

COMMISSION MEETING MINUTES  
July 28, 2015

The Board of Davis County Commissioners met on July 28, 2015 at 10 am in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. 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 Janet Hanson.

Agenda as posted

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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 **10:00 a.m. on July 28, 2015.**

OPENING

Pledge of Allegiance – By Invitation

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

Early voting begins today, July 28, in 5 cities

BUSINESS/ACTION

***Curtis Koch, Davis County Clerk/Auditor, presenting:***

- Consideration of resolution authorizing the execution of an Interest Rate Lock and Loan Agreement, a default interest rate, and related matters required by the purchaser of the Davis County, Utah Tax and Revenue Anticipation Notes, Series 2015

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

- Agreement with MarLyn Shrum dba U Rock – sponsor of the 2015 Davis County Fair (receivable)
- Agreement with PPK LLC dba Wasatch Amusements – bungee trampoline attraction during the 2015 Davis County Fair (receivable)
- Agreement with Logo Concepts Inc. – design and print the 2015 Davis County Fair t-shirts (payable)

***Adam Wright, Davis County Interim Public Works Director, presenting:***

- Change order with Morgan Pavement Maintenance – additional scope of work for parking lots and surface seal of existing pavement of the Antelope Island Causeway (payable)

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

- Amendment with Utah Department of Health – additional funding to develop public health emergency preparedness for Ebola (receivable)

***Mark Langston, Davis County Information Systems Director, presenting:***

- Agreement with TechConnect – preventative and remedial maintenance for equipment: liebert Npower 80kva UPS SN: M12E300010 (payable)

***Clint Thacker, Davis County Animal Control Director, presenting:***

- Agreement with Cumulus Broadcasting LLC – advertising for the drive-through vaccination clinic (payable)

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

- Annual Report to Utah Commission on Criminal and Juvenile Justice (UCCJJ) – FY15 Beer Tax Funds (receivable)

***Tony Zambrana, Davis County Grants Auditor, presenting:***

- Agreement with West Bountiful City – FY16 Community Development Block Grant (CDBG) funding infrastructure improvements to the sidewalk of 800 West (between 1347 N & 1600 N) (payable)
- Agreement with North Salt Lake City – FY16 Community Development Block Grant for funding grants to eligible homeowners for necessary physical improvements/repairs to their homes (payable)

***Brian McKenzie, Davis County Elections Manager, presenting:***

- Agreement with Central Davis Sewer District – election services (receivable)
- Agreement with Benchland Water District – election services (receivable)

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

- Interlocal Agreement with Farmington City – for services related to the Tour of Utah (n/a)

***Marlin Eldred, Davis County Community & Economic Development Director, presenting:***

- Resolution adopting the North Salt Lake Highway 89 Community Development Project Area Plan (n/a)
- Resolution approving an Interlocal Cooperation Agreement with the City of North Salt Lake Redevelopment Agency (n/a)

BOARD OF EQUALIZATION

CONSENT ITEMS

Check Registers

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

Brian Hatch, Davis County Health Department Deputy Director, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Brian McKenzie, Davis County Elections Manager, indicated he and his staff have been preparing and working toward the municipal primary election for some time. The by-mail ballots have been sent out with approximately 5% returned to date. For those cities not voting by mail, today begins their early voting period. They do have varying schedules which are posted on our website [www.davisvotes.com](http://www.davisvotes.com). It is also available through the various municipalities out-reach: legal notices, newsletters and city's websites. Brian believes the municipal elections are some of the most important elections that we have the opportunity to participate in, not because of the historical impact that they will make on a national level, but because of the personal and immediate impact that these individuals have on our everyday lives. Our city councils can make a decision tonight and it takes effect tomorrow. He hopes our citizens and voters understand and recognize the importance of these votes. These are the elections where your vote truly does count and can make a very big difference. His recommendation is to get out and vote, participate and enjoy.

Commissioner Millburn asked if there is any data on the use of the new website Brian demonstrated a couple of weeks ago. Brian indicated, through Google Analytics, they have been able to watch the activities. Prior to election time, the number one page hit was for marriage licenses. After the ballots went out, the candidate information and election page jumped to the top of the list as the most accessed. As of last week, there were a couple of thousand people accessing the new website.

Commissioner Petroff asked for the date of election day. Brian indicated election day is August 11<sup>th</sup>. For those voting early, they have now until Friday, before the election. If voting by mail, the ballots must be postmarked by August 10. Or, the ballots can be "walked and dropped", a phrase coined by Curtis Koch, Davis County Clerk/Auditor. The ballot (by-mail ballot, absentee ballot) can be brought in to the voting site and dropped off on election day.

Curtis Koch, Davis County Clerk/Auditor, presented resolution #2015-354A supplementing the resolution authorizing the issuance and sale of not to exceed \$7,000,000.00 Davis County, Utah Tax and Revenue Anticipation Notes, Series 2015 and authorizing execution of an Interest Rate Lock and Loan Agreement in connection with said notes; and related matters.

Curtis indicated bids have been received for the Tax Revenue Anticipation Notes. He introduced Johnathan Ward, Zions Bank Public Finance, to explain the bids that were received and what the amended resolution covers.

Johnathan provided a hand-out showing the bids from 4 interested buyers with U.S. Bank coming in as the lowest coupon at 0.505%, the next best bid coming in at 0.79%. He made the following explanation. U.S. Bank's bid is a significantly lower interest rate on \$7,000,000.00, which saves \$7,000.00 of interest expense. Bank investors are pushing to reduce their capital reserve requirements. Under the new Dodd-Frank requirements, when buying a municipal security you have to match that municipal investment with cash in reserves, dollar for dollar. The new regulations do not currently call municipal securities a high quality liquid asset. Because of that, there are higher reserve requirements. Unfortunately, for the banks, they don't want to have that sitting there in reserves. They would rather classify this as a "municipal loan." Because it is a municipal loan, they are careful to make sure the requirements, that would otherwise be traditional with a bond, are not in play for the municipal loan. Those include no bond purchase contract, no QSIP, no rating, etc. That was how the U.S. Bank bid came in. They had provisions that were not typical of a traditional "notes" transaction. In conferring with Curtis and Blake of Ballard Spahr, there were a couple of reasons a supplemental resolution is needed. One is a default rate, which is traditional in a bank loan. The default rate is prime plus 5, which would put us at 8 ¼ % compared to the 3% approved on July 7<sup>th</sup>. He said it was advisable as he didn't think the County would default. There is also a financial reporting requirement that was not originally authorized. U.S. Bank does not want to have a "note purchase contract" on file, which makes

Davis County look like a municipal security. Instead, they want a “rate lock” agreement on file which is more common for municipal loans. The rate lock agreement spells out everything the note purchase contract would say, but the title is different. It informs all parties that the County will do certain things and the purchaser will do certain things. The resolution being submitted authorizes those terms and conditions pursuant to their bid. Johnathan, as the County’s financial advisor, recommended the approval of the resolution as well as the accompanying documents in anticipation of the delivery of cash to the County on August 11<sup>th</sup>, when the loan is anticipated to close.

Commissioner Smith, as a former banker, joked and admitted he enjoys reading those kinds of things. He indicated that he saw nothing in the documents that made him nervous. Commissioner Millburn felt he was able to follow along with the explanation. With the approval by the attorney’s following their review, seeing the interest to be paid in comparison to the other bidders and the fact that it is callable at any time, he thought it was a pretty good deal.

Commissioner Smith made a motion to approve. Commissioner Petroff made a motion to second. 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 #2015-405 with MarLyn Shrum dba U Rock – as a gemstone vendor and sponsor of the 2015 Davis County Fair. Period of contract is August 12-15, 2015. Receivable amount is \$890.00.

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 #2015-406 with PKK LLC dba Wasatch Amusements to provide a bungee trampoline attraction at the 2015 Davis County Fair. Period of contract is August 12-15, 2015. Receivable amount of \$1,000.00 and 10% of revenue.

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 #2015-407 with Logo Concepts Inc. to design and print the 2015 Davis County Fair T-shirts. Their prices were the lowest of 3 bidders. The T-shirts are for volunteers, fair staff, Davis County employees and as giveaways at the ticketed events during the Fair. Period of contract is July through August 2015. Payable amount is \$5,032.50.

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.

Adam Wright, Davis County Public Works Interim Director, presented change order #2015-121A with Morgan Pavement Maintenance (County Project No. 1353-02) for additional scope of work of onyx mastic surface seal on pavements of parking lots and existing pavement on the Antelope Island Causeway. Payable amount is \$10,489.85. Commissioner Petroff confirmed these were B&C Road Funds.

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.

Brian Hatch, Davis County Health Department Deputy Director, presented amendment #2015-225A with the Utah Department of Health for additional funding to develop a public health emergency preparedness plan for Ebola. Commissioner Millburn asked how the funding will be expended. Brian said it will be tied to a new time-limited employee to work exclusively on the plan (write). They will work with hospitals and EMS personnel to bring the plans all together. The initial work was originally done during the heat of Ebola. Those plans will be cemented in place. Commissioner Smith asked if the plan could be utilized for other types of diseases that may present themselves like Ebola did. Brian said there are a lot of specifics with Ebola but

Agreement  
#2015-405  
U Rock vendor  
and sponsor of  
the Fair

Agreement  
2015-406  
Wasatch  
Amusements  
for attraction

Agreement  
#2015-407  
Logo Concepts  
Fair T-Shirts

Changer Order  
#2015-121A  
Morgan  
Pavement  
additional work  
on Causeway

Amendment  
#2015-225A  
UT Dept of  
Health  
emergency  
preparedness  
plan for Ebola

much of the plan would be beneficial for any other infectious disease that would require similar things; i.e. quarantine, isolation and transport and coordination with hospitals. The Health Department has an “O.P.” (Operating Plan) and an All Hazards Plan in place. This funding allows to expand some areas of the plans and include additional enhancements to be more efficient; i.e. legal templates. Curtis asked for clarification of the FTE (full-time employee). Brian said it would be a limited time position completely tied to this funding. Commissioner Millburn confirmed it is not unusual for the Health Department to hire employees on a short-term basis utilizing various grant awards. Those employed are made aware of the limited availability of funding and terms of hire. Period of contract is April 1, 2015 through September 30, 2016. Payable increase amount is \$63,410.00 for a contract total of \$83,510.00.

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  
#2015-408  
TechConnect  
UPS  
maintenance

Mark Langston, Davis County Information Systems Director, presented agreement #2015-408 with TechConnect for preventative and remedial maintenance for UPS equipment (liebert Npower 80kva UPS, SN: M12E300010). Period of contract is auto-renewal with a 30-day notice of cancelation by either party. Payable amount is \$3,400.00 annually.

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  
#2015-409  
Cumulus  
Broadcasting  
to advertise  
drive-through  
rabies clinic

Clint Thacker, Davis County Animal Control Director, presented agreement #2015-409 with Cumulus Broadcasting LLC to produce and advertise their first drive-through vaccination/rabies clinic scheduled for August 8<sup>th</sup>. The ad will be on 2 radio stations, 94.9 and K-BULL 93, which is anticipated to reach 120,000 listeners. There will be live coverage by 94.9 at the drive-through clinic. Period of contract is August 3-8, 2015. Payable amount is \$1,300.00.

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.

Beer Tax Funds  
Annual Report  
for FY 15  
#2014-182B

Chief Deputy Kevin Fielding, Davis County Sheriff’s Office, presented #2014-182B Beer Tax Funds Annual Report for FY15 to the Utah Commission on Criminal and Juvenile Justice (UCCJJ). He said the report indicated where the money was spent. Commissioner Millburn recalled the FY16 Beer Tax Plan was submitted a few weeks ago. Having compared the two plans (FY15 & FY16), he asked how close the UCCJJ matches the categories of how the funds were spent? Chief Deputy Fielding didn’t think they track it very closely, knowing that the vast majority of the funds (\$50,000) go to the County Attorney and the rest of it applies to incarceration, i.e. programs and equipment. Commissioner Millburn said the submitted report shows a lot of funding going toward treatment for the RSAT Program and asked if it falls under confinement. Chief Deputy Fielding indicated it was. Commissioner Millburn said the report does not match the same layout and category as the submitted plan and wanted to double check that the plan was followed. Chief Deputy Fielding indicated the total amount comes back to the County, obviously spending tens-of-thousands of dollars in programming in the facility spending the most on RSAT inside the facility.

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  
#2015-410  
West Bountiful  
City CDBG  
funding  
sidewalk  
improvement

Tony Zambrana, Davis County Grants Auditor, presented the following:  
Agreement #2015-410 with West Bountiful City for FY16 Community Development Block Grant (CDBG) funding infrastructure improvement to the sidewalk of 800 West between 1347 N and 1600 N. This grant will supplement the City’s funds. Period of contract is July 1, 2015 through December 31, 2016. Payable amount is \$30,000.00.

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  
#2015-411  
NSL for CDBG  
funding home  
improvements

Agreement #2015-411 with North Salt Lake City for FY16 Community Development Block Grant (CDBG) to allocate grants to eligible homeowners (low & moderate income) for necessary physical improvements and repairs to their homes that they otherwise would not be able to afford without such funding, i.e. furnace and roof repairs (nothing cosmetic or luxury items). Commissioner Millburn explained the Davis Community Housing Authority has this type of program, but their waiting list was too long and North Salt Lake City decided to apply for the CDBG to make funding available to their residents. Period of contract is July 1, 2015 through December 31, 2016. Payable amount is \$35,000.00.

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  
#2015-412  
Central Davis  
Sewer Dist for  
election  
services

Brian McKenzie, Davis County Elections Manager, presented the following:

Agreement #2015-412 with Central Davis Sewer District to provide traditional election services in conjunction with the municipal elections this year. Period of contract is 2015 General Election. Receivable amount is per fee schedule “Exhibit A.” (vote below)

Agreement  
#2015-413  
Benchland  
Water District  
for election  
services

Agreement #2015-413 with Benchland Water District to provide by-mail election services for the 2015 Primary and General Elections. The 3 cities included within the district will be doing by-mail voting. Period of contract is 2015 Primary and General Elections. Receivable amount is per fee schedule “Exhibit A.”

Commissioner Petroff made a motion to approve both the Central Davis Sewer District and the Benchland Water District agreements to provide election services. Commissioner Smith seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Interlocal coop  
agreement  
#2015-414  
Farmington  
City re: Tour of  
Utah

Marlin Eldred, Davis County Community & Economic Development Director, present the following:

Interlocal cooperation agreement #2015-414 with Farmington City for services related to Stage 3 of the Tour of Utah. They will be providing police service the day of the Tour (Aug 5<sup>th</sup>) and will recruit volunteers to be placed along the route through Farmington. It spells out who is where and who is going to be providing what services. Period of contract is one month. There are no monies involved.

Commissioner Millburn asked if other cities on the Tour’s route will be doing the same thing. Marlin said they have been working with the cities (those the Tour touches) and many preferred a memo of understanding. They are continuing to work with the cities to obtain some type of signed document with them to state what services they will be providing and what services the County will be providing. All services are the same with the cities that the route will be touching, except Bountiful. They will be providing more services as it is the finish line of Stage 3 of the Tour of Utah. The cities will also be providing, if needed, paramedic or emergency services for the spectators, not the riders. Neal said he has heard from 2 cities who have agreed to provide police services, etc., but indicated they did not want to do an agreement. Another city passed their agreement last week, so we can anticipate receiving it. He felt the 2 cities, having read the proposed agreements, understood what the expectations were. Commissioner Millburn felt there was great support from all the entities and that it was going to be a fantastic event in Davis County.

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.

Resolution  
#2015-415  
adopting NSL  
Hwy 89  
Community  
Development  
Project Area

Resolution #2015-415 adopting the North Salt Lake Highway 89 Community Development Project Area Plan which includes a portion of unincorporated area (authorized by Resolution #2015-36 on Feb. 3, 2015.) It runs from the south end of Highway 89 and north to 2600 South. The Area Plan describes the geographical area and what North Salt Lake plans to do with the area.

Plan	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.
No BOE	Board of Equalization was not held as there was no Property Tax Register submitted.
TABLED - Interlocal coop agreement with North Salt Lake Redevelopment Agency	<p>Marlin requested the following resolution to approve the interlocal cooperation agreement with the City of North Salt Lake Redevelopment Agency be tabled at this time.</p> <p>Commissioner Smith made a motion to table the resolution and interlocal cooperation agreement. Commissioner Petroff seconded the motion. All voted aye.</p>
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 office of the Davis County Clerk/Auditor.
Commissioner comments	<p>Commissioner comments:</p> <p>Commissioner Smith attended a community event at Hill Air Force Base for the Secretary of the Air Force. He said it was enjoyable to watch how the Air Force respects what is going on at Hill Air Force Base and how vital we have become in the overall scheme. The Secretary was very complimentary and is already making plans to come back. She knew a lot about Hill Air Force Base and why they are successful. It left him feeling very positive about having Hill Air Force Base as a cornerstone of employment in Davis County. He concluded, for the record, “Hill Air Force Base is very, very well respected by the Pentagon.”</p> <p>Curtis Koch said that as with everything, life goes on and changes occur. As we do in county government there are checks and balances. One of those checks and balances is the media. He felt it was appropriate to thank Bryon Saxton for his years of service in that process and wish him the best of luck. Commissioner Millburn seconded.</p> <p>Commissioner Petroff said we may not have always agreed on the Standard Examiner’s headlines, which Bryon did not write, but most of the time Bryon’s reporting was pretty darn good. He thought it will be unfortunate and more difficult for Davis County to get its message out to the citizens. He said Bryon took the time to really understand the issues and to bring all sides to the story. He felt Bryon did a great job. He hoped Byron will be able to continue to do something along those lines.</p> <p>Commissioner Millburn said it felt empty in the audience without members of the press attending. It will be interesting going forward if the press does not attend how the stories turn out.</p> <p>Neal Geddes said he was excited for the Tour of Utah to come. He thanked Marlin, Randy and their staff for all their work. His office has tried to make sure they protect the County in every way they can. Sometimes matching that with how the Tour operates is a bit of a challenge. It should be a wonderful event. He would like to sit down afterward to see how the process can be streamlined to make it even smoother next year.</p> <p>No public comment.</p> <p>Meeting adjourned.</p>

_____ Clerk/Auditor	_____ Chair
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