

COMMISSION MEETING MINUTES
November 22, 2016

The Board of Davis County Commissioners met on November 22, 2016 at 10 AM in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Members present were: Commissioner John Petroff, Jr. - Chair, Commissioner Jim Smith, Commissioner P. Bret Millburn, Clerk/Auditor Curtis Koch, Chief Deputy County Attorney Neal Geddes Deputy Civil County Attorney Michael Kendall and Deputy Clerk/Auditor Janet Hanson.

Agenda as
posted

Agenda as posted:

PUBLIC NOTICE is hereby given that the Board of Davis County Commissioners, Farmington, Utah, will hold a Commission Meeting at the Davis County Administration Building, 61 South Main Street, Room 303, Farmington, Utah, commencing at **10 AM on Tuesday, November 22, 2016.**

OPENING

Pledge of Allegiance – By Invitation

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

- Recognition of Tina Van Riper, Information Systems, honored at the Women Innovators Gala for her medical innovation research project while a student at Weber State University
- Introduction of new 2017 Miss Davis County Royalty and Miss Davis County Outstanding Teen Royalty
- Public Outreach for Proposed 2017 Tax Increases
 - Open Houses 6-9 PM: 11/29 Admin Bldg. in Farmington, 11/30 North Branch Library in Clearfield & 12/1 at Bountiful City Hall
 - Public Hearings December 6, at 6 PM & 7PM at the Davis Conference Center
- Commissioner Petroff's "PAR-TEE" is on December 2, 2016 from 2-4 PM

BUSINESS/ACTION

Mike Moake, Davis County Legacy Events Center Marketing , presenting:

Agreement with Viewmont High School Wrestling – wrestling tournament (receivable)
Agreement with Melissa Mata – quinceanera (receivable)
Agreement with Rebel Junk Vintage Market – Western states traveling antique show (receivable)

Chief Deputy Kevin Fielding, Davis County Sheriff's Office, presenting:

Resolution to approve and adopt the interlocal cooperation agreement between Davis County & cities in support of the Davis Metro Narcotics Strike Force
Interlocal cooperation agreement between Davis County & cities - support Davis Metro Narcotics Strike Force (n/a)
Agreement with Voice Products Service, LLC – provide remote diagnostics for on-site hardware and software support for the voice recording equipment used in dispatch (911) (payable)

Brian Hatch, Davis County Health Department Director, presenting:

Memo of Understanding with Utah Dept. of Workforce Services – governing query access & use of the eShare system (n/a)
Agreement with D. C. Legacy Events Center – rental of facility for Safe Kids Day (payable)

Barry Burton, Davis County Community & Economic Development Director, presenting:

Request appointment of Chris Sanford, Davis County Library Director, to the Davis County Arts Advisory Committee
Notice of Award to Automated Controls & Electrical Services (ACES) – Davis County Conference Center Controls Upgrade

Jeff Oyler, Davis County Planning Manager, presenting:

Request final plat approval for Sycamore Grove PUD for Brighton Homes

Randy Cook, Davis County Tourism Manager, presenting:

Agreement with Utah Transit Authority (UTA) – ski bus service between Layton to Snowbasin Resort (payable)
Agreement with Snowbasin Resort – offset operating costs for ski bus promotion (receivable)
Agreement with Layton City – offset operating costs for ski bus promotion (receivable)

Tony Thompson, Davis County Property Manager, presenting:

Request to declare parcel of land Tax ID 12-033-0036 (200 S Drain & 2000 W, West Point) as surplus property (n/a)
Real Estate Purchase Contract & Quit Claim Deed to Michael M. Evans – finalize sale of surplus property on part of Tax ID 08-043-0052

Mack McDonald, Davis County Facilities Director, presenting:

Agreement with David L. Jensen & Associates – Davis County Conference Center mechanical assessment (payable)

Neal Geddes, Davis County Chief Deputy County Attorney, presenting:

Franchise agreement with Comcast – provide cable-related services to unincorporated Davis County (receivable)

BOARD OF CANVASS

2016 General Election Canvass / Brian McKenzie, Davis County Chief Deputy Clerk/Auditor

BOARD OF EQUALIZATION

Request approval of the Property Tax Register

CONSENT ITEMS

Meeting Minutes: November 1, 2016
Personnel Register
Check Registers

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

Pledge of
Allegiance

Mack McDonald, Davis County Facilities Director, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Recognition of
Tina Van Riper,
I.S., Women
Innovators Gala

Blaine D. Smith, Information Systems Supervisor, recognized Tina Van Riper, Information Systems, who was recently honored at the Women Innovators Gala for her medical innovation research project while a student at Weber State University. Tina and her project are included in The Leonardo’s newest interactive exhibit, Women Innovators, honoring the women who have shaped Utah technology and driven innovation.

Tina explained that her school research project was a bio-medical project where she created a 3-D medical simulations of porotypes for a company for their ostomy devices. Rather than using animals or humans for testing, she created the 3-D simulations that could provide results using different variables. “That’s all,” Tina humbly said.

The Commissioners highly commended Tina for her well-deserved recognition and honor. They feel fortunate that she is employed by Davis County. Tina was presented a Davis County coin in recognition of her honor.

Postponed –
introduction of
Miss Davis
royalty

The introduction of the new 2017 Miss Davis County Royalty and Miss Davis County Outstanding Teen Royalty has been postponed.

Open houses (3)
and Public
Hearing for the
proposed 2017
tax increase

Commissioner Petroff announced the 3 open houses to be held for public outreach regarding Davis County Government’s and Davis County Library’s proposed 2017 tax increases. The open houses are being held from 6-9 PM on the following dates and locations: November 29 at the Davis County Administration Building, Farmington and November 30 at the North Branch Library in Clearfield and December 1 at Bountiful City Hall.

There will be 2 Public Hearings regarding the proposed 2017 Budget (with proposed tax increase) on December 6 at the Davis Conference Center in Layton. The first public hearing at 6 PM for the Davis County Library and at 7 PM for Davis County Government.

Commissioner
Petroff’s
PAR-TEE invite

Commissioner Petroff has a “PAR-TEE” in his honor (retirement) scheduled for December 2, 2016 from 2-4 PM here at the Administration Building. Everyone is invited.

Chief Deputy Kevin Fielding, Davis County Sheriff’s Office, presented the following:

Resolution
#2016-450 to
adopt ICA for
Davis Metro
Narcotics
Strike Force

Resolution #2016-450 to approve and adopt the interlocal cooperation agreement between Davis County and cities (15) in support/participation of the Davis Metro Narcotics Strike Force. Neal Geddes, Davis County Chief Deputy County Attorney, indicated that he worked with Layton City in this regard. There is one federal change and will renew annually.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Interlocal
Cooperation
Agreement
#2016-450 for

Interlocal cooperation agreement #2016-450 between Davis County and cities within Davis County (15) in support/participation of the Davis Metro Narcotics Strike Force. Period of contract is 50 years to be

Davis Metro
Narcotics Strike
Force

renewed annually. There is no financial cost, but there are personnel costs.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2016-451 Voice
Products Service,
LLC for voice
recording
equipment used
in dispatch (911)

Agreement #2016-451 with Voice Products Service, LLC to provide remote diagnostics for on-site hardware and software support for the voice recording equipment used in dispatch (911). This agreement was previously tabled on October 11th. It now has language to address the possibility of a new system in 2017 and associated financial ramifications. Period of contract is November 5, 2016 through November 4, 2017. Payable amount is \$8,213.45.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Mike Moake, Davis County Legacy Events Center Marketing, presented the following:

Agreement
#2016-452
Viewmont High
School Wrestling

Agreement #2016-452 with Viewmont High School Wrestling for rental space for a wrestling tournament with high schools from Utah and surrounding states. Period of contract is December 14 - 17, 2016. Receivable amount is \$4,025.00.

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2016-453
Melissa Matta's
quinceanera

Agreement #2016-453 with Melissa Mata for rental space for a quinceanera. Period of contract is April 1, 2017. Receivable amount is \$2,410.00.

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2016-454
Rebel Junk
Vintage Market

Agreement #2016-454 with Rebel Junk Vintage Market for rental space for their traveling antique show. Period of contract is April 5 - 8, 2017. Receivable amount is \$3,680.00.

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Brian Hatch, Davis County Health Director, presented the following:

MOU #2016-455
UT Dept of
Workforce
Services' eShare

Memo of Understanding #2016-455 with Utah Department of Workforce Services governing query access and use of the eShare system. This allows them to be more efficient and to verify eligibility. Period of contract is September 1, 2016 through August 30, 2019. No dollar value.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2016-456
Safe Kids Day

Agreement #2016-456 with the Davis County Legacy Events Center for facility rental for the annual Safe Kids Day. Period of contract is May 6, 2017. Payable amount is \$2,475.00.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn noted that this agreement appears that the County is paying the County. He explained that not every dollar is the same dollar. Some money comes from grants and donations, etc. It has to be received and transferred from one fund to another for accounting purposes.

Barry Burton, Davis County Community and Economic Development Director, presented the following:

Appointment of
Chris Sanford to
the Arts Advisory
Committee

Request appointment of Chris Sanford, Davis County Library Director, to the Davis County Arts Advisory Committee. Due to new work related responsibilities, Committee member Ellen Peterson, Davis

County Library, has resigned. Chris would fill the remainder of her term which expires December 31, 2018.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Notice of Award #2016-457 to Automated Controls & Electrical Services (ACES) for the Davis County Conference Center Controls upgrade

Notice of Award #2016-457 to Automated Controls & Electrical Services (ACES) for the Davis County Conference Center Controls upgrade. Barry indicated ACES were the most responsive and responsible bidder. The Conference Center’s controls will be upgraded to Allerton which Davis County utilizes and will have access to.

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor’s Office.

Final Plat #2016-458 Sycamore Grove Planned PUD

Jeff Oyler, Davis County Planning Manager, presented a request for the final plat #2016-458 approval of the Sycamore Grove Planned Unit Development (PUD) by Brighton Homes. It is an 18 unit subdivision located at 3969 South 850 West in unincorporated Bountiful. The subdivision was approved by the Davis County Planning Commission on November 3, 2016. Jeff indicated that annexation is driven by the property owner. The applicant talked to the City of North Salt Lake and chose to stay in the unincorporated area of Davis County. The conditional use will require: 1) sign an improvement agreement for future sidewalk improvements on 850 West, 2) the developer will need to contact Davis County Public Works to get an excavation permit to cut 850 West. Any modifications to the storm drain system can be made at that time as per Davis County Engineer, 3) the existing easement over Scott Wilson’s property to be abandoned and recorded at the County, and 4) the existing home on the property will be removed before any building permits are issued. South Davis Metro Fire reviewed the development and their required changes have been made.

Commissioner Millburn made a motion to approve upon the finalization of the conditional uses as listed. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Ski Bus Service from Layton to Snowbasin Resort

Randy Cook, Davis County Tourism Manager, announced there will be daily ski bus service this year from Layton to Snowbasin Resort. Commissioner Millburn indicated that this will be a great tourism draw and asked Randy to create a press release in this regard.

Randy presented the following:

Agreement #2016-459 UTA for ski bus service

Agreement #2016-459 with Utah Transit Authority (UTA) for ski bus service between Layton to Snowbasin Resort. Three entities will share in the cost of this service, Davis County, Layton and Snowbasin Resort. Period of contract is December 17, 2016 through April 2, 2017. Payable amount is \$78,828.00.

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2016-460 Snowbasin Resort for ski bus service

Agreement #2016-460 with Snowbasin Resort to offset operating costs for the UTA ski bus promotion. Period of contract is December 17, 2016 through April 2, 2017. Receivable amount is \$26,276.00.

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2016-461 Layton City for ski bus service

Agreement #2016-461 with Layton City to offset operating costs for the UTA ski bus promotion. Period of contract is December 17, 2016 through April 2, 2017. Receivable amount is \$26,276.00.

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Tony Thompson, Davis County Property Manager, presented the following:

Declare parcel of land as surplus #2016-461 Tax ID 12-033-0036 200 S Drain & 2000 W, West Point

Request to declare parcel of land as surplus property #2016-462. The parcel of land is Tax ID 12-033-0036 located at 200 South Drain & 2000 West in West Point. A request to purchase this property has been received from the Utah Department of Transportation (UDOT) for the purpose of their 2000 West widening project. The Property Committee met on November 14, 2016 and makes the recommendation to declare the parcel as surplus and negotiate the terms and conditions of the exchange. Davis County Public Works is reviewing the project and studying the impacts on the 200 South Drain.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Tony indicated that a Notice of Sale will be posted in the Standard Examiner and on the Davis County website.

Real estate purchase & Quit Claim Deed #2016-244A

Real estate purchase contract and Quit Claim Deed #2016-244A to Michael M. Evans to finalize surplus property on part of Tax ID 08-043-0052 which is located at the Shepherd Creek Drainage. It is 3,944 square feet on his abutting property. Period of contract is one time sale. Receivable contract amount is \$8,500.00.

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2016-463 David L. Jensen & Assoc for Conference Center mechanical assessment

Mack McDonald, Davis County Facilities Director, presented agreement #2016-463 with David L. Jensen and Associates for the Davis County Conference Center mechanical assessment. Period of contract is 3 months. Payable amount is \$5,100.00.

Commissioner Millburn made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Franchise agreement #2016-464 Comcast

Neal Geddes, Davis County Chief Deputy County Attorney, presented franchise agreement #2016-464 with Comcast to provide cable-related services to unincorporated Davis County. This is in accordance with the Federal Franchise law. Period of contract is 10 years. Receivable contract amount if 5% of annual gross revenue as defined.

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Board of Canvass

Commissioner Smith made a motion to convene as the Board of Canvass. Commissioner Millburn seconded the motion. All voted aye.

Election Summary Report #2016-465 2016 General Election

Brian McKenzie, Davis County Chief Deputy Clerk/Auditor, indicated that the 2016 General Election has been a non-stop process since the beginning of January. The staff is exhausted. There have been a lot of long hours, sacrifice, and a lot of time put in to make this a successful election. Since May 2016, Davis County has increased its number of registered voters by 13,984. Since October 1, the staff has made 21,000 registration updates.

Providing the Commissioners with the 2016 General Election Summary Report, Brian presented the following results:

Election Summary Report #2016-465:

- Turn-out - 88.22% - This may be a record turn-out for Davis County
 - 1992 election between Bill Clinton and George Bush had 85% turn-out.
- The Election Summary Report (packet) gave individual results. There were not too many surprises except for the presidential election.
- Summary of by mail ballots and Provision Ballots not counted: 1,788 or 1.27%
 - Total by mail ballots that were not counted: 1,548

- Provisionals not counted: 240

Brian noted that in the Primary Election there were 1.89% of the total number of ballots cast that were not counted for various reasons (insufficient proof of identity, signatures not matching etc.). The General Election shows an improvement with 1.27% not counted. The big difference was because in the Primary Election the ballots were received too late. To improve this number, they made a concerted effort for better communication with the voters by providing more concise instructions, i.e. a specific date to have it mailed in by the Friday prior to election day. For the Primary Election 1.3% of the ballots were rejected. For the General Election 0.12% of the ballots were rejected. This shows a tremendous improvement. Another area of improvement was obtaining the appropriate signatures which was accomplished through an envelope redesign. Another was participating in election day registration which makes the only provisional ballots not counted where the voter had already voted or had an absentee ballot or didn't provide identification. These voters had through Monday after the election to produce their identification and chose not to do that for whatever reason.

Referring to the packet, was a summary of where the ballots came from. The green section (columns) indicated the totals that were released election night with a breakout of by-mail ballots versus the vote center ballots and the regular voting machine. Post-election night includes the provisional ballots, the by mail ballots, the additional by mail ballots and paper ballots were cast at the polls. On the numbers reported on election night, every ballot that had been received through Friday (prior to the election) were included in the results. The additional ballots that were cast and returned over the weekend, Monday and Tuesday, were the ones that had to be counted after the canvass along with Provisionals.

The Audit Summary Report, as required by the Lt. Governor's Office, a hand-count audit is conducted. Ten of the voting machines were selected for an audit and 701 paper ballots were selected for audit. The audit was conducted prior to the canvass on November 10, 2016 at 10 AM. Election workers were brought in to do the count. There were some inconsistencies between the hand count vs the electronic tabulation, specifically it was found that under-voted partisan races were being counted as a vote cast if a voter had selected a straight party option. This would be accurate if the voter were voting on a paper ballot but would not reflect to voter's intent while using the voting machine. During their investigation it was determined that in order to correct the electronic tabulation and insure the voter's intent, processing of the provisional ballots needed to be done in a different way. They had to go through and accept those provisional ballots on the voting machines rather than in the central computer system. They did that. They tested it. Everything came out the way it was supposed to at that point. Those results were audited to assure complete accuracy. The report presented reflects those results using the corrected procedures to assure the accuracy of the election. Commissioner Smith commented, "Basically, you audited your audit is what I heard you say." Brian continued, of the 701 paper ballots that were hand counted and compared matched exactly as well. The results of that audit, after that correction in our procedures, came back 100% accurate.

Curtis Koch, Davis County Clerk/Auditor, commented that this challenging election cycle began in January by administering the effect of the Senate Bill 54 changes. The Clerk's staff has been impeccable in their work, working long hours that are not always compensated because of some fair labor standard law. They are very dedicated to their job. They still have to recover and tear down from the election. A sincere thank you to all of the Clerk's staff. In addition, some great team work occurred in the last couple of weeks as the Audit side recognized a need to help out. A sincere thank you to them. Over the past few years Davis County has worked to implement vote by mail. With research, they have yet to find anyone above our record 88% voter turn-out. Candidates and issues will drive an election turn-out, but also how you administer an election will also determine the turn-out. We see, in a record turn-out, the effect of both of those. We are thankful and grateful for the support we have received in implementing and administering vote by mail. We

look forward to future voter engagement because of how we administer the election. Major shifts like going to vote by mail, but also the minor change in doing everything we possibly can to count every ballot. If that means better communication by having a mail-in date that is in advance of a state statute we will do that. A sincere thank you to the staff and also the leadership of Mr. McKenzie.

Commissioner Millburn congratulated and offered commendations for a job well done. He commented on adjoining communities that had election day issues. Davis County did not which was a direct result of the leadership by Brian and his staff.

Commissioner Smith felt that the professionalism, the focus and attention to detail that your team has done has been amazing. He visited the election operation center on election day and was thoroughly impressed.

Brian introduced two staff members in the audience, Lori Schiess and Amber Miller. Lori is the team lead on the by-mail process. Amber takes care of making sure the reports match and that the technical work is done. Every member of the team is such a critical part in the process. They are dedicated public servants.

Commissioner Petroff said that what he understood was that you made sure everybody's vote counted. To know that you have worked night and day ever since to get them all counted is impressive.

Curtis, eluding to the 88% voter turn-out indicated that of the 4 second class counties, 2 went with vote by mail and 2 chose to go with the traditional election. During the Utah Association of Counties conference last week, those counties that used the traditional elections anticipated a 72% turn out. The work and the effort put in by Davis County staff had real results.

Commissioner Millburn made a motion to accept the official results, declare them official results and declare elected those candidates that are applicable to Davis County. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Brian also thanked the following departments for their assistance in the election process: Information Systems (Tom Hacking), Sheriff's Office, Facilities, Attorney's Office, and the Commission. "That is what made it successful. Thank you."

Commissioner Millburn made a motion to reconvene Commission Meeting. Commissioner Smith seconded the motion. All voted aye.

Commissioner Millburn made a motion to convene as the Board of Equalization. Commissioner Smith seconded the motion. All voted aye.

Curtis Koch, Davis County Clerk/Auditor, presented the Property Tax Register which reflected:

- 4 Abatements due to the sale of property to tax exempt entities
- 3 Stipulations that were agreed upon prior to a hearing
- 2 Closed appeals with no change in value
- 24 Hearings:
 - 11 Approved
 - 13 Denied
- 15 Late abatements for the year 2016

Commissioner Smith made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn made a motion to reconvene Commission Meeting. Commissioner Smith seconded the motion. All voted aye.

Commissioner Millburn made a motion to approve the Commission Meeting minutes for November 1, 2016. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Smith made a motion to approve the Personnel Register. Commissioner Millburn seconded the motion. All vote aye.

Check registers as prepared by the Davis County Clerk/Auditor were approved with a motion by Commissioner Smith. Commissioner Millburn seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Commissioner comments:

Commissioner Millburn:

- Reminder for the citizens to participate in the Open Houses in relation to the proposed 2017 tax increase and budget. The 2017 tentative budget is available for review. Curtis Koch indicated a few department heads have had some questions in regards to their prospective budgets. His office has received a few phone calls from the public but has not received much feedback on the proposed 2017 tax increase. He also encouraged everyone to attend the open houses.
- Utah Association of Counties Conference - discussions were had, laying out the groundwork for the upcoming legislative session.
- With a recent lost a dear friend, he implored to not judge one another, not knowing what the other persons' struggles may be. "Keep your hearts open and reach out to others. Be as kind as we can."

Commissioner Smith gave an "amen" to Commissioner Millburn's comments.

No public comments.

Meeting adjourned.

Clerk/Auditor

Chair