

COMMISSION MEETING MINUTES
June 28, 2016

The Board of Davis County Commissioners met in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah on June 28, 2016 at 10 am. Members present were Commissioner John Petroff - Chair, Commissioner Jim Smith, Commissioner P. Bret Millburn, Clerk/Auditor Curtis Koch, Chief Deputy Civil County Attorney Neal Geddes and Deputy Clerk/Auditor Shauna Brady.

Meeting Agenda as posted:

Meeting
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 **11 am on June 28, 2016**.

OPENING

Pledge of Allegiance – by invitation

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

- Public Notice of the Davis County Commissioners' attendance at Bountiful City Council's work session and council meeting on June 28 at 6 pm at the Bountiful City offices
- Notice of 2016 Primary Election Canvass at Commission Meeting on July 12, 2016

BUSINESS/ACTION

Brandon Hatch, Davis Behavioral Health CEO, presenting:

Amendment with Utah Dept. of Human Services/DSAMH – changes to substance abuse prevention services including additional funding, replace rate table, add language to Scope of Work and replace FFY16 DHS Budget Statement forms

Todd Utzinger, Davis County Attorney, presenting:

Amendment with Erin Hill – Indigent Defense Legal Services (payable)
Agreement with Jason Richards – Indigent Defense Legal Services (payable)

Susan Burton, presenting:

Amendment with State of Utah–Office of Crime Victim Reparations – VOCA grant funds for victim services coordinator (receivable)

Tony Thompson, Davis County Planning Manager, presenting:

Request to declare part(s) of Tax ID 08-042-0083 and 08-043-0052 located on Shepard Creek Drainage in Somerset Farms PUD and Villa Susanna PUD in Farmington as surplus and authorize Notice of Sale

Brooks Burr, Davis County Fair Coordinator, presenting:

Agreement with Tractor Supply of Woods Cross – 2016 Davis County Fair sponsor (receivable)

Clint Thacker, Davis County Animal Care & Control Director, presenting:

Interlocal agreement for Animal Care & Control services (receivables):
Kaysville City
Syracuse City

Adam Wright, Davis County Public Works Director, presenting:

Change orders/draw down with ACME Construction – 1100 W 500 S/Farmington: road & culvert project CO #1 to loop sewer line; CO #3 for additional items for final walk through; draw down request (payable)

Mack McDonald, Davis County Facilities Director, presenting:

Agreement with Kone, Inc. – elevator inspections and maintenance services

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

Agreement with Second District Court – Utah Code Reference numbers update for District Court security and bailiffs (receivable)

Brian Hatch, Davis County Interim Health Director, presenting:

Agreement with Utah Dept. of Health – funding to support EBOLA prevention (receivable)
Amendment with Utah Dept. of Health – local health department general provisions, assurances and match requirements (n/a)
Agreement with Easter Seals – provide support of senior community service employment program (n/a)

Dale Peterson, Davis County Assessor, presenting:

Ordinance enacting Chapter 3.05, Davis County Code, providing for waiver of personal property tax-related penalties under certain limited circumstances

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

Interlocal agreement with Layton City Corporation – distribute 2016 Edward Byrne Memorial Joint Justice Assistance Grant funds (receivable)

Shawn Beus, Davis County Community & Economic Development Manager, presenting:

Resolution granting consent to the Syracuse City Redevelopment Agency to receive tax increment for the Syracuse Antelope Drive Community Development Areas (n/a)

BOARD OF EQUALIZATION

Request for Approval of the Property Tax Register

CONSENT ITEMS

Personnel Register
Basic Training Reimbursement agreements:

- Frank N. Gilchrist – peace officer
- Carson J. Sholly – peace officer

Check Registers

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

Pledge of Allegiance

Scott Harbertson, former Farmington mayor, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Public Notice of Commissioners attendance at Bountiful City Council

Public Notice has been issued announcing the attendance of the Davis County Commissioners at the Bountiful City Council Meeting scheduled for today at 6 p.m. for the work session and 7 p.m. for the Council meeting to receive information from citizens and to provide a question and answer forum for Davis County matters. The meeting will take place at the Bountiful City offices.

Notice of 2016 Primary Election Canvass

Notice was given of the 2016 Primary Election Canvass to be held during the Davis County Commission Meeting to be held July 12, 2016.

TABLED – Amendment with Utah DHS

TABLED – Commissioner Millburn made a motion to table an amendment with the Utah Department of Human Services/DSAMH until July 5th. Commissioner Smith seconded the motion. All voted aye.

Agreement #2016-243 with Jason Richards for indigent defense legal services

Todd Utzinger, Davis County Legal Defender Coordinator, presented the following:
Agreement #2016-243 with Jason Richards for indigent defense legal services. Todd explained Jason will be playing an important role primarily in the Juvenile Court doing parental rights cases, also known as child welfare cases, and serving as conflict counsel and back up for our Justice Court program - at least for now. He commented Judge Ynchausti is working to restructure some things to spread out the caseloads, allowing the citizens and attorneys to get in and out of court more quickly. The contract amount is a payable \$72,000.00 annually (pro-rated for 2016). The contract period is July 2016 through December 2018. (See commissioner approval in next contract.)

Amendment #2016-18A with Erin Hill for indigent defense legal services

Amendment #2016-18A with Erin Hill, a legal defender in Juvenile Court for a number of years. Erin is accepting additional responsibilities as she moves into the position of lead attorney, acts as an additional media contact person with Todd, and takes on some conflict-of-interest cases. The contract amount is a payable annual increase of \$10,000.00 (pro-rated for 2016). The contract period is July 2016 through December 2018.

The commissioners asked Todd for additional information on Jason Richards. Todd explained Jason is currently a contract defender in Weber County. Todd has received nothing but good and complimentary remarks about Jason. One judge in particular, of which Todd has high regard, made the comment that “He [Jason] is the best attorney I’ve had in my courtroom.” Todd said Jason has received very high marks from the judges in Weber County. His experience has been exclusively in Juvenile Court.

Commissioner Smith made a motion to approve agreement #2016-243 with Jason Richards. Commissioner Millburn 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 amendment #2016-18A with Erin Hill. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Todd expressed appreciation for the commissioners, Chief Deputy Civil County Attorney Neal Geddes, Clerk/Auditor Curtis Koch and Human Resources Director Debbie Alexander for their assistance with these contracts.

Amendment #2016-123A with Utah Office of Crime Victim Reparations for grant award verbiage changes

Susan Burton, Davis County Children’s Justice Center, presented Amendment #2016-123A with the State of Utah Office of Crime Victim Reparations for verbiage changes for the Victim of Crimes (VOCA) grant award. Susan explained this grant is about \$3,000.00 more than last year and will be used for the brochure for the parent packets. The receivable contract amount is \$20,114.16. The contract period is July 1, 2016 through June 30, 2017.

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.

Request to Declare parts of Tax IDs 08-042-0083 & 08-043-0052 as surplus & authorize notice of sale #2016-244

Tony Thompson, Davis County Property Manager, presented request #2016-244 to declare as surplus parts of Tax ID 08-042-0083 located on Shepard Creek Drainage in Somerset Farms PUD and Tax ID 08-043-0052 in Villa Susanna PUD in Farmington and authorize notice of sale to be published.

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 #2016-245 with Tractor Supply of Woods Cross as a sponsor of the 2016 Davis County Fair

Brooks Burr, Davis County Fair Coordinator, presented agreement #2016-245 with Tractor Supply of Woods Cross to be a sponsor of the 2016 Davis County Fair. Sponsor opportunities include being the title sponsor of the livestock barns and petting zoo, a vendor booth and signage around the fair. The receivable contract amount is \$2,750.00. The contract period is July through August 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.

Clint Thacker, Davis County Animal Care & Control Director, presented the following:

Interlocal agreement #2016-246 with Kaysville City for animal control services

Interlocal agreement #2016-246 with Kaysville City for animal control services. The receivable contract amount is \$54,942.29. The contract period is January 1, 2016 through December 31, 2020.

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 agreement #2016-247 with Syracuse City for animal control services

Interlocal agreement #2016-247 with Syracuse City for animal control services. The receivable contract amount is \$59,011.87. The contract period is January 1, 2016 through December 31, 2020.

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.

Adam Wright, Davis County Public Works Director, presented the following:

Change order #2016-47B with ACME Construction for Farmington project

Change order #2016-47B with ACME Construction for additional work on the loop sewer line for the culvert project at 1100 West 500 South in Farmington. The payable contract amount is \$4,156.02.

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.

Change order #2016-47C with ACME Construction for Farmington project

Change order #2016-47C with ACME Construction for additional items necessary for the final walk through of the culvert project at 1100 West 500 South in Farmington. The payable draw amount is \$4,432.05.

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.

Draw request #2016-47D for ACME Construction for Farmington project

Draw request #2016-47D with ACME Construction for additional items necessary for the final walk through of the culvert project at 1100 West 500 South in Farmington. The payable contract amount is \$43,130.06.

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 #2016-91 with Kone Inc. for elevator inspections and maintenance service

Mack McDonald, Davis County Facilities Director, presented agreement #2016-91 with Kone, Inc. for inspections and maintenance services for Davis County elevators at buildings other than the Administration Building. The payable contract amount is \$21,619.33 per year. The contract period is 3 years.

Mack commented that while doing research on the slow speed of the elevators in the Administration

Building, he even found YouTube videos highlighting how long they take.

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.

Amendment #2015-527B with 2nd District Court for DC confidential security plans for Farmington, Bountiful and Layton security and bailiffs

Chief Deputy Kevin Fielding, Davis County Sheriff's Office, presented amendment #2015-527B with the Second District Court security and bailiffs including updates to Utah Code Reference numbers in sections 1 and 9 and verbiage changes in section 5. Also included were Davis County confidential security plans for Farmington, Bountiful and Layton courts. The payable contract amount is \$243,123.00 (bailiff) and \$577,354.00 (security). The contract period is July 1, 2016 through June 30, 2017.

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:

Agreement #2016-248 with Utah Dept. of Health for funding to support EBOLA prevention

Agreement #2016-248 with the Utah Department of Health for funding to support EBOLA prevention. The receivable contract amount is \$10,000.00 (\$5,000.00 for 2016). The contract period is January 1, 2016 through March 31, 2018. Brian said we will receive funding for the emerging Zika virus mostly for southern Utah. Commissioner Petroff commented our biggest mosquito threat is still the West Nile virus. Brian gave a shout out to our Mosquito Abatement District for the great job they do.

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.

Amendment #2013-561A with Utah Dept of Health to replace Att. A and add Att. D

Amendment #2013-561A with the Utah Department of Health to replace Attachment A amending general provisions, assurances and matching requirements and adding Attachment D - Business Associate agreement. There are no funds involved. The contract period is July 1, 2016 through June 30, 2017.

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 #2016-249 with Easter Seals to support Senior Community Service Employment program

Agreement #2016-249 with Easter Seals to provide support of the Senior Community Service Employment program where the Health Department, encompassing any of its divisions, will provide a safe and healthful work site, orientation and training as needed for participants to engage in productive duties and tasks as assigned. There are no funds received. The contract period is July 1, 2016 through June 30, 2017.

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.

Ordinance #2-2016 providing waiver of personal property tax penalties

Dale Peterson, Davis County Assessor, presented Ordinance #2-2016 which enacts chapter 3.05 of the Davis County Code providing for a waiver of personal property tax related penalties under certain limited circumstances. Dale explained this waiver would be allowed mostly for residents missing their tax payments for the first time.

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.

Neal Geddes commented that as the Assessor's Office and the commissioners looked at this particular situation and the potential for implementing an ordinance that the statute does allow, "We realize that the State has a rule that allows for waivers in limited circumstances, as does the IRS. The Commission did not want to be viewed as less reasonable and harsher than the IRS."

Interlocal agreement #2016-250 with Layton City to receive and distribute 2016

Neal Geddes, Davis County Chief Deputy Civil County Attorney, presented interlocal agreement #2016-250 with Layton City Corporation to receive and distribute the 2016 Edward Byrne Memorial Joint Justice Assistance Grant funds to be used in investigations involving internet crimes against children. Neal

Edward Byrne
Memorial Joint
Justice
Assistance
Grant funds

said in their office they have an investigator that spends almost all of his time working and investigating those types of cases. Layton City applied for this grant because of the work that we do with them on a regular basis. We receive a small portion that is attributed to certain items that allow us to continue to work those types of investigations. The receivable amount is \$2,300.00. The contract period is October 1, 2016 through September 30, 2017.

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.

TABLED –
Syracuse RDA

TABLED – Commissioner Millburn made a motion to table a resolution granting consent to the Syracuse City Redevelopment Agency to receive tax increment for the Syracuse Antelope Drive Community Development Areas (CDAs). Commissioner Smith seconded the motion. All voted aye.

Convene as
BOE

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

Property Tax
Registers
approved

Curtis Koch presented the Property Tax Register which reflected 2 veteran abatement corrections, 3 tax exempt entity abatements, 3 common area abatements and 1 exempt personal property for approval.

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

Reconvene
Commission
Meeting

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

Approve
Personnel
Register and
training
reimbursement
agreements
#2016-251
#2016-252

The Personnel Register was presented with the following Davis County Sheriff's Office Basic Training Reimbursement agreements:

Agreement #2016-251 – Frank N. Gilchrist, Peace Officer

Agreement #2016-252 – Carson J. Sholly, Peace Officer

Commissioner Smith made a motion to approve agreements #2016-251 with Frank N. Gilchrist and #2016-252 with Carson J. Sholly. Commissioner Millburn seconded the motion. All voted aye.

Commissioner Smith made a motion to approve the Personnel Register. Commissioner Millburn 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 Smith. Commissioner Millburn seconded the motion. All voted aye. The documents are on file in the Davis County Clerk/Auditor's Office.

Commissioner
Comments -

Commissioner Millburn said the air show at Hill Air Force Base was a great kick-off to the 4th of July celebrations and holiday. "If folks didn't have an opportunity to join with about 600,000 others, they missed a great show. It was a fun opportunity to see some great pilots in action, and, of course, the stars of the show were the Air Force Thunderbirds. We also had the opportunity to attend the Change of Command at Hill Air Force Base this morning. It is a great honor to be associated with Hill Field and the great men and women that serve in our Air Force and the military. We wish Colonel Jolly the very best as he moves on to his next assignment and welcome Colonel Hammerstedt. She will also be a great asset to Hill Field and we look forward to working with her."

Commissioner Smith said the Change of Command Ceremony is always very impressive and very traditional and makes it fun to be associated with the military. "Fun is probably not the right word, but I have a lot of deep respect for them. And again, I reiterate to our folks here in Davis County the overriding theme that we always hear of the great support they get from the community. There is no community like our community that supports Hill Air Force Base and the military mission and we want to see that continue. And,

one other minor thing occurred to me. I heard there was some kind of an election going on and an opportunity to vote. If you haven't already, please do so. If you know somebody who hasn't, please encourage them." That's what this is all about. I have nothing but appreciation, respect, love and admiration for our election team downstairs who are going to be working hard today. Please [to Curtis] relay our appreciation to them.

Commissioner Petroff commented on Colonel Jolly and Colonel Hammerstedt. He said, "If you read their biographies, when they are in that line of advancement as an officer, they change every two years basically. If you read the things they have done before they become a wing commander, like the 75th Air Base Wing, their training is incredible. The things that they have done in different areas around the world are truly incredible. When you get a leader like that running those areas, they are first class people in every way. They just could not be [commanders] if they weren't. They could have never survived it. It's pretty amazing. So, it is fun for us to associate with people that are so professional at what they do. Of course, when you are flying around in a \$120 million aircraft, I think you want that guy to be pretty professional. It is one of the highlights of being in this job."

Curtis Koch, Davis County Clerk/Auditor said to please vote if you haven't already. We are anxious to *give* everybody that opportunity and we are anxious for everybody to *take* that opportunity.

Commissioner Petroff asked Kaysville Mayor Steve Hiatt [candidate for commissioner] if he is relaxed today. "I can guarantee you the three of us know what it is like and this is a long 12 hours."

Commissioner Smith added, "Kind of like having a root canal without Novacaine!"

Public
Comments

No public comments.

Meeting Adjourned.

Clerk/Auditor

Chair