

COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES March 29, 2022

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 a.m. on March 29, 2022, 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 Randy B. Elliott, Chair; Commissioner Lorene Miner Kamalu, Vice-Chair; Curtis Koch, Davis County Clerk/Auditor; and Mike Kendall Senior Civil Counsel.

Excused: Commissioner Bob J Stevenson and Chief Deputy Civil Attorney Neal Geddes

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 10:00 a.m. and Community and Economic Director Kent Andersen led the Pledge of Allegiance.

PUBLIC COMMENTS

The public was invited to make comments to the Commission.

No public comment was made.

BUSINESS/ ACTION

Public Hearing

Resolution #2022-142 to approve 2022 budget appropriation requests and adjustments to revenues

1. Resolution #2022-142 to approve 2022 budget appropriation requests and adjustments to revenues — Presented by Clerk/Auditor Curtis Koch

Curtis Koch presented the two items that were approved in last month's budget meeting.

The first item is in Fund 10, General Fund, for an increase in wages and benefits for a new position for an Accountant II in the Treasurer's Department.

The second item is in Fund 25, Municipal Services Fund, for an increase of \$35,000 to replace an older vehicle. The total increase is \$128,995.

Commissioner Elliott clarified that the older vehicle that is being replaced is a 1995 and has 134,000 miles on it. He noted that Davis County got good use out of that vehicle.

The contract period is 03/29/2022 to 12/31/2022. The payable amount is \$128,995.

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

No public comment was made.

Commissioner Kamalu moved to close the Public Hearing. Commissioner Elliott seconded the motion. All voted Aye.

Motion to Approve Item 1: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Commission

Certification by the state or local official of Public Housing Authority (PHA)

2. Certification by the state or local official of Public Housing Authority (PHA) plans consistent with the Consolidated Plan or State Consolidated Plan (FY 2022) by the Davis Community Housing Authority (DCHA). — Presented by Commissioner Lorene Kamalu

This item was requested to be tabled.

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

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CED

Agreement #2022-143 with MetaSports for soccer tryouts hosted at the Legacy Events Center

3. Agreement #2022-143 with MetaSports for soccer tryouts hosted at the Legacy Events Center — Presented by Community and Economic Development Director Kent Anderson

Prior to presenting the Community and Economic Development action items, Kent Andersen took the opportunity to introduce CED's two new employees, Lyndsi Maglish and Bartly Mathews. He invited both employees to introduce themselves to the commission.

Lyndsi Maglish addressed the commission by stating she has accepted the Economic Development Specialist position. She advised that prior to this, she worked for the Job Corps Program. Prior to that, she was employed by Goldman Sachs.

Bartly Mathews addressed the commission by stating that he has been hired as the Transportation Planner. Bartly advised that he lives across the street from Davis County Clerk/Auditor Curtis Koch. He stated that prior to accepting this position with Davis County, he owned his own steel framing business. Prior to that, he worked at the Governor's Office in Economic and Energy Development.

Kent Andersen stated he is excited to have Lyndsi and Bartly on board and commented on how hiring these days has proven challenging, at best, but even in a tough market, Davis County found really great employees.

Commissioner Elliott welcomed Lyndsi and Bartly to Davis County and expressed his appreciation to them for coming to work for Davis County.

Kent Andersen then read the terms of Item 1 as follows: The contract period is 05/23/2022 to 06/02/2022. The receivable amount is \$2,832.50.

Agreement #2022-144 with MetaSports for the spring soccer season with Utah Youth Soccer

4. Agreement #2022-144 with MetaSports for the spring soccer season with Utah Youth Soccer hosted at the Legacy Events Center — Presented by Community and Economic Development Director Kent Andersen

The contract period is 03/28/2022 to 05/26/2022. The receivable amount is \$7,967.05.

Agreement #2022-145 with JEPS Foundation for a donation to the 2022 Great Salt Lake Bird Festival

5. Agreement #2022-145 with JEPS Foundation for a donation to the 2022 Great Salt Lake Bird Festival — Presented by Community and Economic Development Director Kent Andersen

The contract period is 05/12/2022 to 05/15/2022. The receivable amount is \$1,000.

Agreement #2022-146 with Wasatch Thunder Youth Athletics for the annual Wasatch Soccer Tournament

6. Agreement #2022-146 with Wasatch Thunder Youth Athletics for the annual Wasatch Soccer Tournament — Presented by Community and Economic Development Director Kent Andersen

The contract period is 08/15/2022 to 08/20/2022. The receivable amount is \$4,017.

Agreement with Bountiful Davis Arts Center - BDAC

7. Agreement with Bountiful Davis Arts Center - BDAC to be a sponsor of Bountiful Davis Arts Center for the 2022 year — Presented by Community and Economic Development Director Kent Andersen

The request was made to table this item.

Summary List #2022-147 from the Legacy Events Center

8. Summary List #2022-147 from the Legacy Events Center of eight low dollar rental agreements. — Presented by Community and Economic Development Director Kent Andersen

The contract period is 02/05/2022 to 03/21/2022. The receivable amount is \$2,315.60.

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Motion to Approve Items 3, 4, 5, 6, and 8 and to table Item 7: Com. Kamalu

Seconded: Com. Elliott

All voted Aye

Health

Agreement #2022-081 with Drug Safe Utah on behalf of the Davis County Hispanic Prevention Coalition

9. Agreement #2022-081 with Drug Safe Utah on behalf of the Davis County Hispanic Prevention Coalition for pass-through funding of a prevention program to address youth use of e-cigs, marijuana, and other drugs in Davis County — Presented by Health Director Brian Hatch

It was explained that upon approval, this contract will resend and replace the original contract. The contract period is 03/29/2022 to 07/15/2022. The payable amount is \$38,250.

#2022-148 Federal Fiscal Year 2022 Certifications and Assurances

10. #2022-148 Federal Fiscal Year 2022 Certifications and Assurances for the Utah Department of Transportation Federal Transit Administration (FTA) assistance programs — Presented by Health Director Brian Hatch

The contract period begins 10/01/2021.

Summary List #2022-149 of Memorandum of Understandings (MOUs) with the Davis County Senior Services - Retired and Senior Volunteer Program (RSVP)

11. Summary List #2022-149 of Memorandum of Understandings (MOUs) with the Davis County Senior Services - Retired and Senior Volunteer Program (RSVP) to provide volunteers and help with services — Presented by Health Director Brian Hatch

Commissioner Kamalu read the locations and the terms of this contract as follows:

- Bountiful Davis Arts Center - Terms: Beginning 1/31/2022 to 1/31/2025
- Heritage Museum of Layton - Terms: Beginning 1/1/2022 to 1/1/2025
- Parkside Elementary - Terms: Beginning 2/1/2022 to 2/1/2025
- Spectrum Academy - Terms: Beginning 10/18/2021 to 10/17/2024

Motion to Approve Items 9-11: Com. Kamalu

Seconded: Com. Elliott

All voted Aye

Human Resources

Agreement #2022-150 to update Davis County Policies & Procedures #140 - Leave Benefits

12. Agreement #2022-150 to update Davis County Policies & Procedures #140 - Leave Benefits — Presented by Human Resources Director Chris Bone

Chris Bone detailed the proposed changes as follows:

- To include the newly adopted state holiday, Juneteenth National Freedom Day, in Policy Section 4.0, Holidays. Juneteenth, which is short for June 19th, is also referred to as Juneteenth National Freedom Day and commemorates the day in June of 1965, two years after the signing of the Emancipation Proclamation, when all enslaved people in the United States were declared legally free. On June 17, 2021, Juneteenth officially became a federal holiday and during the 2022 legislative session here in Utah, the legislature voted to add Juneteenth as a state holiday through House Bill 238. That bill was signed by Utah Governor Spencer Cox on March 24th, 2022.
- To incorporate stillbirth and miscarriage to bereavement leave policies. In addition to that, it is being proposed that domestic partners be added to bereavement leave in order to modernize Policy Section 7.0, Bereavement Leave, through Senate Bill 63.

The contract period begins 03/29/2022.

Motion to Approve: Com. Kamalu

Seconded: Com. Elliott

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All voted Aye

Sheriff

Amendment #2020-68-B to the contract with Summit Food Services, LLC for an adjustment to the sliding scale for inmate and staff meals based on the Consumer Price Index (CPI) and population

13. Amendment #2020-68-B to the contract with Summit Food Services, LLC for an adjustment to the sliding scale for inmate and staff meals based on the Consumer Price Index (CPI) and population — Presented by Sheriff's Office Chief Deputy Arnold Butcher

Commissioner Elliott asked if this increase was due to the prices of food going up and inflation. It was explained that it is within the Summit Food Services contract that if there is an increase in the Consumer Price Index, they can request an increase. Summit Food Services started this process last year. They were reminded at that time that an amendment to the contract was required and this is their response to that. The contract period begins 03/29/2022. The payable amount is varied based on population.

Training Reimbursement Agreement #2022-151 with Jaycob Whitney Willis for Basic Corrections Officer certification

14. Training Reimbursement Agreement #2022-151 with Jaycob Whitney Willis for Basic Corrections Officer certification — Presented by Sheriff's Office Chief Deputy Arnold Butcher

The payable amount is \$5,659.20, beginning on the date of graduation from the Corrections Academy, ending two years from that date.

Release of Liability, Waiver of Rights, and Participant Agreement #2022-152 (Participant 1)

15. Release of Liability, Waiver of Rights, and Participant Agreement #2022-152 (Participant 1) for the Secure Continuous Remote Alcohol Monitoring (SCRAM) program. — Presented by Sheriff's Office Chief Deputy Arnold Butcher

The contract period begins 03/29/2022. The receivable amount is varied amounts based on used tests and monitoring fees.

Release of Liability, Waiver of Rights, and Participant Agreement #2022-153 (Participant 2)

16. Release of Liability, Waiver of Rights, and Participant Agreement #2022-153 (Participant 2) for the Secure Continuous Remote Alcohol Monitoring (SCRAM) program. — Presented by Sheriff's Office Chief Deputy Arnold Butcher

The contract period begins 03/29/2022. The receivable amount is varied amounts based on used tests and monitoring fees.

Memo of Understanding #2021-233-A with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)

17. Memo of Understanding #2021-233-A with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for reimbursement of overtime salary costs associated with the ATF Task Force. — Presented by Sheriff's Office Chief Deputy Arnold Butcher

The contract period is 03/29/2022 to 09/30/2026. The payable amount is various amounts.

Motion to Approve Items 13-17: Com. Kamalu

Seconded: Com. Elliott

All voted Aye

CONSENT
ITEMS

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Commission Meeting Minute

Meeting Minutes

Work Session Minutes for February 17, 2022, February 22, 2022 (8:00 am), February 22, 2022 (11:00 am), and March 8, 2022, were presented for approval.

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

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

Auditor's Adjustments

Appeals:

- One single property recommended for approval on the appeal for the year 2021

Corrections:

- Four Veteran Exemption Tax Abatement
- One exempt entity property purchase in 2021

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

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

COMMISSION COMMENTS

Commissioner Elliott invited other comments from the dais.

Commissioner Kamalu advised that they attended a great Work Session Meeting this morning with the head of Weber Basin Conservancy and asked that Commissioner Elliott comment on that. Commissioner Kamalu announced that the commission office put together a handout about three years ago for those individuals seeking to understand Davis County's form of government. She advised this handout is available in the commission office. She went on to explain that Davis County has a three member commission which is the most common form of government for counties in the state of Utah. The three commissioners have executive responsibilities, which means the commissioners have sworn to administer the law. It was detailed that the three commissioners also have legislative duties which is a lot of what can be seen in these commission meetings. The commissioners recess to The Board of Equalization in order to publicly go in and out of the various roles the commissioners have. Commissioner Kamalu asked Clerk/Auditor Curtis Koch if the reason behind recessing and reconvening is because The Board of Equalization is administrative. Curtis Koch answered in the affirmative. Commissioner Kamalu further explained that this is because the commissioners wear a different hat during The Board of Equalization. The Open Public Meetings Act requires that everything the commissioners do legislatively must be done in an open and public meeting. This can be seen working in action during these meetings along with the Work Session Meetings. Commissioner Kamalu advised that Clerk/Auditor Curtis Koch instituted The Clerk Commission Division. Which means that in the office of the clerk, there are staff who prepare the agenda and the minutes for these meetings as they serve as the clerk to the legislative body, creating separation of duties. Commissioner Kamalu stated that the handout also outlines the various responsibilities of the three commissioners. This can be nice to know as each commissioner deals closely with different organizations. The commissioners are elected office liaisons alongside various other elected officials to add more separation of duties. She noted that the responsibilities of these elected officials are received by State Statute. As a three member commission, The Davis County Commissioners do have the right to investigate if there are concerns of fraud, waste, or abuse. She explained that there are usually a lot of questions

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regarding this topic during election season.

Commissioner Elliott commented on the Work Session Meeting that was held earlier that morning. He advised that the courthouse construction project was a topic of discussion as landscaping is now being put in and Utah is in another dire year of drought. Scott Paxman from Weber Basin Water attended the meeting and explained that based on tree rings, Utah has not been in a drought like this in about 600 years, leaving Utah in unprecedented times.

Commissioner Elliott advised that he attended the Utah Water Users Association in St. George last week, where it was discussed on the best ways to move forward with water conservation. He continued by stating that there will be a lot of changes in landscaping and in city ordinances to include meter readers and smart waterers. He commented on the other states that are dryer than Utah and said that they have been able to figure it out and Utah will too. Commissioner Elliott explained that there will have to be renegotiations on the allocations of water. He advised that Davis County gets its water through the Weber River Channel, yet a lot of that water gets funneled to Utah County and Salt Lake County as that is where the population was in the 1920's. He advised that a one year agreement was made with Uintah Basin that water will be brought in from them in order to satisfy the need in Utah County, which means that this year the water in the Weber River Channel will be moved into its reservoirs. Last year, the reservoirs near Davis County were down 40 to 50 percent. Utah County's reservoirs were up to about 80-90 percent due to the allocations that they have. Due to that, Utah County will not have the water restrictions that Davis County has as they have the storage that Davis County does not. Commissioner Elliott stated that all water systems and allocations will need to be looked at across the state on both the state and federal levels.

It was also noted that the water shortage that is impacting Davis County is also impacting the Great Salt Lake. The projection is that the water that the Weber Water Basin has saved from last year will be for drinking water purposes only for this year. Hopefully, with the little bit of runoff that we will have, will give us some additional water, however, Weber Water Basin is reporting that Davis County is starting off the year with a 60 percent reduction. Commissioner Elliott explained that this means this year's watering restriction will be one day a week of watering for lawns, which will be hard for everybody. It was explained that some of the other water districts, like Benchland Water District, are turning on their secondary water on time due to the early spring runoff they receive. Weber Water Basin will turn on their secondary water on May 15th.

MEETING
ADJOURNED

The Commission meeting was adjourned at 10:23 a.m.

Minutes prepared by:
Rian Santoro
Deputy Clerk/Auditor

Minutes approved on: 4/19/2022

/s/ Curtis Koch
Curtis Koch
Clerk/Auditor

/s/ Randy B. Elliott
Randy B. Elliott
Commission Chair