750.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Agreement
#2018-602 with
Hunt Electric,
Inc. for lighting
for Antelope
Island
Causeway
Bridge

Agreement #2018-602 with Hunt Electric, Inc. for lighting for Antelope Island Causeway Bridge — *Presented by Lane Rose, Davis County Facilities Assistant Director*

A contract with Hunt Electric was presented for replacement of four light poles on the Antelope Island causeway bridge. One of the previous poles blew over because of corrosion due to salty conditions. Inspection showed anchor bolts on the other poles were also compromised so they will all be replaced. The lighting will be upgraded to LED and the poles finished with coastal paint. An Antelope Island park ranger was contacted to ensure the lighting works with the park's Dark Sky designation. [The contract period is 12/18/2018 to 03/30/2019. The payable amount is \$24,500.]

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Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Agreement
#2018-603 with
Brett Miller for
landscaping
services at the
Davis
Conference
Center

Agreement #2018-603 with Brett Miller for landscaping services at the Davis Conference Center —
Presented by Jeff Oyler, Davis County Planning Manager

A contract was presented for Brett Miller Landscaping to complete needed improvements at the Davis Conference Center. Dead trees in the parking strips were replaced. Weeds were removed from flower beds and weed barrier and rocks put down for beautification. Sprinklers were also fixed. The contract period is 12/1/2018 to 12/31/2018, but it was noted the work was actually done in the fall, before the weather changed, and now the paperwork is catching up. The payable amount is \$33,522.74.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Resolution
#2018-604
approving the
inter-local
agreement
between Davis
County Health
Department
and Weber
State University
to update and
maintain a Utah
Centralized
Emission
Database for
the I/M
Counties in the
State of Utah

Resolution #2018-604 approving the inter-local agreement between Davis County Health Department and Weber State University to update and maintain a Utah Centralized Emission Database for the I/M Counties in the State of Utah —
Presented by Brian Hatch, Davis County Health Department Director

A resolution was presented to approve an interlocal agreement between the Davis County Health Department and Weber State University. The agreement is to update and maintain a centralized emissions database for all counties where I/M (Inspection/Maintenance) testing is required. The main reason for participation is fraud detection to see where vehicles that fail in Davis County end up and how they are being tested and passed. One way fraud happens is that duplicate certificates are made using the numbers from one emissions test. In the past, counties had to go individually to the DMV to get very specific information. Now DMV information goes into this database and counties are able to put in testing information and track those vehicles. Commissioners noted that the database will be a savings in time.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Interlocal
Agreement
#2018-604
between Davis
County Health
Department
and Weber
State University
to update and
maintain a Utah
Centralized
Emission
Database for
the I/M
Counties in the
State of Utah

Interlocal Agreement #2018-604 between Davis County Health Department and Weber State University to update and maintain a Utah Centralized Emission Database for the I/M Counties in the State of Utah —
Presented by Brian Hatch, Davis County Health Department Director

It was explained that WSU is nationally funded as a Center of Excellence for emissions programs and was set up to work with the State's Air Quality [Division] and local counties as a subject matter expert. The contract period is 12/06/2018 to 12/31/2019. The payable amount is \$13,870.08.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Agreement
#2018-605 with
Tonaquint Data
Center, Inc. for
hosted off-site
storage

Agreement #2018-605 with Tonaquint Data Center, Inc. for hosted off-site storage —
Presented by Mark Langston, Davis County Information Systems Director

An agreement with Tonaquint Data Center, Inc. for hosted offsite data storage was presented. The County previously had an agreement through CVE, which used Tonaquint data services. Tonaquint submitted a bid for this contract so the County is able to save money by cutting out the middleman. The contract period is 12/18/2018 to 12/18/2021. The payable amount is \$975 per month.

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Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Agreement
#2018-606 of
revised
Information
Systems Policy

Request Approval #2018-606 of revised Information Systems Policy — Presented by Mark Langston, Davis County Information System Director

A request was made for approval of Information Systems Department Policy revisions. The revisions were recommended by a committee. Commissioners expressed appreciation for the work done and said the team did a good job of highlighting the changes, making a case for them, and sending them around for review.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Agreement
#2018-607 with
Axon for Taser
60 and X26P
plan.

Agreement #2018-607 with Axon for Taser 60 and X26P plan — Presented by Chief Deputy Ty Berger, Davis County Sheriff's Office

An agreement with Axon for a Taser 60 and X26P plan was presented for approval. The X-26 Tasers currently carried by the County's law enforcement deputies expire at the end of the year because the technology has expanded and the parts and electronic components of older models will no longer be supported. The company is giving the County a credit and buying back the old equipment. Commissioners asked about the decision to contract with Axon for this platform and were informed that Taser is considered to be the industry standard. The company has financial backing and would represent officers and the County in the event of a deployment. The warranty and protection that comes with Taser, if there's litigation, were taken into consideration. The contract period is 12/28/2018 to 12/28/2023. The payable amount is \$102,700.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-608 with
Waste
Management of
Utah for
non-hazardous
waste removal
from the Justice
Complex

Agreement #2018-608 with Waste Management of Utah for non-hazardous waste removal from the Justice Complex — Presented by Chief Deputy Ty Berger, Davis County Sheriff's Office

A contract with Waste Management was presented for removal of waste from the Justice Complex. There are two dumpster systems at the complex. One is a six-yard dumpster that is picked up three times per week at a cost of \$230 per month. The other is a 30-yard dumpster which is emptied as often as it's filled; the cost is dependent on the tonnage associated with the contents. Commissioners were informed that bids for the contract were received from three companies: Robinson, A-1, and Waste Management. The contract period is 01/01/2019 to 12/31/2021. The payable amount is service dependent.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Purchase and
Sale Agreement
#2018-609 with
Clearfield
Community
Development
and Renewal
Agency to trade
Davis County
Library North
Branch Property
for Clearfield
Community
Development

Purchase and Sale Agreement #2018-609 with Clearfield Community Development and Renewal Agency to trade the Davis County Library North Branch Property for Clearfield Community Development and Renewal Agency property — Presented by Mack McDonald, Davis County Facilities Director

A couple of years ago, the County went to the community for a tax increase for funding to remodel or reconstruct a new library on the Clearfield North Branch site. During the hearing process, the County learned that Clearfield City may want to extend the park adjacent to the library and would need space for amenities and parking and may have property somewhere else to trade. Commissioners authorized the County's Facilities Department, Clerk/Auditor's Office, Library, and Attorney's Office to look at potential properties owned by the city and negotiate a deal that would be suitable for all. After looking at multiple

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and Renewal
Agency
property

sites, one considered a “gem” has been selected. The Purchase and Sale Agreement presented to the Commission is for a legal transaction in which the County will pay the Clearfield Community Development and Renewal Agency (CDRA) \$1 for property at 1 N. Main in Clearfield, and the CDRA will pay the County \$1 for the current library property. A developer has purchased property adjacent to the proposed library location and is developing a mixed use project with apartments and retail. The timing of the deal is such that the County can help shape the design of the development. The developer is putting infrastructure in place for the library, such as buried power lines and water and sewer stub-ins, which will be a cost savings for the County. He’s agreed to share parking on the back side of the property to minimize the County’s need for parking space. He’s also installing the sewer storm drain infrastructure for the County in a way that it will all drain through his property to reduce the amount of property the County needs for retention.

Commissioners commented that the agreement is going to be great for the park, and that the library will be a good part of Clearfield’s downtown. Appreciation was expressed for the private sector seeing the value in helping with the site development.

The contract period is 12/18/2018 to 02/01/2019. The contract amount is \$1.

Motion to Approve: Com. Smith

Seconded: Com. Millburn

All voted aye

Lease
Agreement
#2018-610 with
Clearfield
Community
Development
and Renewal
Agency for the
Clearfield North
Branch Library

Lease Agreement #2018-610 with Clearfield Community Development and Renewal Agency for the Clearfield North Branch Library — Presented by Mack McDonald, Davis County Facilities Director

A lease agreement with the Clearfield Community Development and Renewal Agency for the North Branch Library was presented. The contract allows the County to continue library operations as is, while still going through with the approved purchase and sale agreement. The County is completely responsible for library operations, the grounds, and the building. There is a requirement that the County construct the new library, or begin construction, by 2020, so the architectural process will be done very quickly. Once the building is constructed and everything moved in, the County has a year to demolish the old library, remove everything from the site, and turn the property over to Clearfield free and clear. The contract period is 12/18/2018 to 12/31/2021. The payable amount is \$1.

Motion to Approve: Com. Smith

Seconded: Com. Millburn

All voted aye

Discussion of
Davis County
Legal Defender
Contracts and
Services

Discussion of Davis County Legal Defender Contracts and Services.

Todd Utzinger, Davis County Legal Defender Coordinator, approached the dias to present individual contracts for indigent defense legal services. He stated that all of the County’s defender contracts expire this year, therefore it was proposed that contracts be renewed for a three-year period. Commissioners said it is incumbent on the County to provide legal representation for those who cannot afford it and thanked Todd for his leadership in managing this work.

Todd explained that defenders represent indigent individuals in District Court, Juvenile Court, and Justice Court. Two defenders are assigned to each of seven District Courts. Juvenile defenders are split into two teams, with roughly half representing parental rights cases and the other half representing delinquency cases. There is another attorney splitting time between Justice Court and initial appearances for juveniles in detention.

There was discussion about the costs and payment for legal defender services. Concern was expressed about a new bill in the next state legislative session to require the appointment of counsel on all juvenile court cases without regard for indigency. The caseload is already up significantly because of a requirement to appoint counsel for all juveniles facing felony charges. Last year there were about 208 juvenile delinquency cases with felony-level charges and more than 1,000 misdemeanor allegations. If the bill passes, it may be possible to petition the court for reimbursement if a defendant is not indigent, or to get grants to cover costs, but those options are problematic and would increase the workload. Commissioners encouraged Todd to stay involved in the discussion of this bill and share his accurate and deep understanding of the issues. Citizens were also encouraged to voice opinions.

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The following contracts for legal defenders were presented separately for Commissioners to vote on because the amount for each varies. The payable contract amount is for 2019 with a built-in three-percent escalation per year thereafter.

Agreement #2018-611 with William Albright to provide indigent defense legal services

Agreement #2018-611 with William Albright to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

William Albright has been contracted with the County for a number of years and has close to 40 years of defense experience. He is well-regarded and practices primarily in District Court. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$131,171 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement #2018-612 with Clyde Markley Arrington to provide indigent defense legal services

Agreement #2018-612 with Clyde Markley Arrington to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Clyde Markley Arrington is also a long-term defender with the County. He's a former police officer who is well-known in the community. He practices primarily in District Court. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$106,935 for 2019.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Agreement #2018-613 with Matthew Brass to provide indigent defense legal services

Agreement #2018-613 with Matthew Brass to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Matt Brass recently joined the defenders. He works in Juvenile Court delinquency cases, and also in Justice Court and has had a role in improvements there. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$78,280 for 2019.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Agreement #2018-614 with Logan R. Bushell to provide indigent defense legal services

Agreement #2018-614 with Logan R. Bushell to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Logan R. Bushell is the most recent hire, replacing Michael Edwards who was named judge to District Court. Logan speaks Spanish and has some background in immigration law. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$76,220 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement #2018-615 with Ryan Bushell to provide indigent defense legal services

Agreement #2018-615 with Ryan Bushell to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Ryan Bushell has had a contract with the County for more than 10 years. One of his assignments is Drug Court legal defender and he's very committed to that program. A prosecutor staff member told Todd that Ryan has paid money out of his own pocket for Drug Court activities not covered by the State. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$98,180 for 2019.

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Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-616 with
Ron Fujino to
provide
indigent
defense legal
services

Agreement #2018-616 with Ron Fujino to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Ron Fujino has been contracted with the County for roughly eight years. His previous experience was doing appeals and trial work with the Salt Lake Legal Defenders Office, so he's a good resource for other attorneys working on appeals. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$97,542 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-617 with
Rich Gallegos to
provide
indigent
defense legal
services

Agreement #2018-617 with Rich Gallegos to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Rich Gallegos is one of the most experienced defenders. He has probably taken more cases to trial than anybody in the group, recently, and has had a number of acquittals. He is assigned to District Court. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$105,769 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-618 with
Julie George to
provide
indigent
defense legal
services

Agreement #2018-618 with Julie George to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Julie George has a real affinity for working with people with mental health challenges. She is the original defender in Mental Health Court and is key to that program. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$124,145 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-619 with
Erin Hill to
provide
indigent
defense legal
services

Agreement #2018-619 with Erin Hill to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Erin Hill came from the Utah Attorney General's office, doing parental rights cases, and then was in private practice. She's highly regarded by judges and her expertise lends a lot of credibility to the County's defender program in Juvenile Court. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$94,982 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-620 with
Nicole McBride
to provide
indigent
defense legal
services

Agreement #2018-620 with Nicole McBride to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Nicole McBride is also assigned to Juvenile Court primarily working on parental rights cases. She was hired away from the Utah Attorney General's Office.

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services

The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$79,310 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-621 with
Michael
Murphy to
provide
indigent
defense legal
services

Agreement #2018-621 with Michael Murphy to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Michael Murphy is a long-time attorney in Kaysville. He represents all juveniles in their initial detention hearing so there's always an attorney with them, and does conflict cases out of Juvenile Court. He also covers initial appearances in Justice Court. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$66,950 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-622 with
Jason Richards
to provide
indigent
defense legal
services

Agreement #2018-622 with Jason Richards to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Jason Richards is assigned to Juvenile Court, primarily working with parental rights cases. He serves on committees dealing with juvenile cases. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$78,677 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-623 with
Loni Sarofolean
to provide
indigent
defense legal
services

Agreement #2018-623 with Loni Sarofolean to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Loni Sarofolean is assigned to delinquency cases. She also organizes speakers for the CLE [Continuing Legal Education] program. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$80,863 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-624 with
Todd Sessions
to provide
indigent
defense legal
services

Agreement #2018-624 with Todd Sessions to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Todd Sessions is assigned to Juvenile Court primarily working with juvenile delinquency cases. He's had a Davis County Legal Defender contract for about 15 years. The contract period is 01/01/2019 to 12/31/2021. The payable amount is \$88,361 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Agreement
#2018-625 with
Scott Wiggins
to provide
indigent
defense legal
services

Agreement #2018-625 with Scott Wiggins to provide indigent defense legal services — Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Scott Wiggins is an appellate attorney. Davis is one of the few counties to have a designated attorney for appeals. He's well respected among the appellate judges. The contract period is 01/01/2019 to 12/31/2021.

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The payable amount is \$62,735 for 2019.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Request Approval #2018-626 of Davis County Community Development Block Grant Administrative Policies.

Request Approval #2018-626 of Davis County Community Development Block Grant Administrative Policies. — *Presented by Stephen Lyon, Davis County Grant Administrator*

A request was made for approval of revisions to Davis County's Community Development Block Grant Administrative Policies. The changes include placing a \$25,000 floor on grants because of administrative costs, a solicitation change for special solicitations, and formalizing into written policy the practice of having a standing Review Committee with members appointed through the Davis Council of Governments (COG) and serving a two-year term.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Subgrantee Agreement #2018-627 with Bountiful Community Food Pantry for Community Development Block Grant (CDBG) 2017-2018 funding

Subgrantee Agreement #2018-627 with Bountiful Community Food Pantry for Community Development Block Grant (CDBG) 2017-2018 funding for the Pantry Packs and Pantry Smiles programs and construction of a covered awning — *Presented by Stephen Lyon, Davis County Grant Administrator*

A subgrantee agreement with Bountiful Community Food Pantry was presented for Community Development Block Grant 2017-2018 funding for the Pantry Packs and Pantry Smiles programs and construction of a covered awning. The contract period is 07/01/2018 to 06/30/2019. The payable amount is \$36,192.50.

[There was some confusion about the payable amount due to the presenter reading from a spreadsheet rather than the contract cover sheet. As a result, Commissioners acted on the seven items that follow before completing the vote on this item.]

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Subgrantee Agreement #2018-628 with Bountiful Community Food Pantry for Community Development Block Grant (CDBG) 2018-2019 funding

Subgrantee Agreement #2018-628 with Bountiful Community Food Pantry for Community Development Block Grant (CDBG) 2018-2019 funding for the Pantry Packs and Pantry Smiles/Vision programs, case management services and building improvements — *Presented by Stephen Lyon, Davis County Grant Administrator*

The contract period is 07/01/2018 to 12/31/2019. The payable amount is \$72,255.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted Aye

Subgrantee Agreement #2018-629 with Big Brothers Big Sisters of Utah for Community Development Block Grant (CDBG) 2018-2019 funding

Subgrantee Agreement #2018-629 with Big Brothers Big Sisters of Utah for Community Development Block Grant (CDBG) 2018-2019 funding for operational expenses for Utah One-to-One Youth Mentoring Program — *Presented by Stephen Lyon, Davis County Grant Administrator*

The contract period is 07/01/2018 to 06/30/2019. The payable amount is \$5,000.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

COMMISSIONERS' MINUTES – DAVIS COUNTY

Subgrantee Agreement #2018-630 with Davis Community Housing Authority for Community Development Block Grant (CDBG) 2018-2019 funding

Subgrantee Agreement #2018-630 with Davis Community Housing Authority for Community Development Block Grant (CDBG) 2017-2018 funding for operational expenses for Down Payment Assistance, Roof Repair, and Emergency Repair Programs — *Presented by Stephen Lyon, Davis County Grant Administrator*

The contract period is 07/01/2018 to 06/30/2019. The payable amount is \$175,000.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Subgrantee Agreement #2018-631 with Davis Community Housing Authority for Community Development Block Grant (CDBG) 2017-2018 funding

Subgrantee Agreement #2018-631 with Davis Community Housing Authority for Community Development Block Grant (CDBG) 2018-2019 funding for operational expenses for Down Payment Assistance, Roof Repair, and Emergency Repair Programs — *Presented by Stephen Lyon, Davis County Grant Administrator*

The contract period is 07/01/2018 to 06/01/2019. [The ending date was misstated in the meeting; it is written as 12/31/2019 in the contract]. The payable amount is \$212,000.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Subgrantee Agreement #2018-632 with City of North Salt Lake for Community Development Block Grant (CDBG) 2018-2019 funding

Subgrantee Agreement #2018-632 with City of North Salt Lake for Community Development Block Grant (CDBG) 2018-2019 funding for grants to eligible homeowners for necessary physical improvements/home repairs — *Presented by Stephen Lyon, Davis County Grant Administrator*

The contract period is 07/01/2018 to 12/31/2019. The payable amount is \$51,000.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Subgrantee Agreement #2018-633 with The Road Home Community Shelter for Community Development Block Grant (CDBG) 2017-2018 funding

Subgrantee Agreement #2018-633 with The Road Home Community Shelter for Community Development Block Grant (CDBG) 2017-2018 funding for operational expenses of The Road Home Community Shelter and Resource Center — *Presented by Stephen Lyon, Davis County Grant Administrator*

The contract period is 07/01/2017 to 06/30/2018. The payable amount is \$10,000.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Subgrantee Agreement #2018-634 with Safe Harbor Shelter for Community Development Block Grant (CDBG) 2017-2018 funding

Subgrantee Agreement #2018-634 with Safe Harbor Shelter for Community Development Block Grant (CDBG) 2017-2018 funding for operational expenses for case management of the shelter and repaving the facility parking lot — *Presented by Stephen Lyon, Davis County Grant Administrator*

The contract period is 07/01/2018 to 06/30/2019. The payable amount is \$71,041.

Commissioner Millburn noted that he has served on this board in the past but does not currently. He also noted that some of the work listed in these subgrantee agreements has already been done and the organizations are waiting for the funds to be reimbursed.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

COMMISSIONERS' MINUTES – DAVIS COUNTY

Agreement #2018-635 with Thomson Reuters for subscription to Westlaw online services for legal research

Agreement #2018-635 with Thomson Reuters for a subscription to Westlaw online services for legal research — *Presented by Neal Geddes, Davis County Chief Deputy Civil Attorney*

This contract with Thomson Reuters is for a subscription to the Westlaw legal database utilized by the County's attorneys to do legal research. This contract is taking the place of the current agreement with Westlaw in order to add access to content including national core cases, statutes, regulations, and a practical law and civil law database. The content will be beneficial to the County's criminal attorneys and to the civil attorneys as they deal with a very broad spectrum of law. It is a three-year agreement with the ability, after each year, to negotiate according to budget availability. The contract period is 12/18/2018 to 12/18/2021. The payable amount is \$2,068.62 per month.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Escrow Agreement #2018-305-B with UTA and Zions Bank for funding the cost of environmental and advanced conceptual engineer work relative to the Davis-Salt Lake City Community Connector Project (BRT)

Escrow Agreement #2018-305-B with UTA and Zions Bank for funding the cost of environmental and advanced conceptual engineer work relative to the Davis-Salt Lake City Community Connector Project (BRT) — *Presented by Commissioner Millburn*

An escrow agreement is the final step of the process in relationship to the Davis to Salt Lake City Community Connector Project also known as the South Davis Bus Rapid Transit (BRT) program. The County entered into an agreement a couple of weeks ago with UTA to perform that work. Earlier in the year, the County acknowledged and received state funding through UDOT of \$1.2 million. The money will be put into the escrow account and disbursed as work progresses on the project. The contract period is 12/18/2018 to 08/31/2021.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Request Reappointment #2018-636 of Michael Mayfield to the Bountiful Irrigation District Board of Trustees for an additional four-year term

Request Reappointment #2018-636 of Michael Mayfield to the Bountiful Irrigation District Board of Trustees for an additional four-year term — *Presented by Commissioner Elliott*

A request was made to appoint Michael Mayfield to the Bountiful Irrigation District Board of Trustees for an additional four-year term.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

Commissioner Millburn moved to recess to Board of Equalization. Commissioner Smith seconded the motion. All voted aye.

BOARD OF EQUALIZATION

Property Tax Register

Property Tax Register matters were presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor, as follows:

Under Auditor's Adjustments, there were various appeals, late abatements, and one correction to a veteran abatement. There were also various small-dollar write-offs in the Treasurer's Office and Assessor-initiated corrections.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

COMMISSIONERS' MINUTES – DAVIS COUNTY

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

CONSENT ITEMS

Check Registers

Check Registers

Check Registers were approved.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Commission
Meeting
Minutes

Meeting Minutes

Minutes for Commission Meetings held on November 13, 20, and 27 of 2018 were presented for approval.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted aye

Indigent
Hardship
Abatement
Register

Indigent Hardship Abatement Register

The Indigent Abatement Register, with a specific application for Lian Greenwood, was presented for approval.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted aye

COMMISSION COMMENTS

Commissioner Smith wished everyone a Merry Christmas.

Commissioner Millburn also wished everyone a Merry Christmas and included wishes for a Happy New Year, since the Commissioners won't be back in this forum until Jan. 2, 2019.

Commissioner Elliott invited other comments from the dais.

Clerk/Auditor

Heidi Voordeckers requested that everyone be safe over the holidays and wished everyone a joyous holiday.

Attorney

Neal Geddes wished all a Merry Christmas.

Members of the public were invited to make comments to the Commission.

PUBLIC COMMENTS

Cheryl Nunn, of Layton, thanked the Commissioners for their help. After buying her home, she was shocked to find out that the front yard, side yard, and garage didn't come with it. Those areas are owned by the

COMMISSIONERS' MINUTES – DAVIS COUNTY

County and have been forgotten for about 35 years, she said.

Ms. Nunn said she was told by Tony Thompson [Davis County Property Manager] that things were going well and information had been found on the history of the property. She added that the family of the person who sold her the house had owned 80 acres of property and sold and developed it with the other neighbors. She understood that a property meeting was held yesterday and came to Commission Meeting to ask for an update.

Commissioner Millburn expressed appreciation for Ms. Nunn's attendance and her patience in dealing with this issue. It has been challenging for a lot of folks and none more than her because she is the property owner directly impacted. The neighbors are also impacted, he said, because the property is in a very unique unincorporated part of the county and all of them are utilizing the same lane to access their homes. A variety of challenges and issues have arisen during the course of this process, and different property owners – the County, the State, UDOT, etc. A Property Committee did meet yesterday, he said, and found what is believed to be the best solution going forward.

Commissioner Millburn invited Ms. Nunn to meet with Tony Thompson for details, but she said he was not there. The Commissioner then said he would meet with her briefly following the meeting to give a brief update. He explained that the County came into this property through one of the tax sales and that it was a little sliver that somehow had been created through various surveys. He's been fascinated to learn about surveying through this process. He said he believes Ms. Nunn will be happy with the outcome, however, when she said she just wants to be allowed to buy back the property in front of her house at a reasonable sum he said it might not be quite that easy. He again said he would speak with her after the meeting.

MEETING
ADJOURNED

Commission meeting was adjourned at 11:30 a.m.

All publicly distributed materials associated with this meeting are noted as follows:

- A. Agenda
- B. 2018 Davis County Commissioners' Youth Charities Cup Grant Awards
- C. Dec. 18, 2018 Resolution & Budget Opening Items
- D. Precinct Modifications
- E. Davis School Board Boundary Modifications

Minutes prepared by:

Becky R. Wright

Minutes approved on:

Curtis Koch
Clerk/Auditor

Randy B. Elliott
Commission Chair