

COMMISSION MEETING MINUTES

Aug. 14, 2018

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 a.m. Aug. 14, 2018, in room 303 of the Davis County Administration Building, 61 S. 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; Commissioner James E. Smith; Curtis Koch, Davis County Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

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

OPENING

The meeting convened at 10:01 a.m. and Commissioner Elliott volunteered to lead the Pledge of Allegiance.

Recognitions, Presentations & Informational Items

Syracuse Northwest Branch Library Remodel and Expansion – Presented by AJC Architects

The presentation about the remodel and expansion of the Syracuse Northwest Branch Library was postponed until next week.

Tour of Utah Overview

Commissioner Millburn said the Tour of Utah, which was in Davis County for Stage 3 on Thursday [Aug. 9], was fabulous. He invited Randy Cook, Davis County Tourism & Events Manager, to give a synopsis of the event. This is the fourth year the Tour of Utah has come to Davis County. Davis County's organizing committee has done such a great job that it's an example for other host communities. In addition to bringing economic benefits, the event pulls people together. The 40-member committee is a talented group, and representatives from various cities worked well together. Commissioner Millburn said the exposure the County received from hosting the bike tour was extremely valuable and images of Antelope Island were broadcast worldwide. There were almost 1,000 road-related closures for the tour in Davis County – a well-handled logistical challenge that showed off the high caliber of local law enforcement officers and volunteers. Commissioner Millburn received a plaque on behalf of the County from the Larry H. Miller Tour of Utah, which will be put on display in the Davis County Community and Economic Development Office.

Public Notice that Commission Meeting will be changed from Aug. 21 to 10 a.m. Monday, Aug. 20, 2018

The Commission Meeting originally scheduled on Aug. 21 is being moved to Monday, Aug. 20, 2018, because Commissioners Elliott and Millburn will be out of town for conferences on Tuesday.

Public Notice of Commissioners' Attendance at Clearfield City Council Work Session, 6:30 p.m. Aug. 14, 2018, and Council Meeting at 7 p.m., at Clearfield City Offices located at 55 S. State in Clearfield

Commissioners announced they will be in attendance at Clearfield City Council's Work Session at 6:30 p.m. today, followed by the Council Meeting at 7 p.m. in the Clearfield City offices.

BUSINESS/ ACTION

Public Hearing and Comment Period for the 2018 CDBG Consolidated/Annual Action Plan

Public Hearing and Comment Period for the 2018 Community Development Block Grant (CDBG) Consolidated/Annual Action Plan – Presented by Tony Zambrana, Davis County Grants Coordinator, Clerk/Auditor's Office

In the first week of January 2018, Davis County issued a Public Notice and Solicitation requesting applications from non-profit organizations and local governments to provide services to address the goals

of the County's five-year consolidated plan. The deadline for submission had passed by the end of March and each application was reviewed to ensure services were eligible for CDBG funding. A review committee was organized and met on June 15 to provide recommendations to the County Commission. On June 25, Davis County issued a Public Notice in the Standard-Examiner and on the County website to solicit public comments and give information about participation regarding the drafting process for the annual action plan. No public comments were offered at that time. The County completed the draft of the 2018-2019 Annual Action plan. On July 10, another Public Notice was published announcing that the plan draft was posted on the County website for public review and comment and that a public hearing would be held on July 31. No comments have been received to this point.

Commissioner Milburn moved to open Public Hearing. Commissioner Smith seconded the motion. All voted aye.

Commissioner Elliott invited public comments, but none were made.

Commissioner Milburn moved to close Public Hearing. Commissioner Smith seconded the motion. All voted aye.

Resolution #2018-346 with U.S. Dept. of Housing and Urban Development to adopt the 2018-2019 Annual Action Plan for CDBG funds

Resolution #2018-346 with the U.S. Dept. of Housing and Urban Development (HUD) to adopt the 2018-2019 Annual Action Plan for Community Development Block Grant (CDBG) funds and authorize agreement for CDBG funds and application and certifications – Presented by Tony Zambrana, Davis County Grants Coordinator, Clerk/Auditor’s Office

A total of \$900,700 in CDBG funding was provided to allocate for non-profit and government agency projects. Recommendations for distribution are as follows:

- Davis Community Housing Authority – \$180,000 – down payment assistance program, roof repair program, emergency home repair program
- Davis Behavioral Health – \$150,000 – purchase of housing unit for the mental health program
- North Salt Lake City – \$51,000 – home repair grant program
- Bountiful Community Food Pantry – \$25,000 – Pantry Packs program providing food to low-income children
- Bountiful Community Food Pantry – \$9,500 – dental and vision programs
- Bountiful Community Food Pantry – \$15,000 – case management operational expenses
- Family Connection Center – \$12,888 – operational expenses related to homeless prevention
- Safe Harbor – \$16,684 – case management operational expenses of the emergency shelter
- Big Brothers and Big Sisters of Utah – \$5,000 – mentoring program operational expenses
- Promise Bountiful – \$11,000 – operational expenses for a family support specialist
- St. Anne's Center – \$15,000 – emergency shelter operational expenses
- The Road Home – \$12,000 – community shelter operational expenses
- Family Connection Center also doing business as Open Doors – \$56,000 – playground and related landscaping
- Bountiful Community Food Pantry – \$22,755 – equipment purchases and improvements including a new roof
- Safe Harbor – \$50,439 – shelter improvements including safety fencing

Commissioner Millburn wondered if there may be a way to make a bigger impact with the funding. Each group is receiving a relatively minimal amount of money and may be becoming dependent on finding grants to cover operational expenses. It might be wise to strategize and look for broader and bigger ideas.

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

Agreement #2018-346 with the U.S. Dept. of Housing and Urban Development (HUD) to adopt the 2018-19 Annual Action Plan for CDBG funds

Agreement #2018-346 with the U.S. Dept. of Housing and Urban Development (HUD) to adopt the 2018-2019 Annual Action Plan for Community Development Block Grant (CDBG) funds and authorize CDBG application and certifications – Presented by Tony Zambrana, Davis County Grants Coordinator, Clerk/Auditor’s Office

Agreement #2018-0346 to adopt the 2018-2019 Annual Action Plan for Community Development Block Grant (CDBG) funds and authorize CDBG application and certifications was approved. The contract period is July 1, 2018 to June 30, 2019. The receivable contract amount is \$900,700.

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

Agreement #2018-347 with the Utah State Library Division for the Library Lending Grant

Agreement #2018-347 with the Utah State Library Division for the Library Lending Grant – Presented by Josh Johnson, Davis County Library Deputy Director, in place of Davis County Library Chief Deputy Lynnette Mills

The Davis County Library receives federal funding through the State to partially cover costs associated with the interlibrary loan program. Last year, the Davis County Library system loaned 2,400 items out through the program and Davis County patrons were able to access more than 1,100 items from libraries outside of the system. The contract period is July 1, 2018 to June 30, 2019. The receivable contract amount is \$12,500.

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

Contract #2018-348 with Nicole McBride for Indigent Defense Legal Services

Agreement #2018-348 with Nicole McBride for Indigent Defense Legal Services – Presented by Todd Utzinger, Davis County Legal Defender Coordinator

Nicole McBride is a new legal defender with the County. She has been with the Utah Attorney General's Office as a prosecutor for nine years. She's been featured in a number of articles in the Utah Bar Journal and the Salt Lake Tribune. She started a program at the Volunteers of America Youth Resource Center to provide legal support for young adults going through the Center. The contract period is Aug. 20, 2018 to Dec. 31, 2018. The payable contract amount is \$77,000 annually, pro-rated for 2018.

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

Agreement #2018-349 and Notice to Proceed with Wardell Brothers Construction for Mutton Hollow Road and 50 East reconstruction

Ratification of Agreement #2018-349 and Notice to Proceed with Wardell Brothers Construction for reconstruction of Mutton Hollow Road and 50 East in Mutton Hollow Township – Presented by Adam Wright, Davis County Public Works Director

The agreement with Wardell Brothers Construction for reconstruction of Mutton Hollow Road and 50 East in Mutton Hollow Township was ratified. Work has already started in an effort to complete the project before weather becomes an issue. The project is anticipated to take 75 days. The contract period is Aug. 14, 2018 to Aug. 14, 2019. The cost is \$534,242.50 for Mutton Hollow Road and \$237,896 for 50 East, making the total payable contract amount \$772,138.50. Layton City is partnering with the County on this project through an interlocal agreement that has already been passed and will pay 35 percent of costs.

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

The Notice to Proceed with the reconstruction of Mutton Hollow Road and 50 East in Mutton Hollow Township was voted on as a separate item.

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

Contract #2018-350 with Carden International Circus, Inc. for

Agreement #2018-350 with Carden International Circus, Inc. for entertainment for the 2018 Davis County Fair – Presented by Stephanie Davis, Davis County Event Coordinator-Legacy Events Center

entertainment for the 2018 Davis County Fair

Elephants are making a last-minute comeback to the 2018 Davis County Fair. Carden International Circus, Inc., called to offer an elephant act for one show a day and elephant rides at a very discounted rate. The contract period is Aug. 13, 2018 to Aug. 20, 2018. The payable contract amount is \$1,500.

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

Summary List #2018-351 of commercial vendor agreements for the 2018 Davis County Fair

Summary List #2018-351 of commercial vendor agreements for the 2018 Davis County Fair – Presented by Stephanie Davis, Davis County Event Coordinator-Legacy Events Center

The summary of low-risk, low-dollar agreements is a list of 86 commercial vendors in the indoor and outdoor areas, and food vendors, for the 2018 Davis County Fair. The contract period is Aug. 15, 2018 to Aug. 18, 2018. The total receivable contract amount is \$44,956.23.

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

The number of vendors is similar to those of past fairs. The 2018 Davis County Fair opens at 11 a.m. on Aug. 15, and continues through Saturday. Highlights include a BYU Vocal Point Concert, sea lions, elephants, a BMX stunt show, a Bugology exhibit, and a hypnotist.

Agreement #2018-352 with Jordan World Circus for rental space at Legacy Events Center for circus event

Agreement #2018-352 with Jordan World Circus for rental space at the Legacy Events Center for a circus event – Presented by Mike Moake, Davis County Legacy Events Center Marketing

Jordan World Circus comes to this area each winter. The contract period is Jan. 28, 2019 to Jan. 28, 2019. The receivable contract amount is \$2,000.

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

Agreement #2018-353 with Nationwide Expos for rental space at Legacy Events Center

Agreement #2018-353 with Nationwide Expos for rental space at Legacy Events Center for a spring home and garden show – Presented by Mike Moake, Davis County Legacy Events Center Marketing

Nationwide Expos organizes events across the country and is planning a spring home and garden show at the Legacy Events Center. The contract period is Feb. 20, 2019 to Feb. 24, 2019. The receivable contract amount is \$4,980.

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

Agreement #2018-354 with Ogden Valley Winter Sports Foundation for rental space at the Legacy Events Center for the Snow Basin Ski Swap

Agreement #2018-354 with Ogden Valley Winter Sports Foundation for rental space at the Legacy Events Center for the Snow Basin Ski Swap – Presented by Mike Moake, Davis County Legacy Events Center Marketing

The Ogden Valley Winter Sports Foundation is bringing the popular Snow Basin Ski Swap back to the Legacy Events Center. The contract period is Oct. 24, 2018 to Oct. 27, 2018. The receivable contract amount is \$4,195.

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

A bike swap is also planned as part of the Snow Basin Ski Swap.

Agreement #2018-355 with Simple Treasures for rental space at the Legacy Events Center for a craft boutique

Agreement #2018-355 with Simple Treasures for rental space at the Legacy Events Center for a craft boutique – Presented by Mike Moake, Davis County Legacy Events Center Marketing

Simple Treasures rents the Legacy Events Center about four times a year. This agreement is for a craft boutique in November of 2019. The contract period is Nov. 4, 2019 to Nov. 9, 2019. The receivable contract amount is \$6,220.

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

Agreement #2018-356 with USA Wrestling Utah for rental space at the Legacy Events Center for a regional youth wrestling tournament

Agreement #2018-356 with USA Wrestling Utah for rental space at the Legacy Events Center for a regional youth wrestling tournament – Presented by Mike Moake, Davis County Legacy Events Center Marketing

USA Wrestling Utah is hosting a youth wrestling tournament at the Legacy Events Center, drawing kids from throughout the region including Idaho, Wyoming, and Colorado. The contract period is Dec. 6, 2018 to Dec. 8, 2018. The receivable contract amount is \$2,395.

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

Agreement #2018-357 with USA Wrestling Utah for rental space at the Legacy Events Center for a high school wrestling tournament

Agreement #2018-357 with USA Wrestling Utah for rental space at the Legacy Events Center for a high school wrestling tournament – Presented by Mike Moake, Davis County Legacy Events Center Marketing

This high school wrestling tournament will draw kids from all over the state of Utah. The contract period is Dec. 13, 2018 to Dec. 15, 2018. The receivable contract amount is \$3,940.

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

Agreement #2018-358 with USA Wrestling Utah for rental space at the Legacy Events Center for an all age wrestling tournament

Agreement #2018-358 with USA Wrestling Utah for rental space at the Legacy Events Center for an all age wrestling tournament – Presented by Mike Moake, Davis County Legacy Events Center Marketing

This all-age wrestling tournament is for competitors ages 4 to 18. The contract period is Dec. 20, 2018 to Dec. 22, 2018. The receivable contract amount is \$2,420.

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

Agreement #2018-359 with Just Beachy Soflopo, LLC dba Chick-fil-A Station Park as concessionaire for the Legacy Events Center

Ratification of Agreement #2018-359 with Just Beachy Soflopo, LLC dba Chick-fil-A Station Park as concessionaire for the Legacy Events Center – Presented by Dave Hansen, Davis County Legacy Events Center Director

The Legacy Events Center lost its food vendor several months ago. After researching the issue, it was found that "mom and pop" vendors were often not staffed to handle the unique demands of being the concessionaire for the venue. Several restaurants inside and outside of Station Park, as well as some "mom and pop" vendors, were interviewed and Chick-fil-A seemed to be the best option for a new concessionaire. The company is nationally-known and popular with Legacy Events Center visitors and it has a catering arm with an adequate labor force. Food will be prepared at the Chic-fil-A restaurant and served from the Legacy Events Center kitchen. The drink dispenser at the events center will be recalibrated by Coca-Cola for use by Chic-fil-A. Concessions will be sold during events with hours set after

discussion with event producers and the concessionaire. The contract period is Aug. 11, 2018 to June 1, 2019. The receivable contract amount is 10 percent of gross sales.

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

Summary List
#2018-360 of
Towing Rotation
agreements

Summary List #2018-360 of Towing Rotation agreements – Presented by Chief Deputy Arnold Butcher, Davis County Sheriff's Office

This summary list is made up of agreements with towing companies that submitted applications to be utilized by the Davis County Sheriff's Office, and various other law enforcement agencies, through the tow rotation. Almost 60 companies submitted paperwork, but only nine contracts have cleared at this time. The contracts are with the following companies for areas of service as noted:

- | | |
|----------------------------------|------------------------------------|
| 101 Group Towing Service – South | A Sierra Towing – South |
| Davis County Towing – North | G and T Towing Inc. – North |
| KC's Towing – North | Keystone Towing Inc. – South |
| Road Runner Towing Inc. – South | Tango Auto and Towing Inc. – South |
| The Towing – South | |

The contract period is July 1, 2018 to June 30, 2019. The contracts are neither payable nor receivable.

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

Discussion was had about the reason contracts for the other companies have not cleared. The vetting process is lengthy and includes background checks on tow company employees. The main issue delaying contracts is not following application instructions precisely.

Amendment
#2016-449-A
with Thomson
Reuters for
Westlaw
subscription for
online services
for legal
research

Amendment #2016-449-A with Thomson Reuters for Westlaw subscription for online services for legal research – Presented by Neal Geddes, Davis County Chief Deputy Civil Attorney

Two new attorneys need to be added to the County's license for Westlaw online subscription for legal research. The contract period is Nov. 1, 2016 to Nov. 1, 2019. The monthly charges will increase by \$194, making the payable contract amount \$1,800.

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

Resolution
#2018-361
ratifying and
approving the
filing of cross-
appeals to 2018
appeals filed by
taxpayers
subject to
Central
Assessment

Resolution #2018-361 ratifying and approving the filing of cross-appeals to 2018 appeals filed by taxpayers subject to Central Assessment – Presented by Neal Geddes, Davis County Chief Deputy Civil Attorney

This resolution is related to Centrally Assessed tax appeals. For the County to file a cross appeal, the legislative body needs to approve it. The County has already filed a cross-appeal, so the resolution is to ratify that action and approve future cross-appeals as they are determined to be necessary and in the best interest of the County.

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

Ratification of
Engagement
Letter #2018-
362 with Ulrich

Ratification of Engagement Letter #2018-362 with Ulrich & Associates for the 2017 Financial Audit – Presented by Curtis Koch, Davis County Clerk/Auditor

& Associates for
the 2017
Financial Audit

Mr. Ulrich presented the 2017 Financial Report two weeks ago in Commission Meeting. He also provided the Engagement Letter on that date. The Clerk/Auditor's Office will speak with Ulrich & Associates about the need to provide the Engagement Letter prior to audits. The 2017 Audit Entrance Conference was held by phone at the request of Ulrich & Associates. In the future, the Entrance Conference will be held in person with the expectation that the Engagement Letter will be brought to the meeting.

Motion to Ratify Com. Millburn
Seconded: Com. Smith
Vote: All aye

Commissioner Smith moved to recess to Board of Equalization. Commissioner Millburn 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:

Under Auditor's adjustment there were various approved and dismissed appeals.

Under Corrections there were three veterans tax exemption abatements.

Under Assessor's adjustments, for personal property penalty waivers, it was noted that request #28057 is not being waived. There were also various Assessor-initiated corrections.

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

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

**CONSENT
ITEMS**

Check Register

Check Register

Check Registers were approved.

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

Indigent
Hardship
Abatement
Register

Indigent Hardship Abatement Register

The Indigent Abatement Register for Debra Fost [Foster] was approved.

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

**COMMISSION
COMMENTS**

Com. Elliott

Commissioner Elliott heard a Mosquito Abatement update last week and learned about an interesting species. Floodwater mosquito eggs are viable up to 10 years and only hatch when the water is a certain temperature. The mosquito will travel up to 25 miles, lives for 30 days, and in the fall it heads east to the mountains. It will bite at any time of day. It is not a vector mosquito, so it doesn't carry diseases like other mosquitoes.

The Commissioner took his daughters to the Miss Davis County pageant. The winner [Rachel] Rose was asked the question "What makes Davis County different?" and her answer was spot on.

"She said, 'We have the Tour of Utah. We have the Antelope Moonlight Bike Ride. We have Lagoon. We have the Station Park,' " Commissioner Elliott said. "She just went through the whole list of Davis County, so she will be a great asset in Davis County as she goes around advocating for us."

Com. Smith
Commissioner Smith recently attended the Opioid Health & Wellness Summit, sponsored by Utah State University. He said Dr. Ray Ward made a presentation reviewing the causes of America's second opioid epidemic. The word "second" caught his attention.

"In the 1890s we had an opium problem after the railroads were built. In 1898, Bayer introduced a new product advertised as a non-addictive substitute that could be purchased by mail. It was heroin," he said, adding that it took Congress until 1914 to finally say it could only be sold by prescription and until 1924 to totally ban it.

Commissioner Smith said one reason for today's opioid problem, that came up over and over at the summit, is shame.

"We have a lot of people that just can't admit that they have a problem. There's a cultural challenge that people won't talk about it in their families, and won't encourage people to be open, and consequently everybody figures that nobody has the problem except them," he said. "But the epidemic knows no socio-economic common denominator."

He's appreciative of the things he brought back to the County for use in Human Services.

Com. Millburn
Commissioner Millburn said being a commissioner is fascinating and a privilege, and an incredible learning opportunity.

"I think what was just shared here shows how wide this position is and all of the different areas of our lives that we're concerned about as commissioners, and the impacts that it has on our citizens," he said.

PUBLIC COMMENTS
There were no public comments.

MEETING ADJOURNED
The meeting was adjourned at 10:59 a.m.

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

A. Agenda

Minutes prepared by:
Becky R. Wright
Deputy Clerk/Auditor

Minutes approved on: August 28, 2018

Curtis Koch
Davis County Clerk/Auditor

Randy B. Elliott
Commission Chair