

# COMMISSIONERS' MINUTES – DAVIS COUNTY

## COMMISSION MEETING MINUTES

September 21, 2021

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 a.m. on 09/21/2021, 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 Bob J Stevenson, Chair; Commissioner Randy B. Elliott, Vice-Chair; Commissioner Lorene Miner Kamalu; 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.

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### OPENING

The meeting convened at 10:00 a.m. and Commissioner Kamalu led the Pledge of Allegiance.

Recognitions,  
Presentations &  
Informational  
Items

**Register Report for the Public Meeting Management Software RFP** — *Presented by Clerk/Auditor Curtis Koch*

The County received five proposals from the following vendors:

Provox Systems, Inc.

Tyler Technologies, Inc.

Destiny Software, Inc.

Hyland Software, Inc.

Granicus, LLC

Those proposals are being reviewed and if those proposals yield a solution for the County that is feasible, a Notice of Intent to Negotiate will be presented at a later Commission Meeting.

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### PUBLIC COMMENTS

The public was invited to make comments to the Commission.

#### **Lorna B. Rosenstein – Waterwatch of Utah**

Lorna Rosenstein read a statement she prepared for the Commission regarding her 20 years of experience in GRAMA requests and responses and taking her concerns over fluoride to the water agencies.

***(See Attachment A, "Waterwater of Utah," for the full text of the document. This document has been attached to the minutes, in lieu of transcribing or summarizing spoken comments, because it was read aloud in the meeting.)***

It should be noted that in paragraph five, Ms. Rosenstein clarified that the five options given by Davis County Attorney Troy Rawlings on the implementation of the fluoride mandate all tie into Utah Code 17-53-226 which she outlined in her written statement.

After reading her written statement, Ms. Rosenstein commented again that she has been doing this for 20 years. She stated the reason she has not taken this to the water agency was because it was not allowed. She asked the Commission to please allow her to do so.

**Commissioner Stevenson** commented to Ms. Rosenstein that he has been a Commissioner for the last eight years. He added that Ms. Rosenstein is the only individual who has come before the Commission and voiced concerns over this topic. Commissioner Stevenson asked Ms. Rosenstein why she does not go through the process of getting this issue on the ballot. He said he thinks it's wonderful when anyone fights for what they believe in, as that is what helped build this Country.

**Lorna Rosenstein** responded by saying that getting the fluoride issue on a ballot may be the end result. She went on to state that fluoride is a political poison, it is the poison pill. Ms. Rosenstein added that there are probably 25 pieces of legislation that have been attempted over the years. She stated fluoride is not something to approach lightly or revisit casually. Getting the public involved invites "we love it" and "we don't love it". Ms. Rosenstein continued by saying, let's actually get down to the facts and not get lost in the weeds over what we think about fluoride. Ms. Rosenstein stated there needs to be a discussion with the water agencies about the facts, rules, laws and regulations. The water agencies can then decide as a group what avenues to take. Ms. Rosenstein said that getting the public involved at the onset just upsets and confuses people. Ms. Rosenstein said that the facts need to be gathered before it is decided how the fluoride issue will be presented to the public and then, absolutely, the public needs to be involved but not until there is a lot of background work done. Ms. Rosenstein advised that the water agencies are responsible and liable. It was the

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water agencies who were told on the onset that they were not allowed an opinion and to do what they were told. They were not asked for their input or to determine all these things she has brought forward about what has occurred since 2000. Ms. Rosenstein stated she has not brought this to the public because it is not the time.

**Commissioner Stevenson** thanked Lorna Rosenstein for her comments.

## **BUSINESS/ ACTION**

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### **Public Hearing**

Budget  
Amendment  
Resolution  
#2021-0479  
including  
consulting  
services funded  
by State and  
Local Fiscal  
Recovery Funds  
(SLFRF)

### **1. Budget Amendment Resolution #2021-0479 including consulting services funded by State and Local Fiscal Recovery Funds (SLFRF) — Presented by Chief Deputy Clerk/Auditor Heidi Voordeckers**

The contract period is 09/21/2021 to 12/31/2021. The receivable amount is \$2,531,719.

**(See Attachment B)**

Motion to open Public Hearing: Com. Elliott  
Seconded: Com. Kamalu  
All voted Aye

Commissioner Stevenson opened the Public Hearing. No comments were made.

Motion to close the Public Hearing and approve Item 1: Com. Elliott  
Seconded: Com. Kamalu  
All voted Aye

### **Animal Care**

Summary List  
#2021-0480 of  
Animal  
Adoption  
Contracts for  
August 2021

### **2. Summary List #2021-0480 of Animal Adoption Contracts for August 2021 — Presented by Animal Care Office Manager Lisa LaGuess**

Lisa LaGuess advised that in August 2021 91 cats, 47 dogs, and 3 other species were adopted for a total of 141.

Commissioner Stevenson asked Lisa if these numbers get rid of their inventory or if they have a steady flow of animals coming in and out. Lisa stated Animal Care works hard to keep ahead of the influx. She said they work with partners in the community to help with that. She said Animal Care does a Trap Neuter Release (TNR) program that is very successful. She said they have volunteers, fosters and partners in rescue groups that also help.

Commissioner Kamalu asked about the recent event Animal Care put on. Lisa said they just had a Clear the Shelter event and it was wonderful.

The contract period is 08/01/2021 to 08/31/2021.

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

### **Assessor**

Agreement  
#2021-0481  
with CoStar  
Realty  
Information Inc.

### **3. Agreement #2021-0481 with CoStar Realty Information, Inc. to obtain commercial data for the purposes of valuing commercial properties — Presented by Chief Deputy Assessor/Interim Assessor Lisa Manning**

Lisa Manning advised the commercial data is used to value our commercial properties so the County can be equitable with evaluation. The contract period is 09/21/2021 to 09/21/2022. The payable amount is \$800 per month for two users.

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

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## Attorney

Amendment #2020-0484-A to the Westlaw Subscription

### **4. Amendment #2020-0484-A to the Westlaw Subscription adding two attorneys for online legal research — Presented by Chief Deputy County Attorney Neal Geddes**

The contract period is 09/21/2021 to 08/31/2023. The payable amount is \$2,551.22 per month.

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

## Commission

Cancellation of Commission Meetings on October 5, 2021 and November 2, 2021

### **5. Cancellation of Commission Meetings on October 5, 2021 and November 2, 2021 — Presented by Commissioner Stevenson**

These Commission Meetings are being rescheduled due to the Commissioners attending conferences on those dates.

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

## Facilities

Agreement #2021-0482 with Andersen Asphalt LLC for preventive asphalt maintenance on the Animal Care parking lot

### **6. Agreement #2021-0482 with Andersen Asphalt LLC for preventive asphalt maintenance on the Animal Care parking lot — Presented by Facilities Director Lane Rose**

The contract period is 09/21/2021 to 10/31/2021. The payable amount is \$10,196.78. Commissioner Kamalu commented that this is the time to do this project before the season ends. Lane Rose agreed stating the asphalt company usually closes in October.

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

## Sheriff

Agreement #2021-0483 with Discount Towing Inc. to be placed on Davis County's tow rotation

### **7. Agreement #2021-0483 with Discount Towing Inc. to be placed on Davis County's tow rotation — Presented by Chief Deputy Susan Poulsen**

The contract period is 07/01/2021 to 06/30/2022.

Agreement #2021-0484 with Emergency Roadside Service LLC. to be placed on Davis County's tow rotation

### **8. Agreement #2021-0484 with Emergency Roadside Service LLC. to be placed on Davis County's tow rotation — Presented by Chief Deputy Susan Poulsen**

The contract period is 07/01/2021 to 06/30/2022.

Agreement #2021-0485 Towing Agreement with IFS Towing to be placed on Davis County's tow rotation

### **9. Agreement #2021-0485 Towing Agreement with IFS Towing to be placed on Davis County's tow rotation — Presented by Chief Deputy Susan Poulsen**

The contract period is 07/01/2021 to 06/30/2022.

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Emergency  
Management  
Performance  
Grant (EMPG)  
#2021-0486

## **10. FY 2021 Emergency Management Performance Grant (EMPG) #2021-0486 allocation from the Utah Department of Public Safety (DPS) — Presented by Chief Deputy Susan Poulsen**

The contract period is 07/01/2021 to 06/30/2022. The receivable amount is \$87,600.

Motion to Approve Items 7-10: Com. Elliott

Seconded: Com. Kamalu

All voted Aye

### **CONSENT ITEMS**

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Commission  
Meeting  
Minutes

#### **Meeting Minutes**

Meeting Minutes for August 24, 2021 and Special Commission Meeting Minutes for August 26, 2021 were presented for approval.

Motion to Approve: Com. Stevenson

Seconded: Com. Kamalu

All voted Aye

Commissioner Elliott moved to recess to the Board of Equalization. Commissioner Kamalu 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:

#### **Auditor's Adjustments**

##### **Appeals**

- Five recommended for approval
- One recommended for denial

##### **Abatements**

- Thirteen recommended for abatement late application
- Two abatements for denial

##### **Corrections**

- Three 2020 Veteran's Tax Abatements
- One tax exempt entity

##### **Informational Item**

- One property with correction from the 9/7/2021 register

##### **Accessor Adjustments**

##### **Accessor Initiated Corrections**

- Three corrections

Motion to Approve: Com. Kamalu

Seconded: Com. Elliott

All voted Aye

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

### **COMMISSION COMMENTS**

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Commissioner Stevenson invited comments from the directors.

Commissioner Kamalu commented on the Utah Association of Counties Conference the Commissioners attended with other county Commissioners, Councils, as well as a few County Managers. She advised that Davis County's own Clerk/Auditor, Curtis Koch, presented at that conference and did a great job. She said that Curtis shared the expertise that our County has developed with his team and the money from the Federal Government for the response to the Pandemic. She mentioned how this has been challenging for local governments to follow the guidelines and to fully understand and get into the details of the long list of evolving things.

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Commissioner Kamalu said she believes our County has done a great job, the best she believes that can be done so far, and that is why Curtis Koch was asked to share with the other counties across the State. Commissioner Kamalu expressed her gratitude to Curtis for his presentation and answering questions to help our fellow counties.

Commissioner Kamalu said that at that conference the attendees were asked to make a list of the troubles for Utah Counties to consider and respond to. Commissioner Kamalu then read the list she made which she read as follows:

- Housing affordability
- COVID response
- Warming and drying temperatures and conditions
- Forrest Health
- Lack of workers in the State
- Challenges of ARPA (American Rescue Plan Act)
- Mental Health
- Good representation at the State
- Transportation Infrastructure
- Losing our Agriculture
- Homelessness
- Short term rentals and their impact in certain counties
- Water
- Air
- Lack of enough Law Enforcement
- State and Federal overreach
- Cyber Security
- Smoke
- Processing Capacity
- Unfunded Mandates
- Economy Diversity
- Food Security
- Criminal Justice

Commissioner Kamalu expressed her appreciation for the colleagues in the other counties who are doing their best for all those people who live in their county. Commissioner Kamalu expressed her gratitude for the opportunity to come together at that conference and said there will be continuing discussions of best practices and to deeply discuss the issues.

**MEETING  
ADJOURNED**

The Commission meeting was adjourned at 10:34 a.m.

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

- A. Lorna B. Rosenstein Waterwatch of Utah written statement
- B. September 21, 2021 Resolution and Budget Opening Items

Minutes prepared by:  
Rian Santoro  
Deputy Clerk/Auditor

Minutes approved on: 10/12/2021

/s/ Curtis Koch  
Curtis Koch  
Clerk/Auditor

/s/ Bob J Stevenson  
Bob J Stevenson  
Commission Chair