

COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES

April 9, 2019

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10 a.m. on April 9, 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 Michael Kendall, Davis County Civil 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

The meeting convened at 10 a.m. and Travis Campbell, from Congressman Rob Bishop's Office, led the Pledge of Allegiance.

Recognitions,
Presentations &
Informational
Items

Davis County Employee Disclosure Statements: Per UCA 67-16-7 & 17-16A-7, annual employee disclosure statements to be received and retained by the Davis County Clerk/Auditor — Presented by Commissioner Elliott

Davis County Employee Disclosure Statements for 2019 have been received, per UCA 67-16-7 and 17-16A-7, and will be retained in the Davis County Clerk/Auditor's Office.

Commissioner Elliott invited members of the public to make comments to the Commission.

PUBLIC COMMENTS

Travis Campbell, from Congressman Rob Bishop's Office, gave an update on happenings in Washington, D. C.

Congressman Bishop has been working on legislation focusing on natural resource and armed services issues. In the Armed Services Committee, one of the big discussions is the beginning of this year's NDAA [National Defense Authorization Act].

During his last visit with the Commission, Mr. Campbell noted the passing of S.47, a very broad public lands package. He said Congressman Bishop, the Natural Resources Committee, the Department of the Interior, and the Department of Agriculture, are all now working on those management plans and getting them implemented.

Rep. Bishop recently traveled to Puerto Rico, where disaster recovery is ongoing. He's working on legislation to create transparency in that recovery effort and to create new and modern infrastructure in Puerto Rico.

Next week, Rep. Bishop will be visiting the U.S. southern border with the Western Caucus to see what's happening there.

Yesterday, the House passed legislation for a Colorado River drought contingency plan. It was created with input from all seven Colorado River states and had bipartisan support. The plan will have an impact on 40 million people, 5.5 million acres of farmland, and the Colorado River's generation of clean hydropower.

Congressman Bishop will be in northern Utah for the Golden Spike anniversary celebrations.

Commissioner Kamalu moved to open the Public Hearing. Commissioner Stevenson seconded the motion. All voted Aye.

PUBLIC HEARING

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Consideration of approval by resolution for additional 2019 Budget appropriation requests

Consideration of approval by resolution for additional 2019 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

Commissioners were asked to approve by resolution additional 2019 Budget appropriation requests:

- In Fund 10, there's a clean-up to move \$5,800 in computer equipment funds for Pretrial Services to Information Services (IS) to make purchases. It is usually handled by the budget program but there was a lapse with this new department. The second request, related to a contract amendment with Utah State University Extension, is for an additional \$200 in expenditures to assist with a rental fee at Buffalo Ranch.
- In Fund 15, additional grant revenues of \$2,000 that were approved on contract #2014-544-A, specific to an arthritis fitness program, will be expended for travel, education, training, and supplies. Revenues and expenditures will be offset.
- In Fund 18, a request was received a few weeks ago for Opportunity Fund participation for the USA Wrestling Western Regionals. The \$5,000 request is from the Events Center, and the event is proposed to bring quite a few individuals to Davis County who will be staying overnight in hotels.
- In Fund 45, General Government Capital Improvements, a grant was applied for through the CDBG program and awarded in the amount of \$40,000 for ADA improvements to the doors of the DMV building.
- In Fund 46, the Capital Improvement account fund of the Health Department, there was an award of funds through the CDBG program in the amount of \$130,500 to do a roofing project on the South Davis Senior Center. The Health Department will be contributing \$14,500 of existing funds to the project for a total expense of \$145,000.
- In Fund 61, a request was made related to a break-in on a County property. Trailers, vehicles, and some small equipment, were stolen. The request for \$35,000 is to cover the portion not funded through the County's insurance policy and other items that weren't covered under the deductible. Vehicles were covered at 50 percent. The deductible for small equipment was \$100,000, so those items had to be replaced at full cost.
- In Fund 63, there was a request to roll over 2018 funds for the Facilities Department. The department had budgeted \$25,000 for furniture, fixtures, and equipment (FF&E) related to office relocation as part of the Memorial Courthouse project.

Commissioners asked if any of the stolen items had been recovered and were informed they have not.

Commissioner Elliott invited public comment related to the Hearing. No comment was made.

Resolution #2019-186 for additional 2019 Budget appropriation requests

A motion was made to close the Public Hearing and approve Resolution #2019-186 for the budget amendments presented.

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

BUSINESS/ ACTION

Grant Application #2019-187 to the National Children's Alliance for funding to pay for a portion of the CJC Coordinator position

Grant Application #2019-187 to the National Children's Alliance for funding to pay for a portion of the CJC Coordinator position — Presented by Susan Burton, Davis County Children's Justice Center Coordinator

The Children's Justice Center (CJC) has to be accredited with the National Children's Alliance to receive this grant and takes care of that accreditation every five years. Funding from the grant helps pay the salary of the Children's Justice Center Coordinator. The contract period is 01/01/2019 to 12/31/2019. The receivable amount is \$7,000.

A reminder was also given of the CJC Open House, from 11 a.m. to 1 p.m. on April 18, 2019.

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

Agreement
#2019-188 with
Bert Davis, The
Coppertown
Clown, to be
the 2019 Davis
County Fair
Rodeo Clown

Agreement #2019-188 with Bert Davis, The Coppertown Clown, to be the 2019 Davis County Fair Rodeo Clown — *Presented by Dave Hansen, Davis County Legacy Events Center Director*

Bert Davis, The Coppertown Clown, will be the clown at the 2019 Davis County Fair Rodeo. He has been in the Professional Rodeo Cowboys Association (PRCA) for many years and brings an entertainment act that features rescue dogs trained to be rodeo performers. The contract period is 08/16/2019 to 08/17/2019. The payable amount is \$2,800.

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

Agreement
#2019-190 with
Mountain
America Credit
Union (MACU)
to be title
sponsor at the
2019 Davis
County Fair

Agreement #2019-190 with Mountain America Credit Union (MACU) to be a title sponsor at the 2019 Davis County Fair — *Presented by Dave Hansen, Davis County Legacy Events Center Director, in place of Davis County Legacy Events Center Coordinator Stephanie Davis Medlin*

Mountain America Credit Union will be the title sponsor of the area around the free pony rides, Petting Zoo, Bunny Barn and Hen House. The sponsorship amount is an increase over past years. The contract period is 08/13/2019 to 08/18/2019. The receivable amount is \$2,500.

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

Agreement
#2019-189 with
Iveth Pantoja
for a private
family event

Agreement #2019-189 with Iveth Pantoja for a private family event — *Presented by Mike Moake, Davis County Legacy Events Center Marketing*

A family is renting the building for a private event, which means there will be alcohol in the building. The contract period is 10/05/2019 to 10/05/2019. The receivable amount is \$2,740.

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

Request
Approval
#2019--191 of
2018 Prop 1
grant awards

Request Approval #2019-191 of 2018 Prop 1 grant awards — *Presented by Jeff Oyler, Davis County Planning Manager*

An overview of the 2018 Prop 1 grant process was presented. Sixteen projects were submitted totaling \$2.8 million in requests. Any city in Davis County, as well as UTA and UDOT, can submit applications for these grants. The committee to rank, rate, and review applications was made up of Commissioner Bret Millburn, Jeff Oyler, and Wayne Bennion and Ben Wuthrich of Wasatch Front Regional Council. They used a scoring matrix to consider the following criteria:

- Matching funds of at least 30 percent (more points given for matching at a higher amount)
- Regional significance, in Davis County or beyond
- New construction (money can't be used for maintenance)
- Safety improvements

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- Active transportation elements
- Traffic delay reduction projects

The committee rated and ranked the projects and came up with eight recommended projects totaling \$1.2 million. [The eight projects were not named in the meeting; see document #2019-191 for the list.] Each entity that applied will be notified of the results. The County will enter into specific contracts with each applicant selected for a grant.

There has been discussion about refining the process, which will be done at the Commission's discretion. It was suggested that a work session be held in May to look at the program and its process. Commissioners asked that the meeting be scheduled right away. They also asked that applicants be notified of 2018 Prop 1 grant awards decisions today.

Commissioners noted that Davis County citizens voted on Prop 1. Citizens should be informed when projects receiving funding come to fruition, perhaps through the use of a special emblem to put on projects.

The contract period is 04/09/2019 to 04/30/2019.

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

Resolution #2019-192 for appointments to the Taxing Entity Committee (TEC) and two alternates

Resolution #2019-192 for appointments to the Taxing Entity Committee (TEC) to appoint Davis County: 1) Commissioner over CED, and 2) Clerk/Auditor; and two alternates: 1) Director of CED; and 2) Chief Deputy Clerk/Auditor — *Presented by Shawn Beus, Davis County Community & Economic Development Manager*

Before making his presentations, Shawn Beus noted that he is leaving employment with the County for another opportunity. Commissioners said they enjoyed working with him and wished him well.

The Taxing Entity Committee (TEC) has been part of the Redevelopment Agency (RDA) process for decades. The law changed in 2015, but the committee needs to continue as long as there are several projects still under their purview. In the past, committee members were appointed by name. This resolution appoints TEC members by title, instead of by name, so that the resolution can remain in force without renewal in the event of turnover.

Kent Andersen, Davis County's new Community & Economic Development Director, was invited to discuss the need for two alternates for the Taxing Entity Committee. He said this resolution is a change to allow an alternate to participate in TEC meetings if a designated representative is unable to attend. Those votes are incredibly important, so it's good to make sure the County is well represented.

Kent said there had been several amendments to RDAs over the years. Community Reinvestment Areas were introduced in about 2015, but there was still the opportunity to convene a TEC for a blight designation to allow a community to exercise eminent domain. However, with the passing of HB 245 in the last legislative session, there will no longer be Taxing Entity Committees for RDAs beginning on May 14, 2019. What used to be done through TECs will be done through interlocal agreements. Properties will no longer be identified as "blight" but as a "development impediment." A development impediment study will be brought to the Commission, and then the request to adopt it and authorize the use of eminent domain. It would need all of the taxing entities to agree to that.

The resolution beginning date is 04/09/2019.

Agreement #2019-193 with Davis Council of Governments, Inc (DCOG) to manage Davis COG, Inc. dba Davis Fund for Economic Development

Agreement #2019-193 with Davis Council of Governments, Inc. (DCOG) to manage Davis COG, Inc. dba Davis Fund for Economic Development — *Presented by Shawn Beus, Davis County Community & Economic Development Manager*

The Council of Governments (COG) and COG, Inc. are not the same entity. This agreement is for COG, Inc., which does business as the Davis Fund for Economic Development. COG is an organization statutorily set up by state code to review transportation issues such as Prop 1 and West Davis Corridor preservation, etc. Resolutions and interlocal agreements with cities established COG. COG, Inc. is a private 501c3 non-profit organization to bring about economic development in Davis County. Its focus is on job creation, general

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economic development, and supporting those with low wages. The County has maintained this fund and been the management entity for COG, Inc. from the get-go. This agreement is to continue that arrangement going forward for the next two years, 2019 and 2020. The agreement was reviewed by the County's Chief Civil Deputy County Attorney.

Commissioner Elliott read the agreement summary for the record, "Per this agreement Davis COG, Inc. is to pay the County \$45,000 per year to manage the Davis Fund and all small business underwriting, loan management, financial, and related meetings for the Davis Fund." The contract period is 01/01/2019 to 12/31/2020. The receivable amount is \$45,000 per year.

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

Agreement #2019-194 with Syracuse City for sponsorship of the Antelope by Moonlight Bike Ride

Agreement #2019-194 with Syracuse City for sponsorship (use of stage) of the Antelope by Moonlight Bike Ride — Presented by Shawn Beus, Davis County Community & Economic Development Manager, in place of Davis County Community Development Specialist Neka Roundy

Syracuse City continues to be willing to provide their portable stage for the Antelope by Moonlight Bike Ride. This agreement is for their sponsorship of the event via the use of the stage. The contract period is 07/12/2019 to 07/15/2019.

Special Use Permit #2019-195 with Utah Div. of Wildlife Resources (UDWR) for 2019 Great Salt Lake Bird Festival at Eccles Wildlife Education Center and Farmington Bay Waterfowl Management Area

Special Use Permit #2019-195 with the Utah Div. of Wildlife Resources (UDWR) for the 2019 Great Salt Lake Bird Festival at Eccles Wildlife Education Center and Farmington Bay Waterfowl Management Area — Presented by Shawn Beus, Davis County Community & Economic Development Manager, in place of Davis County Community Development Specialist Neka Roundy

Approval of this Special Use Permit with the Utah Division of Wildlife Resources will allow the Great Salt Lake Bird Festival to be held at the Eccles Wildlife Education Center and Farmington Bay Waterfowl Management Area. Past events were held at the Legacy Events Center but, for bird watchers, it makes sense to move the festival to these wildlife habitat areas. The contract period is 05/15/2019 to 05/30/2019. This contract is neither payable nor receivable.

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

Agreement #2019-196 with AJC Architects, P.C. for Clearfield North Branch Library architectural services

Agreement #2019-196 with AJC Architects, P.C. for Clearfield North Branch Library architectural services — Presented by Mack McDonald, Davis County Facilities Management Director

This contract with AJC Architects is to design and help manage construction for the Clearfield North Branch of the library. It's anticipated there will be 10 to 11 months of design services, and then a one-year construction period starting at the end of March 2020. The contract is pushed out to 2022 to include a one-year warranty period.

Roughly seven architects sent proposals which went through the review process. A lot of the architects had good library experience. AJC is currently working on the Syracuse Library expansion and remodel and knows what Davis County expects.

It was noted that AJC Architects were generous on their architectural fee cost. Their contract amount is 6 percent of the total construction target cost of \$4.5 million. Most architects are contracting for 7 to 7.5 percent.

The agreement represents a change in the process. Typically, the design process is completed first, and then a contractor is selected through a bidding process and brought in to build. The Construction Manager General Contractor (GMGC) process gets a contractor on board early, after schematics. In this case,

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schematics will take about two months and focus on technology hub expectations. Bringing in a contractor to work with the architects through the design development phase shifts the burden and risk to the architect and contractor to be sure the project is constructible at the target cost. It is a change being seen across the State and will be part of the Memorial Courthouse project.

Chris Sanford, Davis County Library Director, was invited to present with the Facilities Director. She said this is a unique opportunity to speed up the process. She also said, in response to the Commissioners' questions, that Clearfield City and its citizens have been involved and very engaged in the process and are partnering on the design team.

The contract period is 04/02/2019 to 03/31/2022. The payable amount is \$270,000.

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

Ratification
#2019-197 of
Governmental
Entity Conflict
of Interest
Certifications
with Utah Dept.
of Human
Services

Ratification #2019-197 of Governmental Entity Conflict of Interest Certifications with the Utah Dept. of Human Services to begin the process for a new contract (AMRC) with sub-contractor, Davis Behavioral Health (DBH) - Presented by Commissioner Kamalu

The ratification of this Governmental Entity Conflict of Interest Certification with the Utah Dept. of Human Services is necessary to move forward with a new AMRC [Auntie M's Receiving Center] contract for sub-contractor Davis Behavioral Health. The contract period is 04/09/2019 to 04/08/2020.

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

Commissioner Stevenson moved to recess to Board of Equalization. Commissioner Kamalu 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:

Commissioners were asked to consider three Veteran Exemption tax abatements for the year 2018.

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

Check Registers

Check Registers

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Check Registers were approved.

Commission
Meeting
Minutes

Meeting Minutes

Meeting Minutes for March 12, 2019, March 19, 2019, and March 26, 2019, and Work Session Minutes for March 8, 2019, and March 18, 2019, were presented for approval.

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

COMMISSION COMMENTS

Commissioner Kamalu said Commissioners recently learned that Utah State University Extension's Botanical Center, in Kaysville, is not only very unique and the best property of its kind for agriculture and extension services in the State but in the western United States. It is a great bonus and entity for our county.

She also noted that a meeting was held this morning to wrap up the Legislative Session. The Davis County Chamber, in collaboration with Northern Utah chambers that joined arms, worked very closely with legislators; those legislators had a chance to report at the end of the session. She thanked the Davis County Chamber, in particular, stating that they are a well-run organization and do many things for the County.

MEETING ADJOURNED

Commission meeting was adjourned at 10:44 a.m.

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

Minutes approved on: 4/23/2019

Curtis Koch
Clerk/Auditor

Randy B. Elliott
Commission Chair