

# COMMISSIONERS' MINUTES – DAVIS COUNTY

## COMMISSION MEETING MINUTES April 16, 2019

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10 a.m. on April 16, 2019, 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 Lorene Miner Kamalu, Vice-Chair; Commissioner Bob J Stevenson; 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 Clerk/Auditor's Office. The agenda for this meeting is incorporated into the minutes as item headers.

### OPENING

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The meeting convened at 10:01 a.m. and Commissioner Kamalu led the Pledge of Allegiance.

Recognitions,  
Presentations &  
Informational  
Items

#### **Introduction of Robert Tripp, Davis County Deputy County Civil Attorney** — *Presented by Neal Geddes, Davis County Chief Civil Deputy County Attorney*

Robert is the County's new civil attorney. Initially, the hiring process for the County's third civil attorney began last fall, but no candidates were hired. When the hiring process started again this spring, Robert was unanimously chosen by the hiring committee from the applicants. He stood out because it was apparent he has good judgment, situational awareness, great personality, and a real desire to work for the County. He will be working as a lead with some of the smaller departments and will be assisting Neal and Mike with the larger departments that have more issues needing legal advice. Prior to taking the position here, he practiced law in private practice for six years. Robert then introduced himself and expressed his excitement to be a part of Davis County. He received his undergraduate from Southern Utah University and his law degree from the University of South Dakota.

### PUBLIC COMMENTS

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The public was invited to make comments to the Commission.

There were no public comments.

### BUSINESS/ ACTION

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Consideration  
of adoption of  
Resolution  
#2019-198  
authorizing the  
issuance and  
sale of not  
more than  
\$8,000,000  
aggregate  
principal  
amount of Sales  
Tax Revenue  
Bonds, Series  
2019B, and  
related matters

#### **Consideration of adoption of Resolution #2019-198 authorizing the issuance and sale of not more than \$8,000,000 aggregate principal amount of Sales Tax Revenue Bonds, Series 2019B, and related matters** — *Presented by Curtis Koch, Davis County Clerk/Auditor*

This resolution starts the process of getting funds for the Clearfield Library project by issuing bonds. Curtis invited Blake Wade, the County's bond counsel attorney from Gilmore and Bell, to present an overview of the resolution. He congratulated the County in diligently paying down its debt and setting aside funds to pay off bonds early, which is always well received in the market because it shows excellent money management skills. Blake then explained this resolution starts the bonding process. It will come before the Commission twice and is a sales tax bond, is not to exceed \$8 million in sales tax revenue bonds, and sets the bond's maximum parameters. The \$8 million is probably more than what will be necessary, but it will be adjusted when the bonds are officially issued. The public hearing will take place on May 28, 2019, after which the final resolution will be presented when the bonds are ready for sale. Curtis thanked Blake and Johnathan Ward, the County's financial advisor from Zions Bank, who was also in attendance, for their work. The next few months will be active as the County moves forward on different projects. The resolution's period is 04/09/2019 to 08/31/2019. The resolution's amount is not to exceed \$8,000,000.

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Motion to Approve: Com. Stevenson  
Seconded: Com. Kamalu  
All voted Aye

Request #2019-180-A to rescind an agreement with Rocky Mountain Power approved in a previous meeting

**Request #2019-180-A to rescind an agreement with Rocky Mountain Power approved in a previous meeting** — *Presented by Neka Roundy, Davis County Community Development Specialist*

In a previous Commission meeting, an agreement was passed for Rocky Mountain Power to help sponsor the Great Salt Lake Bird Festival. At a recent Commission meeting, an agreement granting Rocky Mountain Power booth space at the Festival was also passed. The agreement granting the booth space needs to be rescinded because it is included in the original sponsorship agreement.

Motion to Approve: Com. Stevenson  
Seconded: Com. Kamalu  
All voted Aye

Resolution #2019-199 concerning the Authorization of the Governor's Office of Energy Development to conduct the C-PACE District within the jurisdiction of the Governing Body of Davis County, Utah

**Resolution #2019-199 concerning the Authorization of the Governor's Office of Energy Development to conduct the Commercial Property Assessed Clean Energy (C-PACE) District within the jurisdiction of the Governing Body of Davis County, Utah** — *Presented by Megan Christensen, Davis County Economic Development Coordinator*

This resolution creates a Commercial Property Assessed Clean Energy (C-PACE) District which helps businesses in the unincorporated areas of the County get access to funds for energy efficiency, renewable energy, and water conservation projects for commercial buildings. The hope is by the County passing this resolution, the cities will follow. There will be a presentation in an upcoming Council of Governments (COG) meeting about the benefits of becoming a C-PACE district. The resolution begins 04/09/2019.

Motion to Approve: Com. Stevenson  
Seconded: Com. Kamalu  
All voted Aye

Agreement #2019-199 with Governor's Office of Energy Development to establish Davis County as a C-PACE District

**Agreement #2019-199 with Governor's Office of Energy Development to establish Davis County as a Commercial Property Assessed Clean Energy (C-PACE) District** — *Presented by Megan Christensen, Davis County Economic Development Coordinator*

This is the participation agreement for Resolution #2019-199; see resolution for additional details.

Motion to Approve: Com. Stevenson  
Seconded: Com. Kamalu  
All voted Aye

Agreement #2019-200 with La Roca for rental space for fundraising gala

**Agreement #2019-200 with La Roca for rental space at the Legacy Events Center for a fundraising gala** — *Presented by Mike Moake, Davis County Legacy Events Center Marketing Coordinator*

This contract with La Roca is for a fundraising gala where alcohol will be served. The contract period is 08/24/2019 to 08/24/2019. The receivable amount is \$1,900.

Agreement #2019-201 with Legacy Raceway BMX for seasonal rental

**Agreement #2019-201 with Legacy Raceway BMX for a seasonal rental of the South Outdoor Arena, or BMX track, at the Legacy Events Center for racing and practice** — *Presented by Mike Moake, Davis County Legacy Events Center Marketing Coordinator*

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of BMX track for racing and practice

This is a seasonal rental of the South Outdoor Arena, also called the BMX track. They will use it for practice, racing, and for Davis County Fair events. The track has to be built after which they typically use it twice a week. The contract period is 04/22/2019 to 10/01/2019. The receivable amount is \$3,480.

Motion to Approve Agenda Items: Com. Kamalu  
Seconded: Com. Stevenson  
All voted Aye

Subgrantee Agreement #2019-202 with North Salt Lake for CBDG program funding for the City Hall ADA Accessibility project

**Subgrantee Agreement #2019-202 with City of North Salt Lake for Community Block Development Grant (CBDG) program funding for the American's with Disabilities Act (ADA) Accessibility at City Hall project — Presented by Stephen Lyon, Davis County Grants Administrator**

This Community Block Development Grant (CDBG) subgrantee agreement with North Salt Lake is for an American's with Disabilities Act (ADA) accessibility compliance project at City Hall. North Salt Lake will be contributing [up to] \$8,000 to the project [to cover potential overages]. The contract period is 04/01/2019 to 07/31/2019. The payable amount is \$20,000.

Subgrantee Agreement #2019-203 with Facilities Management for CDBG program funding for ADA doors project of DMV Facility

**Subgrantee Agreement #2019-203 with Davis County Facilities Management for Community Block Development Grant (CBDG) program funding for the American's with Disabilities Act (ADA) doors project of Division of Motor Vehicles (DMV) Facility — Presented by Stephen Lyon, Davis County Grants Administrator**

This Community Block Development Grant (CDBG) subgrantee agreement with Davis County Facilities is to install American's with Disabilities Act (ADA) compliant doors at the Division of Motor Vehicles (DMV) building. The contract period is 04/01/2019 to 07/31/2019. The payable amount is \$40,000.

Motion to Approve Agenda Items: Com. Kamalu  
Seconded: Com. Stevenson  
All voted Aye

Certifications and Assurances #2019-204 with UDOT as required by applicants of FTA federal assistance awarded by FTA FFY 2019

**Certifications and Assurances #2019-204 with the Utah Department of Transportation (UDOT) as required by applicants of Federal Transit Authority (FTA) federal assistance awarded by FTA Federal Fiscal Year (FFY) 2019 — Presented by Brian Hatch, Davis County Health Director**

These certifications and assurances are required to be submitted annually to qualify for requesting and receiving funding. The contract period is 07/01/2019 to 06/30/2020.

Amendment #2018-377-A with the Corporation of National and Community Service for second year funding for RSVP national service program

**Amendment #2018-377-A with the Corporation of National and Community Service for second year funding for Retired Seniors Volunteer Program (RSVP) national service program — Presented by Brian Hatch, Davis County Health Director**

This is second-year funding for the Retired Seniors Volunteer Program (RSVP). There is a matching funding amount that has been budgeted in the current budget. The contract period is 04/01/2019 to 03/31/2020. The receivable amount is \$175,000.

Motion to Approve Agenda Items: Com. Kamalu  
Seconded: Com. Stevenson  
All voted Aye

Interlocal

**Interlocal Agreements #2019-205 through #2019-219 with Davis County cities to provide election services**

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Agreements #2019-205 through #2019-219 with Davis County cities to provide election services for 2019 Municipal Primary and General Elections

## **for 2019 Municipal Primary and General Elections - Presented by Brian McKenzie, Davis County Chief Deputy Clerk**

The following interlocal agreements allow Davis County to facilitate election administrative services for the upcoming municipal primary and general elections. Kaysville City was going to use a different service but decided against it due to time constraints. All of the interlocal agreements have the same contract date and fee schedule, included in the interlocal agreement as Exhibit A, detailing the receivable amounts. The contracts' period is 12/06/2019 to 12/06/2019. The contracts' receivable amount is per the fee schedule.

- **Interlocal Agreement #2019-205** with Bountiful City
- **Interlocal Agreement #2019-206** with Centerville City
- **Interlocal Agreement #2019-207** with Clearfield City
- **Interlocal Agreement #2019-208** with Clinton City
- **Interlocal Agreement #2019-209** with Farmington City
- **Interlocal Agreement #2019-210** with Layton City
- **Interlocal Agreement #2019-211** with North Salt Lake City
- **Interlocal Agreement #2019-212** with South Weber City
- **Interlocal Agreement #2019-213** with Fruit Heights City
- **Interlocal Agreement #2019-214** with Kaysville City
- **Interlocal Agreement #2019-215** with Syracuse City
- **Interlocal Agreement #2019-216** with West Bountiful City
- **Interlocal Agreement #2019-217** with West Point City
- **Interlocal Agreement #2019-218** with Woods Cross City
- **Interlocal Agreement #2019-219** with Sunset City

Motion to Approve Agenda Items: Com. Stevenson  
Seconded: Com. Kamalu  
All voted Aye

Change Order #2018-546-E with R & O Construction for Syracuse Library remodel and expansion

## **Change Order #2018-546-E with R & O Construction for Syracuse Library remodel and expansion — Presented by Mack McDonald, Davis County Facilities Director**

Lately, the change orders for the Syracuse Library have been addressing the existing building and finding savings where possible. A summary of the change orders has been included in addition to the actual change order which eliminates the door between the staff break room and the staff work area, and expands a door in a different area. The last element of this change order is a change to the steel structure as identified in the value engineering study. There are some big ticket change orders currently being negotiated and planned which will be presented at a later date. Even though during the renovation savings are being taken advantage of where possible, the quality of the final product will not be sacrificed. The contract period is 11/13/2018 to 12/31/2020. The payable amount is \$2,564.56.

Motion to Approve: Com. Stevenson  
Seconded: Com. Kamalu  
All voted Aye

Agreement #2019-220 with CRSA, Inc. for architect services for Memorial Courthouse renovation

## **Agreement #2019-220 with CRSA, Inc. for architect services for Memorial Courthouse renovation — Presented by Mack McDonald, Davis County Facilities Director**

This agreement is for CRSA to provide architectural services for the Memorial Courthouse. This company has worked with other historical architecture preservation projects so they understand the challenges, nuances, and limited budget of this project. The process is anticipated to take until 2022. The Commission expressed their excitement for this project and are grateful to have an experienced company working on the Courthouse. Mack also said the public, who have been giving input and are interested in the project, will be notified of the decision. The contract period is 04/16/2019 to 08/31/2022. The payable amount is \$329,560.

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Motion to Approve: Com. Kamalu  
Seconded: Com. Stevenson  
All voted Aye

Amendment #2015-327-W with UT Dept. of Human Services, Division of Substance Abuse and Mental Health to increase funding for ATR Care Coordination

**Amendment #2015-327-W with Utah Department of Human Services, Division of Substance Abuse and Mental Health to increase funding for Access to Recovery (ATR) Care Coordination — Presented by Commissioner Lorene Miner Kamalu**

This is a funding increase for the Access to Recovery (ATR) care. The funds pay for care coordinators and will be used to help eliminate barriers to receiving treatment such as transportation costs, child care, medical care costs, etc. It is a pass-through from the State to Davis Behavioral Health via the County. The contract period is 07/01/2018 to 06/30/2019. The receivable amount increased by \$40,000 for a total amount of \$5,161,522.

Amendment #2015-327-X with Division of Substance Abuse and Mental Health for reversal of Amendment #23 decreasing funds for PATR clients, and to increase funds for prevention misuse and abuse UOAD campaign

**Amendment #2015-327-X with Utah Department of Human Services, Division of Substance Abuse and Mental Health for reversal of Amendment #23 decreasing funds for Parolee Access to Recovery (PATR) clients and to increase funds for prevention misuse and abuse Use Only as Directed (UOAD) campaign — Presented by Commissioner Lorene Miner Kamalu**

This amendment reverses a previous one that decreased funding for the parolee Access to Recovery (PATR) program. It also increases funding for the Use Only As Directed campaign. It is a pass-through from the State to Davis Behavioral Health via the County. The contract period is 07/01/2018 to 06/30/2019. The receivable amount is \$585,000.

Motion to Approve Agenda Items: Com. Elliott  
Seconded: Com. Stevenson  
All voted Aye

Application #2019-221 for Indigent Capital Defense funds for *State of Utah v. Angel Christopher Abreau* for appointed attorney B. Kent Morgan as lead counsel and attorney Daniel C. Matern as co-counsel

**Application #2019-221 to the Utah Department of Administrative Services, Division of Finance, for Indigent Capital Defense funds for *State of Utah v. Angel Christopher Abreau* for appointed attorney B. Kent Morgan as lead counsel and attorney Daniel C. Matern as co-counsel — Presented by Commissioner Randy B. Elliott**

This application allows Davis County to access the Indigent Capital Offense fund for the *State of Utah v. Angel Christopher Abreau* case. Attorney B. Kent Morgan will act as lead counsel, and attorney Daniel C. Matern will be the co-counsel. The agreement's ending date and receivable amount will be determined as the case progresses. The contract begins 09/28/2018. The receivable amount is to be determined.

Motion to Approve: Com. Elliott  
Seconded: Com. Stevenson  
All voted Aye

Commissioner Kamalu moved to recess to Board of Equalization. Commissioner Stevenson seconded the motion. All voted Aye.

## BOARD OF EQUALIZATION

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Property Tax Register

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

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Under Auditor adjustments are one appeal recommended for approval and one no change in value appeal recommended for approval. Under Auditor corrections are four veteran tax exemption abatements for the 2018 year. Under Treasurer [adjustments] is March's small dollar write-off totaling \$5.87.

Motion to Approve: Com. Kamalu  
Seconded: Com. Stevenson  
All voted Aye

Commissioner Kamalu moved to reconvene Commission Meeting. Commissioner Stevenson seconded the motion. All voted Aye.

## CONSENT ITEMS

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Check Registers

### **Check Registers**

Check Registers were approved.

Motion to Approve: Com. Kamalu  
Seconded: Com. Stevenson  
All voted Aye

Indigent  
Hardship  
Abatement  
Register

### **Indigent Hardship Abatement Register**

The Indigent Abatement Register for Julie Mann was presented for approval.

Motion to Approve: Com. Elliott  
Seconded: Com. Stevenson  
All voted Aye

Commission  
Meeting  
Minutes

### **Meeting Minutes**

Meeting Minutes for April 2, 2019, and Work Session Meeting Minutes for March 21, 2019, were presented for approval.

Motion to Approve: Com. Stevenson  
Seconded: Com. Kamalu  
All voted Aye

## COMMISSION COMMENTS

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**Commissioner Elliott** attended an annual meeting in Provo last week with his fellow associates, affiliates (Recorders, Treasurers, etc.), and commissioners from across the State. Attending meetings like this makes Commissioner Elliott grateful for how well the Commissioners and staff work together and collaborate at Davis County. Second, Commissioner Elliott recognized the Sheriff deputies who had a busy week with multiple incidents. He is appreciative of the deputies, as well as those in Corrections and the Courts.

**Commissioner Kamalu** thanked Curtis, the Clerk/Auditor, and his staff who have been helping the Commissioners learn about their internal audit responsibility. The Commissioners have also started their new pattern of holding work sessions before Commission meeting, which she feels is a very nice change and is thankful for the participation of the attendees.

CLOSED  
SESSION

Commissioner Stevenson motioned to adjourn to a closed session for reasons permitted under UCA §

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52-4-205. Commissioner Kamalu seconded the motion. All voted Aye.

The closed session began at 10:43 a.m.

The Commission returned from closed session at 11:02 a.m. No action was taken.

MEETING  
ADJOURNED

Commission meeting was adjourned at 11:02 a.m.

Minutes prepared by:

Jessy Turner

Deputy Clerk/Auditor

Minutes approved on: 05/07/2019

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Curtis Koch  
Clerk/Auditor

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Randy B. Elliott  
Commission Chair