

AMENDED COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES May 26, 2020

The Board of Davis County Commissioners met for their regularly scheduled meeting at 4:00 p.m. on Tuesday, May 26, 2020, in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Required legal notice of this meeting was given.

Present on the dais were: Commissioner Lorene Miner Kamalu, Chair; Commissioner Bob J Stevenson, Vice-Chair; and Commissioner Randy B. Elliott. Davis County Clerk/Auditor Curtis Koch and Neal Geddes, Chief Civil Deputy County Attorney, were also in attendance.

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

Due to the ongoing coronavirus pandemic, special meeting circumstances apply.

NOTICE OF SPECIAL MEETING CIRCUMSTANCES DUE TO COVID-19 PANDEMIC: In keeping with recommendations of Federal, State and Local authorities to limit public gatherings to control the continuing spread of COVID-19 and in accordance with Utah Governor Gary Herbert's Executive Order on March 18, 2020, suspending some requirements of the Utah Open and Public Meetings Act, the Board of Davis County Commissioners has made the following adjustments to normal meeting procedures:

- Some or all members of the Board and meeting presenters may participate electronically via phone or video conference;
- In-person participants will be limited to no more than 20 people and will be by invitation only;
- **Public comment will not be taken during the meeting, but may be submitted through the means listed below. Comments submitted before 3:30 p.m. on the day of the meeting will be distributed to Board members prior to the meeting.**
 - **Online at <https://www.daviscountyutah.gov/commission/contact> or via email at commissioners@daviscountyutah.gov or by telephone at 801-451-3200**
- **Meeting proceedings may be viewed remotely through YouTube live-streaming: <https://www.daviscountyutah.gov/commission/meetings>**

Commissioner Kamalu said that to control the spread of COVID-19 the number of people in the room is limited and those in attendance are spread out. Present in the room were all three commissioners, Shauna Brady of the Commission staff, Clerk/Auditor Curtis Koch, Civil Attorney Neal Geddes, and a few others.

People are still allowed to make public comments, but none had been received relating to the items on this meeting's agenda. Those who wish to comment may do so through the County website or by emailing or calling the Commission Office. Comments need to be submitted before 3:30 p.m. on the day of the meeting.

The meeting convened at 4:00 p.m. and Bountiful Police Chief Tom Ross led the Pledge of Allegiance.

Recognitions,
Presentations &
Informational
Items

Reading of RFP responses for Current Assessment and Future Projection of the Impacts of population growth on water quality conditions in North-Western Davis County AKA Wastewater Assessment — Presented by Curtis Koch, Davis County Clerk/Auditor

Two companies submitted RFP responses for an assessment for future projects related to water quality in the northwest corner of Davis County: SWCA Incorporated and Hansen, Allen & Luce Inc. The assessment and projection work is in regard to the water table and septic systems. In answer to a question about why only two companies submitted bids, it was suggested that there may not be many companies who do this work or that there are some industries that are booming now. Only two companies applied for the Children's Justice Center stone project discussed in the last meeting.

Reading of RFP responses for Real and Personal Property Appeals for Hearing Officer Services — Presented by Curtis Koch, Davis County Clerk/Auditor

An RFP was sent out for Public Hearing Officers to hear property valuation appeals. Two individuals submitted notices of interest: James Ivy and Esther Martinez. The submissions will be reviewed.

AMENDED COMMISSIONERS' MINUTES – DAVIS COUNTY

Notice of Intent #2020-211 to Engage in Contract Negotiations with Acme Construction Inc. for Mill Creek Sediment Basin floor

Notice of Intent #2020-211 to Engage in Contract Negotiations with Acme Construction Inc. for the Mill Creek Sediment Basin concrete floor project — *Presented by Curtis Koch, Davis County Clerk/Auditor*

A Notice of Intent to Engage in contract negotiations with Acme Construction Inc., for the Mill Creek Sediment Basin concrete floor project, was presented. Discussion was had about the location of the basin, which is just off the freeway at 500 South in Bountiful, near the RB's [One Stop] gas station. The sediment basin was moved further down the line a couple of years ago, because it was difficult to access. The concrete will allow the water to come through and then settle at that location further down.

Notice of Intent #2020-212 to Engage in Contract Negotiations with New Concepts Construction For CJC repairs

Notice of Intent #2020-212 to Engage in Contract Negotiations with New Concepts Construction for the Children's Justice Center (CJC) tile façade repair — *Presented by Curtis Koch, Davis County Clerk/Auditor*

New Concepts Construction has been selected for the project on the Children's Justice Center, replacing the tile façade and the repair work needed for that building.

PUBLIC COMMENTS

Commissioner Kamalu invited anyone in the room, who would like to speak as a citizen, to make comments.

Rhonda Perks, representing Congressman Chris Stewart, said the Congressman was at the Bountiful Veteran's Park ground-breaking this morning. It was the second event he's attended in the last few months. On Friday, he was at the State Capitol to recognize the nine U.S. Naval Academy graduates this year from Utah. One of those nine, Alex Hardy of Bountiful, was charged to Congressman Stewart specifically. The Congressman and his staff are really proud to send him off to his first assignment. He's not sure what that's going to be yet, but he is a wonderful representative for the State of Utah and our military. Congressman Stewart is happy to be out doing a few small events. He was really missing being out in public with his constituents. He caught a plane this afternoon and will work for the rest of the week in Washington, D.C.

The Congressman is grateful for all of the elected officials in the District and the way they've conducted themselves over the last few months, being willing to try to take care of constituents the best way they know how.

May Employee Service Awards

May Employee Service Awards — *Presented by Commissioner Lorene Kamalu*

Milestone anniversaries of County employees were recognized, and appreciation was expressed for their service. The employees couldn't attend the meeting in person, but Commissioners read their names and noted that some have been with the County for a long time. Certificates, medallions and gift cards will be awarded to each of them.

Five years of service

Brindy Solomon, Children's Justice Center
Connor Bowman, Davis Park Golf

10 years of service

Cindy Stoeckl, Information Systems
Kelcie Baer, Corrections
Mary Miller, Library

15 years of service

Jammie Cox, Sheriff's Office
Kevin Rose, Sheriff's Office
Chase Peterson, Corrections

20 years of service

Ryan Perkins, Attorney's Office
Bryan Smith, Animal Care
David Hansen, Events Center

25 years of service

Laura Acerson, Assessor's Office
Brandon Hunt, Public Works
Byron Yamane, Public Works

30 years of service

Tiffany Hess, 911 Emergency

BUSINESS/ ACTION

AMENDED COMMISSIONERS' MINUTES – DAVIS COUNTY

Amendment #2020-44-A with Utah Dept. of Health to increase funding for TB Prevention and Control

Amendment #2020-44-A with the Utah Department of Health to increase funding and replace Attachment A for TB Prevention and Control — Presented by Commissioner Kamalu

An amendment to a contract with the Utah Department of Health was introduced. The contract is for tuberculosis prevention and control, and the amendment is to increase funding and replace Attachment A. The contract period is 04/01/2020 to 12/31/2020. The receivable amount is \$5,160.

Agreement #2020-213 with C & E Stone Masonry for bridge wall at Davis Park Golf Course

Agreement #2020-213 with C & E Stone Masonry for construction of a bridge wall across the stream on the 18th Hole at Davis Park Golf Course — Presented by Commissioner Kamalu

The contract period is 05/25/2020 to 06/25/2020. The payable amount is \$12,960.

Request #2020-214 for Temporary Access License to Kendall J. Heaps and Jill M. Heaps for access to Mutton Hollow Regional Retention Basin

Request #2020-214 for a Temporary Access License to Kendall J. Heaps and Jill M. Heaps for access to, through and across the flood control facilities known as the Mutton Hollow Regional Retention Basin — Presented by Commissioner Kamalu

A request was submitted for a Temporary Access License to Kendall J. Heaps and Jill M. Heaps for access to, through, and across the flood control facilities known as the Mutton Hollow Regional Retention Basin. They are adjoining property owners who want access so they can do some repairs, including fixing a fence. The contract period is 05/26/2020 to 06/26/2020. There is no financial amount associated with this item.

Change Order #2019-561-A #1 with Spindler Construction Corp. to original contract amount increased as a result of bids submitted for the North Branch (Clearfield)

Change Order #2019-561-A #1 with Spindler Construction Corp. to the original contract amount increased as a result of bids submitted for the North Branch (Clearfield) — Presented by Commissioner Kamalu

The first change order to a contract with Spindler Construction Corporation, for the new North Branch Library in Clearfield, was presented.

Following initial submission of subcontractor bids, which were closer to \$4.9 million, subsequent value engineering discussions occurred between the County, Spindler Construction, and AJC Architects, as part of the ongoing CMGC (Construction Manager General Contractor) process. The changes were not structural and mainly centered around changes to the exterior plaza of a library as well as some changes to the interior of the library. The document forms the basis for the GMP (Guaranteed Maximum Price) and Notice to Proceed, which is also on the Commission agenda. The Notice to Proceed also includes a detailed list of the project costs that are the basis for this change order. Commissioner Kamalu heard the description of the changes as a member of the Library Board. The CMGC process allows the County to keep changes from happening later and driving costs up because they weren't foreseen early in the process.

The contract period began 11/29/2019 and there is no ending date. The payable amount is an increase of \$126,287, taking the contract amount from \$4.5 million to \$4,626,287.

Notice to Proceed #2019-561-B to Spindler Construction Corp. and GMP letter from Spindler Construction Corp. for the North Branch (Clearfield) Library construction project

Notice to Proceed #2019-561-B to Spindler Construction Corp. and GMP (Guaranteed Maximum Price) letter from Spindler Construction Corp. for the North Branch (Clearfield) Library construction project — Presented by Commissioner Kamalu

A Notice to Proceed, to Spindler Construction Corporation, and GMP (Guaranteed Maximum Price) letter from Spindler Construction Corporation for the North Branch Library construction project was introduced. There are no terms applicable, and there is no financial information. The Notice to Proceed gives Spindler Construction permission from Davis County to begin the construction on the North Branch Library, to be located at 1 N. Main in Clearfield. Included with this notice are: 1) the change order previously discussed that increases the maximum construction cost in the contract, and 2) a letter from Spindler Construction setting the guaranteed maximum price or GMP for the project at \$4,626,287 for hard construction. This letter also includes a cost estimate breakdown showing more specific information about project costs. Commissioners look forward to the new library – it's going to be a wonderful thing for the County citizens.

Agreement #2020-215 with Cornell's BBQ

Agreement #2020-215 with Cornell's BBQ for food donation for DCSO employees in appreciation for efforts through the COVID-19 emergency — Presented by Commissioner Kamalu

AMENDED COMMISSIONERS' MINUTES – DAVIS COUNTY

for food donation for DCSO employees

An agreement with Cornell's Barbecue was presented. The agreement is for a food donation for Davis County Sheriff's Office employees in appreciation for their efforts throughout the COVID-19 emergency. The contract period is 05/09/2020 to 05/09/2020. The donation amount is \$1,120.

Agreement #2020-216 with Northern Realty for food donation for DCSO employees

Agreement #2020-216 with Northern Realty for food donation for DCSO employees during the COVID-19 pandemic — Presented by Commissioner Kamalu

A second agreement for a food donation, from Northern Realty for Davis County Sheriff' Office employees during the COVID-19 pandemic, was introduced. The contract period is 05/15/2020 to 05/15/2020. The amount is \$200.

Agreement #2020-217 with USA Wrestling Utah for high school wrestling tournament to take place at the Legacy Events Center

Agreement #2020-217 with USA Wrestling Utah for a high school wrestling tournament to take place at the Legacy Events Center in December 2020 — Presented by Commissioner Kamalu

An agreement with USA Wrestling Utah was presented for a high school wrestling tournament at the Legacy Events Center. The tournament brings in 2,500 people with 70 percent of them coming from outside of Davis County. The contract period is 12/14/2020 to 12/19/2020. The receivable amount is \$5,397.

Agreement #2020-218 with USA Wrestling Utah for two regional wrestling tournaments at Legacy Events Center: 1) Clash Duels; and 2) Salt Lake Slam

Agreement #2020-218 with USA Wrestling Utah for two regional wrestling tournaments at the Legacy Events Center: 1) Clash Duels; and 2) Salt Lake Slam — Presented by Commissioner Kamalu

A contract with USA Wrestling Utah, to hold two regional wrestling tournaments on one weekend at the Legacy Events Center, was introduced. The first tournament, the Clash Duels, brings in 3,750 people with 65 percent of them from outside of Davis County. The Salt Lake Slam, the second tournament, brings in 2,400 people with 85 percent of them from outside of Davis County. The contract period is 12/30/2020 to 01/02/2021. The receivable amount is \$3,986.10.

Agreement #2020-219 with USA Wrestling Utah for state wrestling tournament at the Legacy Events Center

Agreement #2020-219 with USA Wrestling Utah for a state wrestling tournament to be held at the Legacy Events Center in January 2021 — Presented by Commissioner Kamalu

An agreement with USA Wrestling, for the state wrestling tournament, was presented. This event brings in 4,891 people with 56 percent of them coming from outside of Davis County. The contract period is 01/27/2021 to 01/30/2021. The receivable amount is \$5,345.70.

Agreement #2020-220 with Wasatch Soccer Club for 2020 Graduation Cup Soccer Tournament at Legacy Events Center

Agreement #2020-220 with Wasatch Soccer Club for the 2020 Graduation Cup Soccer Tournament at Legacy Events Center — Presented by Commissioner Kamalu

A contract with the Wasatch Soccer Club was introduced for the 2020 Graduation Cup Soccer Tournament to be held at the Legacy Events Center. The contract period is 06/08/2020 to 06/13/2020. The receivable amount is \$3,759.50.

Governmental Entity Conflict of Interest Certification #2020-221 to Utah Dept. of Human Services

Governmental Entity Conflict of Interest Certification #2020-221 to the Utah Dept. of Human Services for Davis County as the Local Authority to contract with them or one of their divisions or offices — Presented by Commissioner Kamalu

A Governmental Entity Conflict of Interest Certification to the Utah Department of Human Services was presented. The certification allows Davis County, as the local authority, to contract with this entity or one of their divisions or offices. The term begins 05/26/2020.

Amendment #2016-323-D to agreement with Boyer Hill

Amendment #2016-323-D to agreement with Boyer Hill Military Housing, L.C. to provide animal services — Presented by Commissioner Kamalu

AMENDED COMMISSIONERS' MINUTES – DAVIS COUNTY

Military Housing, L.C. to provide animal services

Amendment No. 4 to an agreement with Boyer Hill Military Housing LLC, for animal services, was introduced. [This Item was identified as an interlocal cooperation agreement in the meeting, but paperwork indicates it is a regular agreement.] The agreement is for Davis County Animal Care to provide animal services for housing areas for active duty personnel at Hill Air Force Base The contract period is 01/01/2020 to 12/31/2020. The receivable amount is \$5,388.25.

Amendments to interlocal cooperation agreements with multiple cities within Davis County

Amendments to interlocal cooperation agreements with multiple cities within Davis County to provide animal services — Presented by Commissioner Kamalu

Amendments to interlocal cooperation agreements between Davis County Animal Care and local cities were introduced. It was noted that agreements with Fruit Heights and Woods Cross were not among those being amended during this meeting. The amendments are the fourth made to each of the following agreements for animal services. The contract period of 01/01/2020 to 12/31/2020 is the same for each city. The receivable amounts differ and are based on a formula for the number of calls averaged over the past three years.

- Amendment #2016-229-D with Bountiful City, \$124,691.
- Amendment #2016-230-D with Centerville City, \$41,753.67.
- Amendment #2016-284-D with Clearfield City, \$146,969.54.
- Amendment #2016-231-D with Clinton City, \$98,752.64.
- Amendment #2016-232-D with Farmington City, \$70,971.09.
- Amendment #2016-246-D with Kaysville City, \$94,039.57.
- Amendment #2016-234-D with Layton City, \$338,612.13.
- Amendment #2016-255-D with North Salt Lake City, \$58,134.46.
- Amendment #2016-324-D with South Weber City, \$20,673.57.
- Amendment #2016-235-D with Sunset City, \$38,398.68.
- Amendment #2016-256-D with West Bountiful City, \$18,199.75.
- Amendment #2016-236-D with West Point City, \$48,476.56.

Motion to Approve Business and Action Items: Com. Elliott
Seconded: Com. Stevenson
All voted Aye

Commissioner Elliott moved to recess to the Board of Equalization. Commissioner Stevenson 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.

Commissioners were asked to consider, under Auditor's Adjustments, three Veteran Exemption Tax Abatements for the year 2019.

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

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

CONSENT ITEMS

AMENDED COMMISSIONERS' MINUTES – DAVIS COUNTY

Check Registers

Check Registers

Check Registers were approved.

Motion to Approve: Com. Elliott

Seconded: Com. Stevenson

All voted Aye

Indigent
Hardship
Abatement
Register

Indigent Hardship Register

The Indigent Hardship Register was presented for approval. [The applicant's name was given during the meeting, but due to a legislative update of UCA § 63G-3-202 that went into effect on May 12, 2020, the minutes have been amended to remove the name from the approved record.]

Motion to Approve: Com. Elliott

Seconded: Com. Stevenson

All voted Aye

COMMISSION COMMENTS

Commissioner Stevenson asked to be excused to go to a Wasatch Integrated meeting and left at this time.

Commission Kamalu spoke of the intergenerational poverty committee in Davis County. The committee normally meets monthly, but hadn't been able to for a few months because of the coronavirus pandemic. A virtual meeting was held this past week, over the internet, during which an update was given on the "Open Doors" grant received from the State. The work of "Open Doors" is to help people get on a path out of poverty, and specifically intergenerational poverty, which is defined as two or more generations [of a family] experiencing poverty at the same time. There's now a collaboration for individuals who qualify for intergenerational poverty helps, where they can have the opportunity to go through the Circles program and get extra support to get a hand up – not a hand out. The Commissioner said it was great, after several months, to meet with the person who was hired to lead that work with the grant almost a year ago. Her name is Cheridee Barker, and she is a graduate of the Circles program. She now leads that program for Open Doors specific to intergenerational poverty. She understands the challenges in that vulnerable population and is doing a great work. The time frame for the grant has been extended from June to September because of the virus. Data for the people who are graduating, getting jobs, and moving forward in their lives, is being collected and hopefully can be shared in September.

Commissioner Kamalu noted that Memorial Day has passed and school is officially out in Davis County for the summer. Efforts are being made to recognize graduating students. In her neighborhood, there are at least two graduates who will be in a parade. People will go out in their yards and wave as they pass by. She extended her congratulations and best wishes to everyone who is graduating.

MEETING ADJOURNED

Commission meeting was adjourned at 4:42 p.m.

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

Minutes approved on: 06/16/2020

Curtis Koch
Clerk/Auditor

Lorene Miner Kamalu
Commission Chair