

APPROVED

COMMISSION MEETING MINUTES

June 26, 2018

The Board of Davis County Commissioners met for their regularly scheduled meeting on June 26, 2018 at 10:00 a.m. in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Notice of this meeting was given in accordance with the requirements of UCA 52-4-202.

Present on the dais were: Commissioner Randy B. Elliott – Chair; Commissioner P. Bret Millburn – Vice-Chair; Curtis Koch, Davis County Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

Excused: Commissioner James E. Smith

All documents in this meeting are on file in the Davis County (DC) Clerk/Auditor's office.

OPENING

The meeting convened at 10:01 a.m. and Chief Deputy Ty Berger was invited to lead the Pledge of Allegiance.

Commissioner Elliott excused Commissioner Smith for personal reasons.

Recognitions, Presentations & Informational Items

New Chief Deputy Sheriff Introduction

Ty Berger is the newly appointed Chief Deputy Sheriff and was invited to introduce himself. He grew up on a potato farm in Idaho and joined the military after high school. He attended Weber State University to study medical work. Being a police officer and paramedic combines what he loved about being in the military and uses his medical background. Chief Deputy Berger has done police office work both nationally and internationally; he helped to establish the Iraqi police force to what it is today. He is filling Undersheriff Peters' vacancy.

BUSINESS/ ACTION

Resolution #2018-265 authorizing Tax and Revenue Anticipation Notes, series 2018

Resolution #2018-265 authorizing the issuance and sale of Tax and Revenue Anticipation Notes, Series 2018 – Presented by Curtis Koch, Davis County Clerk/Auditor

Every year the County begins spending money on January 1 but the bulk of the revenue is not collected until the end of the year. To bridge the gap, an anticipation note with the Bank of Utah is being requested. This has proven to be the most cost efficient option available. The cap is higher than in years past due to increased expenses, especially in salaries, but in 2017 a tax increase was approved to accommodate that.

Aaron Wade from Gilmore Bell, who is acting as note council on the bond, presented the note. The note is for the 2018 fiscal year and will be paid off by the end of the year. It was directly purchased with the Bank of Utah. The contract period is for the 2018 fiscal year. The payable contract amount is not to exceed \$11,000,000.

Motion to Approve: Com. Millburn

Seconded: Com. Elliott

Vote: All Aye

Resolution #2018-266 adopting the 2018 Certified Tax Rates

Resolution #2018-266 adopting the 2018 Certified Tax Rates for the South Davis Recreation District – Presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor

On June 18, the Administrative Control Board for the South Davis Recreation District signed the tax rate of .000257. The Davis County Commissioners now have to give a final approval. There are two components to the rate: the service rate, at .000157, and the general operation rate, at .000100. The tax rate is for the 2018 year.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Agreement #2018-267 with Cumulus Media Inc. for 2018 DC Fair radio advertising

Agreement #2018-267 with Cumulus Media Inc. dba K-Bull 93 FM for the 2018 Davis County Fair radio advertisement highlighting the RMPRA Rodeo – Presented by Stephanie Davis, Davis County Event Coordinator – Legacy Events Center

K-Bull 93 FM will be doing radio advertising for the Davis County Fair, especially highlighting the RMPRA Rodeo. The hope is they will be able to reach the rodeo's target audience. The contract period is from July 1, 2018 to Aug. 20, 2018. The payable contract amount is \$1,500.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Agreement #2018-268 with Wasatch Thunder Athletics for a soccer tournament

Agreement #2018-268 with Wasatch Thunder Athletics for rental space at Legacy Events Center for the Wasatch Soccer Classic tournament – Presented by Mike Moake, Davis County Marketing Coordinator – Legacy Events Center

The Wasatch Thunder organizes the Memorial Soccer Tournament, which is a very large event and draws teams from all over the western U.S. The contract period is from May 5, 2019 to May 25, 2019. The receivable contract amount is \$2,545.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Agreement #2018-269 with Utah Sports Commission to provide non-monetary assistance

Agreement #2018-269 with Utah Sports Commission to provide non-monetary assistance with Web.com Golf Tournament for use of Legacy Events Center parking lots for shuttles – Presented by Mike Moake, Davis County Marketing Coordinator – Legacy Events Center

This contract for the Web.com golf tournament is to provide nonmonetary assistance. They will be using the parking lot to help shuttle people to the tournament. This tournament is part of the PGA circuit and is the second year it has been held here in Davis County. The participants also bring their families which increases the tourism revenue. The contract period is from June 22, 2018 to July 20, 2018. This contract is neither payable nor receivable.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Summary List #2018-270 of low-dollar, low-risk agreements at Legacy Events Center

Summary List #2018-270 of low-dollar, low-risk agreements (16) for rental spaces at Legacy Events Center – Presented by Mike Moake, Davis County Marketing Coordinator – Legacy Events Center

This summary list includes 16 low-dollar, low-risk events held at the Legacy Events Center. The contract period is from May 25, 2018 to Aug. 4, 2018. The receivable summary amount is \$1,375.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Ratify Agreement #2018-271 with Hansen, Allen & Luce, Inc.

Ratify Agreement #2018-271 with Hansen, Allen & Luce, Inc. to provide design and bid documents for a storm drain system at Stone Barton railroad culvert crossing in Centerville – Presented by Adam Wright, Davis County Public Works Director

This contract has already been signed because of the current emergency situation; this will ratify the signed agreement. A culvert underneath a rail line is collapsing. In 2011, the pipe had an in-place liner installed by the Hansen company because of a potential rust issue. Now, the in-place liner has buckled. It is unclear at this time what has caused the buckle. If the host pipe is still stable, the liner might be replaceable, using the jack-and-bore method. Otherwise, the line would need to be filled and abandoned. This is a rush priority for all the companies involved; the goal is to begin construction and/or repair works within the next couple weeks. The contract period is from June 18, 2018 to Aug. 31, 2018. The payable contract amount is \$33,800.

It was noted that due to the nature of the situation, this has been handled outside of normal procedures. Typically, bids from multiple companies would have been procured but that was not feasible in this situation. The current engineering cost is being paid for out of an existing budget but, when the engineering is a done a budget opening will be presented to finish funding the project.

See Attachment B.

Motion to Approve: Com. Millburn

Seconded: Com. Elliott

Vote: All Aye

Amendment #2017-413-A with Rugby Utah Ventures, LLC

Amendment #2017-413-A with Rugby Utah Ventures, LLC to extend the contract period for the study of potential re-use of property at Legacy Events Center – Presented by Mack McDonald, Davis County Facilities Director

This is an extension of last year's exclusive negotiations contract to build a stadium at the Legacy Events Center. They are currently halfway through the three-step process and a time extension is needed to finish the process. There was a delay with getting the feasibility study underway, causing the timeline to shift. The contract period is from Oct. 10, 2017 to Dec. 17, 2018. This contract is neither payable nor receivable.

Motion to Approve: Com. Millburn

Seconded: Com. Elliott

Vote: All Aye

Agreement #2018-272 with Utah New Vision Construction LLC

Agreement #2018-272 with Utah New Vision Construction LLC commissioning the remodel and expansion of the Syracuse North West Branch Library – Presented by Mack McDonald, Davis County Facilities Director

This contract is to commission the remodel and expansion of the Syracuse library. In the past, buildings were made to be LEED certified or high efficiency certified after the building was built. This contract is to bring the commissioning agent in before the construction begins to make the building as energy efficient as possible. The company will review the plans to make sure the library is tightly sealed and will continue to monitor the process during construction and during the initial setup of the systems on behalf of the County. Doing this now will help to keep building heating/cooling costs low in the long-run. The contract period is from June 19, 2018 to Dec. 31, 2020. The payable contract amount is \$36,100.

Motion to Approve: Com. Millburn

Seconded: Com. Elliott

Vote: All Aye

Agreement #2018-273 with David L. Jensen & Associates Engineering Inc.

Agreement #2018-273 with David L. Jensen & Associates Engineering Inc. to provide Davis County facility mechanical condition assessments – Presented by Mack McDonald, Davis County Facilities Director

This is to provide a mechanical condition assessment of all County buildings, except the Sheriff campus. This assessment is used to gauge the life expectancy of the equipment, plan the budget and identify where upgrades are needed. The last assessment was done in 2009; part of the proposed assessment will include a comparative analysis against the 2009 data. The contract period is June 5, 2018 to Aug. 31, 2018. The payable contract amount is \$51,460.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Resolution #2018-274 approving an amendment to interlocal cooperation agreement with West Bountiful City for animal services

Resolution #2018-274 approving an amendment to the interlocal cooperation agreement between Davis County and West Bountiful City for animal control services – Presented by Rhett Nicks, Davis County Animal Care and Control Director

This resolution is to approve the amendment to Davis County's animal control service agreement with West Bountiful City. This is the last city to update their service agreement for 2018. See contract 2016-256-B for the contract period and receivable amount.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Amendment #2016-256-B to interlocal cooperation agreement with West Bountiful City for animal control services

Amendment #2016-256-B to interlocal cooperation agreement between Davis County and West Bountiful City for animal control services – Presented by Rhett Nicks, Davis County Animal Care and Control Director

This is the amendment to the interlocal agreement for animal services between Davis County and West Bountiful City. The contract period is from Jan. 1, 2018 to Dec. 31, 2018. The receivable contract amount is \$13,149.97.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Ratify Grant Application #2018-275 with Utah Office of Tourism

Ratify Grant Application #2018-275 with Utah Office of Tourism for cooperative marketing funding to promote the 2018-2019 Ski Campaign – Presented by Randy Cook, Davis County Community & Economic Development Tourism and Events Manager

This is to ratify a grant application with the Utah Office of Tourism. The application was due last week but was missing the County signatures. Even though Davis County does not have a ski resort, Davis County will be marketed as a base camp for the on and off-slope activities such as hotels, restaurants, entertainment, etc. The grant will not be awarded until August if the County is selected. The contract period is from Oct. 1, 2018 to April 1, 2019. The payable contract amount is \$30,000.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Ratify Grant Application #2018-253-A with Wasatch Front Regional Council

Ratify Grant Application #2018-253-A with Wasatch Front Regional Council for transportation and land use connection for South Davis Bus Rapid Transit (BRT) Corridor – Presented by Barry Burton, Davis County Community & Economic Development Director

The application for this grant was submitted two years ago. However, after a recent review, it was discovered that it was never brought before Commission. The grant is for the transportation and land use connection for the bus rapid transit corridor planning in Bountiful City. The grant has been awarded and was approved by Commission on June 19, 2018. This action is simply to correct a paperwork oversight by approving the application. The contract period is from Jan. 14, 2016 to July 1, 2019. The payable contract amount is \$5,000.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Agreement #2018-276 with Utah Dept. of Environmental Quality

Agreement #2018-276 with Utah Department of Environmental Quality for general environmental services, air quality, water quality and waste management activities funding – Presented by Brian Hatch, Davis County Health Director

These funds come from state and federal monies. This funding goes to the drinking water, waste water and other environmental quality programs. The contract period is from July 1, 2018 to June 30, 2019. The receivable contract amount is \$124,623.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Amendment #2015-445-D with Utah Department of Health

Amendment #2015-445-D with Utah Department of Health to update work plan activities for FY2019 and adjust funding for the tobacco contract – Presented by Brian Hatch, Davis County Health Director

This is the tobacco contract with the Utah Department of Health. These funds are used for tobacco control, compliance checks, education outreach, cessation, etc. The contract period is from July 1, 2018 to June 30, 2019. The receivable contract amount is \$231,508.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Agreement #2018-277 with James B. Ivie to be a BOE hearing official

Agreement #2018-277 with James B. Ivie to serve as a Board of Equalization Hearing Officer – Presented by Neal Geddes, Davis County Chief Deputy Civil Attorney

This contract is to have James Ivie serve as a the residential property tax hearing officer for the Board of Equalization (BOE) to hear the appeals and to provide recommendations to the BOE. He has served as a hearing officer for several years. The contract amount is different between the two hearing officers, see Contract #2018-278, because one does only commercial hearings and the other does only residential hearings. The contract period is June 14, 2018 to Feb. 28, 2019. The payable hourly contract amount is \$45.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Agreement #2018-278 with Randy Kelly to be a BOE hearing official

Agreement #2018-278 with Randy Kelly to serve as a Board of Equalization Hearing Officer – Presented by Neal Geddes, Davis County Chief Deputy Civil Attorney

This contract is to have Randy Kelly serve as the commercial property tax hearing official for the BOE. The contract period is June 15, 2018 to Feb. 28, 2019. The payable hourly contract amount is \$60.

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Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

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

BOARD OF EQUALIZATION

Property Tax
Register

Property Tax Register matters were presented by Curtis Koch, Davis County Clerk/Auditor as follows:

Auditor Adjustments: tax exempt request from the Nature Conservancy, with a recommendation that the exemption status not be granted; Weber Pathways with various requests, with a recommendation that the exemption status be granted
3 veteran tax exemption abatements for 2017
Assessor adjustments for various penalty waiver requests and for assessor initiated corrections

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Commissioner Millburn moved to reconvene Commission meeting. Commissioner Elliott seconded the motion. All voted aye.

CONSENT ITEMS

Check Registers

Check Registers

Check Registers were approved.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

Commission
Meeting
Minutes

Meeting Minutes

Meeting minutes for June 12, 2018 were approved.

Motion to Approve: Com. Millburn
Seconded: Com. Elliott
Vote: All Aye

COMMISSION COMMENTS

Com. Millburn

Commissioner Millburn had the chance to travel to Washington D.C. last week, along with Commissioner Elliott, other Utah commissioners and legislators, to discuss issues that are important to Utah. It also gave them the opportunity to ask key department administrators direct questions of what is being done and to voice concerns. Towards the end of the meeting, Vice President Pence met and spent time with the delegation. Commissioner Millburn commented that it was a fascinating experience. This is the first type of invitation that Commissioner Millburn has ever received from the Presidential administration for the "boots on the ground" to come and discuss matters and to help fully understand the challenges communities are facing. After the meeting, they had a chance to tour the White House campus. Lastly, Commissioner Millburn wished good luck to those in the audience who are in the primary election.

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Com. Elliott
Commissioner Elliott also enjoyed having the chance to go to D.C. All three of Utah's Senators were present. He was impressed with Vice President Pence and how he was not afraid to encourage the delegates to pray because of the current turbulent times. Vice President Pence was also very respectful for and appreciative of the "boots on the ground" and the work they do locally. He also said the federal government is aware of the opioid crisis and is working to do what they can to help. Sadly, there is a backlog in D.C. that is slowing things down. Commissioner Elliott also commented on the air show that happened this past weekend. It was said to be a great tourist event and a chance for the community to come together and support Hill Air Force Base. The base is continually in the backs of everyone's mind. He is appreciative of the support the community gives the base and its soldiers.

Commissioner Elliott invited other comments from the dais.

Curtis Koch,
Clerk/Auditor
Curtis encouraged everyone who has not voted yet to do so. He noted in 2016 there was a 30.17% voter turnout and, as of this morning, about 35% of potential voters have mailed in their ballots. This year also saw the launch of new election equipment. So far he is pleased with the equipment. He is also very appreciative of the staff involved, who will be recognized at a later date, and all the work they have done in-processing 750,000 petition signatures prior to the ballots being sent and in getting the new election equipment ready. A lot of work went into making the elections a safe and smooth process.

PUBLIC COMMENTS

Rhonda Perks
Rhonda works for and is representing Congressman Chris Stewart. It has been a while since she has been here so she feels like she has missed a lot. Many things have been going on in Congressman Stewart's office as well. Yesterday their office received news that the Advancing Conservation and Education (ACE) Act passed in the full House. This act will free up little pockets of trust land that are tied to places like national parks or national conservation lands, prohibiting them from providing any revenue. This act was sponsored by Congressman Stewart and Congressman Jared Polis from Colorado. Many Western states face this same issue and this act will allow them to trade the trust land with other public lands that can generate revenue. It now has to go before the Senate and Rhonda will not guess as to how that will turn out; it was a huge victory to pass in the House.

She also discussed the \$140 million dollars, awarded over the course of 5 years, to the University of Utah, Milford and Beaver County for geothermal research. They have been working on it for a while and a site in Beaver County was selected after a three year competitive process looking at many sites for the study. She then read the following statement from Congressman Stewart:

"I am thrilled for the University and Beaver County. This initiative highlights our world renowned scientists and the groundbreaking research and development at the University of Utah. We've been producing geothermal energy for a hundred years but until now, production has been limited to sites with near perfect conditions. The University's research revolutionizes production meaning that clean, reliable energy could be produced in thousands of locations. This will truly transform the energy industry."

She also briefly mentioned that the Suicide Hotline Bill, which will create a three digit number for the suicide and mental health hotline, passed in the committee and will now move to the floor for a vote. She also thanked Commissioner Elliott for inviting her to the discussion about the Bountiful foothills [specifically about the Bountiful B area]. They love being invited to things of that nature so they can be aware of issues and help where they can. Lastly, Congressman Stewart attended the air show and greatly enjoyed it and is very appreciative of all the work that went into it. Congressman Stewart has been able to attend multiple events in Davis County recently and always considers it home.

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Ralph Vaughan

Ralph Vaughan, of Syracuse, thanked the Commission for what they are doing to the Syracuse library. They love their library; the staff and the many volunteers make it the best library. Ralph has also applied for the Davis County Planning Commission vacancy and wanted to introduce himself. He has served for 16 years on various planning commissions. Ralph is also very heavily involved in the County through various committees such as: Senior Services Board, the Caregiver Council, Utah Commission on Aging and the Utah Transit Authority Weber-Davis Coordinating Council. Also, he is affiliated with the American Planning Association, Utah League of Cities and Towns, the American Water Works Association and the Solid Waste Association of North America. Furthermore, he has an extensive background in law enforcement including being a Chief Deputy and an instructor. With his background, he is committed to obeying the law, and by sitting on the Planning Commission he would ensure the County code would become his Bible.

**CLOSED
SESSION**

Commissioner Millburn motioned to adjourn to a closed session for reasons permitted under UCA § 52-4-205. Commissioner Elliott seconded the motion. All voted aye.

Returned from closed session June 26, 2018 at 11:39 a.m. There was no mention of any actions taken.

**MEETING
ADJOURNED**

Open meeting was adjourned at 11:39 a.m.

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

- A1-A2. Agenda
- B. Culvert.jpg

Minutes prepared by:
Jessica Turner
Deputy Clerk/Auditor

Minutes approved on: 07/17/2018

Curtis Koch
Davis County Clerk/Auditor

Randy B. Elliott
Commission Chair