

COMMISSIONERS' MINUTES – DAVIS COUNTY

WORK SESSION MINUTES

August 3, 2021

The Board of Davis County Commissioners met for a Work Session at 8:30 a.m. on August 3, 2021, in room 306 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Notice of this meeting was given under the requirements of UCA § 52-4-202.

ATTENDEES Davis County Commissioners in attendance: Bob J Stevenson, Chair; and Lorene Miner Kamalu. Randy B. Elliott, Vice-Chair was excused.

Davis County Staff in attendance: Neal Geddes, Chief Civil Deputy Attorney; Robert Tripp, Civil Attorney; Chris Bone, HR Director; Cynda Melville, Commission Office; Curtis Koch, Clerk/Auditor; Brian McKenzie, Chief Deputy Clerk/Auditor; Rebecca Abbott, Records Manager; Shairise Bills, Deputy Clerk/Auditor; and Brian Hatch, Health Director.

There were no members of the public in attendance.

AGENDA AS POSTED **8:30 a.m. Clerk/Auditor Curtis Koch, presenting: Discussion regarding GRAMA Ordinance**

DISCLAIMER The meeting was an open dialogue. Critical points in the discussion have only been briefly summarized. The reader may refer to the audio recording and any publicly distributed materials for further clarification of the content. The audio recording for this meeting is available based upon the County's current retention schedule.

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

The meeting commenced at 8:34 a.m.

WORK SESSION DISCUSSION **Discussion regarding GRAMA Ordinance—Presented by Chief Deputy Clerk/Auditor, Brian McKenzie**

This proposal is in response to try to organize a better countywide system. The Clerk/Auditor's Office wants to repeal and replace chapter 2.36 within the County ordinances that cover Records Access and Management because of the number of proposed changes and additions to the chapter. The Commission was given a copy of those changes for sufficient time to review them prior to this discussion. These proposed changes are scheduled to be considered in the regular Commission Meeting today following this Work Session. Still, the Attorney's Office has not yet approved it in the workflow because they have more questions.

The five most significant impacts or changes of this proposal were:

- 1. Establishment of the County Records Repository and Cataloging System.** This was a decision that was made in previous discussions with the Commission last year. It will facilitate the identification and cataloging of various records throughout the County and help identify records maintained in separate offices but are related by subject. It will also provide a physical storage location where records may be preserved and stored when it is determined appropriate. This will require some software use, and the Records Department has already begun this process in a standardized cataloging number system.
- 2. Establishment of the County Records Management Program.** This is primarily software. It will facilitate the responsibilities of the Records Officer to ensure proper maintenance, management, and preservation of County records. It establishes procedures to help with this and requires the Records Officer to be consulted before purchasing or developing electronic systems or programs related to records management. It will also place responsibility on the Clerk/Auditor to facilitate an online request for records and a request management system.

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3. **Establishment of an Annual Records Management Report/Plan.** This is a significant change and impact and requires the Administrative Officers to devised an annual report/plan. Its purpose is to identify their current records, retention schedules, and the current format, redesignate the department records specialist, and establish records request response procedures.

4. **Establishment of a minimum \$10 fee for all requests.** This excludes any fees set by other ordinances or state laws, and it provides for an exception or waiver of the fee if appropriate.

5. **Modifies procedures for records request processing, responses, and appeals.** Part of this is establishing the software system and the process in which the Records Officer jointly, with the Administrative Officer, identifies who should respond to the request.

The Attorneys had some thoughts on the matter. They like the idea of establishing a central repository overseen by the Clerk/Auditor's Office. There have been past issues of inconsistent response messaging, and they are not sure if this proposal will do that because of its hybrid nature. This proposal will change job descriptions and will now be part of their performance evaluations. They questioned if it has been discussed with Human Resources or Administrative Officers and, if so, how they feel about it. They said that it seems contradictory to have a single voice. They trust the Records Manager's judgment, but not necessarily the department records specialists because of their limited understanding of GRAMA. They had some concerns about the Records Manager telling the Administrative Officers who would respond to requests. That may be problematic in some departments. There was some discussion on these impasses.

The Records Manager explained that she needs the records specialists to understand their records because there would be no way to know the statutes for each department. A collaborative approach and ongoing training are necessary. Often, the records specialists are not doing what they should be and are not being held accountable. The hope is that this proposal would create some accountability where currently none exists.

The Clerk/Auditor's Office and the Attorney's are not far from agreement, but a few things need clarification before enacting a new ordinance. This item will be tabled in today's Commission meeting following this Work Session. There will be further discussion between the Clerk/Auditor's Office and the Attorneys and then with the records specialists and Administrative Officers to see what other options may be available to reach the intended goals.

ADJOURNMENT The meeting adjourned at 9:38 a.m.

MATERIALS PRESENTED There were no publicly distributed materials associated with this meeting.

Minutes prepared by:
Shairise Bills
Deputy Clerk/Auditor

Minutes approved on: 9/7/2021

/s/ Curtis Koch
Curtis Koch
Davis County Clerk/Auditor

/s/ Bob J Stevenson
Bob J Stevenson
Commission Chair