

COMMISSION MEETING MINUTES  
July 21, 2015

The Board of Davis County Commissioners met in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah on July 21, 2015 at 10 a.m. Members present were Commissioner P. Bret Millburn - Chair, Commissioner John Petroff, Jr., Commissioner Jim Smith, Clerk/Auditor Curtis Koch, Chief Deputy Civil County Attorney Neal Geddes and Deputy Clerk/Auditor Shauna Brady.

Meeting Agenda as posted:

Meeting  
Agenda

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 a.m. on July 21, 2015.

**OPENING**

**Pledge of Allegiance-** by invitation

**RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS**

Request for Proposals bid opening – Valley View Golf Course food services

2014 Comprehensive Annual Financial Report – Jeff Ambrose, Crane Christensen and Ambrose P.C.

**BUSINESS/ACTION**

***Jerry Meyer, Davis County Library Assistant Director, presenting:***

Agreement with J. Willard Marriott Library/U of U – digitize Davis County Clipper (payable)

***Brooks Burr, Davis County Fair Coordinator, presenting:***

Agreement with Chevron – sponsorship of food drive at 2015 Davis County Fair (receivable)

Agreement with New Millennium Realty – title sponsor of 2015 Davis County Fair demolition derby (receivable)

Agreement with Regtix LLC – ticket services for 2015 Davis County Fair (receivable/payable)

***Susan Burton, Davis County Children’s Justice Center (CJC), presenting:***

Amendment with State of Utah Office for Victims of Crime – VOCA grant (receivable)

***Debra McCormick, Davis County Civil Attorney’s Office, presenting:***

Amendment with State of Utah Office for Victims of Crime – VOCA grant (receivable)

***Lewis Garrett, Davis County Health Director, presenting:***

Agreement with Utah Department of Health – funding for Minimum Performance Standards to provide public health services required by UAC R380-40 (receivable)

Agreement with Acumen Fiscal Agent – Business Associate to comply with HIPAA (n/a)

Agreement with Utah Department of Health – funding for investigation & enforcement of Utah Indoor Clean Air Act (receivable)

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

Amendment with General Payment Systems (fka Continental Prison Systems) – mFunds Global Payment Solutions shall be removed as a party to the agreement (n/a)

***Randy Cook, Davis County Tourism & Events Coordinator, presenting:***

Agreement with Bikers Edge – Bronze level sponsorship for Tour of Utah (receivable)

Agreements (9) with the following hotels to block rooms for participants of the Tour of Utah (payable):

Best Western Plus – Layton	Hilton Garden Inn - Layton
Best Western Plus - Uintah	Holiday Inn Express - Layton
Courtyard Marriott – Layton	Home 2 Suites - Layton
Fairfield Inn – Layton	Towne Place Suites - Layton
Hampton Inn - Layton	

**BOARD OF EQUALIZATION**

Request approval of the Property Tax Register

**CONSENT ITEMS**

Personnel Register

Meeting Minutes – June 16 and 30, 2015

Check Registers

**COMMISSIONER COMMENTS**

**PUBLIC COMMENTS** (3 Minutes per Person)

**CLOSED SESSION**

Personal Property Tax Appeal Hearing (UCA Title 59, Part 4)

Dustin Volk, Davis County Golf Pro, led us in the Pledge of Allegiance. All in attendance were invited to stand and join in.

Curtis Koch, Davis County Clerk/Auditor, invited Dustin Volk to the dais to assist in the bid opening for the Valley View Golf Course Food Services. Curtis explained 3 companies were expected to bid; however, only 2 bids were received. Commissioner Millburn asked if there were any particular parameters we are trying to meet. Dustin explained they are trying to mirror what they have had with the current caterer and that she gave her 90-day notice and will be gone by mid-September. Curtis explained that the current contract provides an \$18,000.00 minimum and in a good year, the County takes 10% of the gross – so, whichever is higher. The following bids were read:

Project: **Valley View Golf Course Food Services RFP**

	BIDDER	AMOUNT
1.	All American Grill	\$18000.00 or 10%
2.	<del>Lancer Catering/Hospitality</del>	\$
3.	Brian Beecher	\$18000.00 or 10%

Curtis explained Dustin will review both proposals and make a determination as to whether they meet all of the requirements in order to make a decision. Commissioner Millburn asked what elements are considered, i.e., menu, hours, service. Neal Geddes quickly suggested they provide taste-testing and that he would be happy to provide his services. Commissioner Millburn said he would also volunteer. They waited for Commissioner Petroff to comment, but he said he doesn't even know anything about golf.

Curtis Koch, Davis County Clerk/Auditor introduced Jeff Ambrose, external auditor for Christensen, Palmer and Ambrose P.C., to present the 2014 External Audit Report. Mr. Ambrose thanked the commissioners for the opportunity to serve as the County's external auditor and to present the report. He acknowledged the County employees, saying everyone he has worked with has been very helpful. He thanked Curtis and his "fine staff, from whom they get the bulk of their information." He also thanked Mark Altom, Davis County Treasurer, and his staff. He acknowledged LynnAnn Winterton, Finance Manager, and offered a special word of thanks to Douglas Stone, Lead Reporting Auditor, both from the Clerk/Auditor's office. Mr. Ambrose said this is one of the best comprehensive financial reports that he has seen this year - and he sees a lot of them.

Mr. Ambrose said the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers' Association can be found on page 13 of the Report. He noted this is the 21<sup>st</sup> year the County has received the Certificate. He commented that Doug has not been here for 21 years; however, he has kept the ball rolling and has actually enhanced the report. He said, "Congratulations on that Certificate and special thanks to Doug for his efforts." He said the main point of his attendance today is to share the Independent Auditor's Report found on pages 18-19 which, basically, tells us they did not find any problems. He said they issued an "unmodified" or "clean" opinion on pages 32-112, which is the highest level of opinion they can render. In addition, there are a couple of reports on pages 143-145 required by the state auditor because the County received more than \$500,000.00 in federal financial assistance. He said the compliance and the internal controls over financial reporting were clean. They did not find any material deficiency in internal controls, any significant deviations in compliance, nor any issues in the single audit areas. Curtis and Doug put together a condensed summary of the financial report providing 2-year comparisons and graphs in the Management's Discussion and Analysis section (pages 20-28). He said that is a good section to review.

The Statement of Net Position is found on page 32. This lists the assets, liabilities and the "net position" (government terminology describing the difference between assets and liabilities) of the County. It

shows cash decreased in governmental activity from the prior year, as did total assets. Total debt also decreased; however, total assets decreased at a greater margin. That means the County's net position decreased from the prior year. It is down 2.7% from 2013 and net position is 56% in 2014, compared to 57% in 2013. The cause? The County and its governmental activities spent \$3.4 million dollars more than it brought in through revenues. That is the amount the net position decreased. This trend can be found on page 116.

Commissioner Smith commented on how complex this report is, but he enjoys reading it and is learning much. He expressed appreciation to the Clerk/Auditor's office for their efficient work.

Curtis thanked Mr. Ambrose and expressed appreciation for their firm. He also acknowledged Clerk/Auditor staff members in attendance: Kimberley Sedgwick-Accounting Technician, Heidi Voordeckers-Chief Deputy Clerk/Auditor and Kevin Rasband-internal auditor.

Commissioner Millburn addressed the change in bottom line assets pointed out in the report. He said, "It is something we are keenly aware of and working diligently to make sure that trend doesn't continue. The sky isn't falling, so to speak, but we have an opportunity to be more cognizant and tighten our belts a little bit." Curtis agreed, saying the County is still in a financially strong position, but we recognize the need to make decisions in the future that will bring efficiencies, reduce expenses and increase revenues.

Commissioner Millburn said with an ever-growing population and the increased demand on services, the increased demand on services often outpaces the revenue stream to provide those services. Curtis said he is a proponent of the current tax system and the stability it provides, but the approach that is taken in Utah does not allow for inflationary growth in revenues. At some point, inflation will start to impact what services are allowed to be provided through the funding streams. We find this cycle when there is no inflationary growth in revenue. There will be times when revenues are up, but generally not until after revenues are increased through tax increases. The last County tax increase was in 2007. He said, "On the tail end of that, without inflationary growth, revenues start to get tight."

Commissioner Millburn thanked Mr. Ambrose for presenting the report and thanked the Clerk/Auditor's office for all the great work they do.

Commissioner Smith said, for the record, 21 years in a row to receive recognition (Certificate of Achievement for Excellence in Financial Reporting) is certainly impressive and he expressed appreciation to the Clerk/Auditor's office.

Agreement #2015-388 with J. Willard Marriott Library-U of U to digitize Clipper

Jerry Meyer, Davis County Library Assistant Director, presented agreement #2015-388 with the J. Willard Marriott Library – University of Utah to digitize approximately 12,121 pages of the Davis County Clipper starting with April 12, 1988. These pages will be available through the Davis County Libraries along with pages that have already been digitized by the Marriott Library. The payable amount is \$20,000.00. The contract period is July 21 through December 31, 2015.

Commissioner Petroff 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.

Brooks Burr, Davis County Fair Coordinator, presented the following:

Agreement #2015-389 with Chevron for sponsorship of food drive at Fair

Agreement #2015-389 with Chevron for sponsorship of the 2015 Davis County Fair food drive. The contract amount is \$5,000.00. The contract period is July – August, 2015.

Commissioner Petroff 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 #2015-390 with New Millennium

Agreement #2015-390 with New Millennium Realty to be the title sponsor of the 2015 Davis County Fair demolition derby. It is their desire to entitle it the "HomeRebates.com Demolition Derby." The payable

Realty for sponsorship of demolition derby at Fair

contract amount is \$5,000.00. The contract period is August 12-15, 2015.

Commissioner Petroff 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 #2015-391 with Regtix LLC to supply ticketing services for the Fair

Agreement #2015-391 with Regtix LLC to supply ticketing services for the 2015 Davis County Fair. This includes online ticketing services for the rodeo and demolition derby events. The agreement includes a payable compensation for Regtix LLC through a \$.99 service fee and a 4.9% cut of every ticket sold. Only the described fees will be withheld from ticket sales revenue. The balance will be a receivable to the County. The contract period is July – August, 2015.

Commissioner Petroff 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.

Amendment #2015-134A with Utah Office of Victims of Crime – VOCA grant

Susan Burton, Davis County Children’s Justice Center (CJC), presented amendment #2015-134A with the State of Utah Office for Victims of Crime to correct previously submitted VOCA grant forms. The receivable grant amount remains unchanged at \$17,901.16. The contract period is July 1, 2015 through June 30, 2016.

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

Amendment #2015-135A with Utah Office of Victims of Crime – VOCA grant

Debra McCormick, Davis County Civil Attorney’s Office, presented amendment #2015-135A with the State of Utah Office for Victims of Crime to correct previous VOCA forms. The receivable grant amount remains unchanged at \$95,609.39. The period of contract is July 1, 2015 through June 30, 2016.

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

Lewis Garrett, Davis County Health Director, presented the following agreements:

Agreement #2015-392 with Utah Dept. of Health for Minimum Performance Standards funding

Agreement #2015-392 with the Utah Department of Health for funding for the Minimum Performance Standards to provide public health services required by UAC R380-40. The receivable contract amount is \$122,383.00. The contract period is July 1, 2015 through June 30, 2020.

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

Agreement #2015-393 with Acumen Fiscal Agent to comply with HIPAA

Agreement #2015-393 with Acumen Fiscal Agent. This is a business associate agreement in order to comply with HIPAA. There are no monies exchanged and no contract period.

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

Agreement #2015-394 with Utah Dept. of Health for Utah Indoor Clean Air Act funding

Agreement #2015- 394 with the Utah Department of Health to help fund the investigation and enforcement of the Utah Indoor Clean Air Act. The receivable amount is \$1,825.00. The contract period is July 1, 2015 through June 30, 2016.

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

Amendment #2009-379C with General Payment Systems to remove party to agreement

Chief Deputy Kevin Fielding, Davis County Sheriff’s Office, presented amendment #2009-379C with General Payment Systems (fka Continental Prison Systems) to remove mFunds Global Payment Solutions as a party to the agreement. There are no monies exchanged. The period of contract is a year-to-year extension.

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

Randy Cook, Davis County Tourism & Events Coordinator, presented the following:

Agreement #2015-395 with Bikers Edge to be bronze-level sponsor of Tour of Utah

Agreement #2015-395 with Bikers Edge to be a bronze-level sponsor of the Tour of Utah. The contract amount is \$1,500.00. The contract period is 1 month.

Commissioner Petroff 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.

Agreements with entities receiving dispatch services to allow access to UCJIS

The following 9 agreements are with hotels to block rooms for participants of the Tour of Utah. The contract period for each hotel is 2 days. Commissioner Millburn read the following statement by Curtis Koch dated July 17, 2015 prefacing the hotel contracts:

*“In reviewing the attached contracts regarding room reservations for the Tour of Utah participants, the Clerk/Auditor’s office recognizes that several of the contract/reservation dates have passed. Understanding that time is of the essence, these contracts are being forwarded with the understanding that hotel vendors are flexible in agreement term and dates, and that participants may already have begun the booking process.”*

Agreements #2015-396 #2015-397 #2015-398 #2015-399 #2015-400 #2015-401 #2015-402 #2015-403 #2015-404

Agreement #2015-396	Best Western Plus – Layton	Contract amount: \$5,130.00
Agreement #2015-397	Best Western Plus – Uintah	Contract amount: \$5,940.00
Agreement #2015-398	Courtyard Marriott – Layton	Contract amount: \$1,962.00
Agreement #2015-399	Fairfield Inn – Layton	Contract amount: \$1,308.00
Agreement #2015-400	Hampton Inn – Layton	Contract amount: \$1,710.00
Agreement #2015-401	Hilton Garden Inn – Layton	Contract amount: \$4,360.00
Agreement #2015-402	Holiday Inn Express – Layton	Contract amount: \$1,800.00
Agreement #2015-403	Home 2 Suites – Layton	Contract amount: \$1,635.00
Agreement #2015-404	Towne Place Suites – Layton	Contract amount: \$1,199.00

Commissioner Petroff made a motion to approve each of the hotel contracts for the amounts listed. Commissioner Smith seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn invited Randy to share information about the Tour of Utah. Randy said the big push right now is for volunteers. Nearly 400 volunteers are needed just for the finish area in Bountiful. Many of the teams that are coming are at this time finishing up the Tour de France. This is the 11<sup>th</sup> year of the Tour of Utah, but the first time it will participate in Davis County. Commissioner Petroff asked Randy to explain the duties of the volunteers. Randy said they need to be at least 16 years of age, preferably 18 years and older. There is a training meeting for volunteers on July 27<sup>th</sup> at Woods Cross High School from 6 –7 p.m. where they will receive their assignments. It’s a commitment of 3-4 hours on August 5. There will be police officers assigned throughout the route and communication available in case anything happens. He said it is going to be a fun assignment, much like the 2002 Olympics volunteers. People can go to the [www.tourofutah.com](http://www.tourofutah.com) website and click on “Volunteer to Register”. Commissioner Millburn reiterated, “This is a world-premier event. This is the level of the Olympics in the sight of the world.” Randy said the last 2 hours from Fruit Heights to Bountiful will be broadcast live on Fox Sports Network throughout the world.

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

Property Tax Registers approved

Diane Law, Davis County Tax Administration, presented the Property Tax Register which reflected 1 correction that has a value change, 2 delinquent taxes for 2011 and 2013, 3 VA abatement adjustments and 2 greenbelt corrections requested for approval.

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

Commissioner Smith made a motion to reconvene Commission Meeting. Commissioner Petroff

seconded the motion. All voted aye.

Personnel Register approved

Commissioner Petroff made a motion to approve the Personnel Register. Commissioner Smith seconded the motion. All voted aye.

Commission mtg minutes approved

Commissioner Petroff made a motion to approve Commission Meeting minutes for meetings held June 16 and 30, 2015. Commissioner Smith seconded the motion. All voted aye.

Check Registers approved

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

Commissioner Comments

Commissioner Comments:

Commissioner Smith said along with all that has been said about the Clerk/Auditor's office, all Davis County employees should be recognized. He is impressed with the quality of people here and the complexity of the work that we are involved in. He wants to make sure that everybody knows how much the commissioners appreciate them.

Commissioner Petroff made a motion to move to Closed Meeting for a personal property tax appeal hearing. Commissioner Smith seconded the motion.

Commissioner Petroff made a motion to reconvene Commission Meeting. Commissioner Smith seconded the motion. All voted aye. At 11:25 a.m., Commissioner Millburn entertained the motion to extend this particular matter for the parties to see if they can reach an agreement. If they are not able to, he would take a motion to extend the appeal through September 1. Commissioner Smith made a motion to extend. Commissioner Petroff asked if he would like to extend to September 15, understanding the date discussed by the parties was September 5. The date of September 1 was clarified. Commissioner Petroff seconded the motion. All voted aye.

Meeting Adjourned

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Clerk/Auditor

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Chair