

COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES

Tuesday, November 21, 2023

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 AM on Tuesday, November 21, 2023, in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Required legal notice of this meeting was given.

All documents from this meeting are on file in the Davis County Clerk's Office. The agenda for this meeting is incorporated into the minutes as item headers.

PRESENT ON THE DAIS

Chair Lorene Miner Kamalu

Vice Chair Bob J Stevenson

Commissioner Randy B. Elliott

County Clerk Brian McKenzie

County Auditor Curtis Koch

Chief Deputy Civil Attorney Neal Geddes

OPENING

The meeting convened at 10:01 AM, and Health Director Brian Hatch led the Pledge of Allegiance.

RECOGNITION, PRESENTATION, AND INFORMATIONAL ITEMS

1. #1043/2023. Recognize Miss Davis County Whitney Gillman and Miss Wasatch Front Noelle Condie who were recently crowned in the local Miss America Pageant competition held in Davis County — *presented by Commissioner Kamalu*

Melissa Payne, director of the Miss Davis County organization, said the entity expanded this year to include the Miss Wasatch Front. The additional title brings additional scholarship opportunities for young women ages of 18 to 28. The Miss America program is the largest giver of scholarships to women nationwide. The organization was able to give over \$15,000 in educational scholarships to Weber State this year, up from last year's \$10,000. The title holders will be serving until the next pageant and competing at the Miss Utah competition in June. Each pageant winner was invited to share her Community Service Initiative (CSI) with the Commissioners.

Whitney Gillman, Miss Davis County, graduated from Brigham Young University with a bachelor's degree in public relations. She has been part of the Miss America program for almost seven years and said that, in addition to scholarship money, the program has given her public speaking and networking opportunities throughout the state. Miss Davis County's CSI is "The Confidence Project." She shares confidence-building skills through workshops at elementary and middle schools, as well as at behavioral health centers.

Noelle Condie, Miss Wasatch Front, recently moved to the Miss America organization from the teen division. She is a sophomore at the University of Utah, studying political science with an emphasis in nonprofit organization. She's grateful for the Miss America organization and the scholarship opportunities which allow for dual enrollment at Weber State. Miss Wasatch Front's CSI is "This Mind of Mine," and it's about positive thinking, positive affirmations, and being aware of mental health. Miss Condie said Utah, as of 2018, had a prevalence of 24.2 percent of depression rates. While Utah's depression rates are high, its mental health services are relatively low. She visits schools and other organizations to share information about mental health services available in Utah, such as the SafeUT app and the University of Utah's Counseling Center. She promotes positive affirmations and practicing gratitude and service, because when people serve others they feel better about themselves.

Discussion was had about the Miss Davis County organization working in partnership with the Utah Food Bank, especially the Bountiful Food Pantry. They are in desperate need. Donation sites have been set up throughout the County to collect food. Ms. Payne thanked the County for allowing food collections at the Sheriff's Office Trunk-or-Treat and in the Administration Building.

2. #1231/2023. Presentation of a nine-month old Belgian Malinois/Australian Shepherd mixed breed, male K9 named Connor — *presented by Arnold Butcher, Chief Deputy*

COMMISSIONERS' MINUTES – DAVIS COUNTY

join the Sheriff's Office Corrections Division. This will be the first time the Sheriff's Office has had a K9 exclusively for the Corrections Division. Copper is going to assist with the detection of illegal contraband and substances within the facility. This will help maintain a positive and safe environment that's conducive to rehabilitation, promote positive lifestyle change for offenders in the County's care and custody, and reduce recidivism through sobriety and accountability. Copper will also help provide a safe environment for staff members and provide career growth for deputies. Lt. Johnson introduced Deputy Sam Kirk, who was selected as a K9 handler after a thorough interview and testing process. During initial training the dog will go home with its handler. After other handlers are trained it will stay at the facility.

PUBLIC COMMENTS

Commissioner Kamalu invited comments from members of the public. No comments were made.

BUSINESS/ACTION

ANIMAL CARE

3. #1179/2023. Adoption Agreements with Animal Care for October 2023 — *presented by Deputy Director Sydney Larrabee on behalf of Ashleigh Young, Director*

There were 206 adoptions in October: 2 birds, 136 cats, 66 dogs, and 2 rabbits.

Financial Information:

- Type: Receivable
- Amount: N/A
- GL Account #: 1320253-452021
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:

- Beginning Date: 10/01/2023
- Ending Date: 10/31/2023

4. #1180/2023. Donation to Animal Care made by Bonnie Kelsey — *presented by Deputy Director Sydney Larrabee on behalf of Ashleigh Young, Director*

Bonnie Kelsey adopted two poodles from Davis County Animal Care earlier in 2023 and has been regularly donating food and supplies to the shelter. This time she made a monetary donation in order for Animal Care to be make purchases for more specific needs.

Financial Information:

- Type: Receivable
- Amount: \$150.00
- GL Account #: 1320253-493000
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 11/01/2023
- Ending Date: 11/01/2023

5. #1181/2023. Donation to Animal Care made by Mary Jann DeWitt — *presented by Deputy Director Sydney Larrabee on behalf of Ashleigh Young, Director*

Deputy Director Larrabee said Mary Jann DeWitt made a donation because she wanted to help animals.

Financial Information:

- Type: Receivable
- Amount: \$500.00
- GL Account #: 1320253-493000
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 11/03/2023
- Ending Date: 11/03/2023

COMMISSIONERS' MINUTES – DAVIS COUNTY

ASSESSOR'S OFFICE

6. #1227/2023. One year contract with Costar for commercial real property sale and lease data — *presented by Andrew Hansen, County Assessor*

Costar is the commercial data provider for the Assessor's Office. Effort was made to find a better and cost more cost effective alternative but, after a month of examining contracts, the decision was made to go back to Costar because they are currently the premium service to provide the information needed. The item presented is a new contract, rather than a renewal. The contract amount of \$10,800 is \$900 per month for one year. It was noted that the contract ending date should be 11/30/2024, and that there is an auto-renew provision. It was also noted that this is a purchase order and terms were attached to the document.

Financial Information:

- Type: Payable
- Amount: \$10,800.00
- GL Account #: N/A
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 11/30/2023
- Ending Date: 12/01/2024

VOTING

Motion to Approve: Randy B. Elliott. **Second:** Bob J Stevenson. All present voted aye.

AUDITOR'S OFFICE

7. #1218/2023. Notice of Intent to Engage in Contract Negotiations with Agissar Corporation — *presented by Curtis Koch, County Auditor*

This contract is for mail ballot opener and extraction equipment. A request for proposal (RFP) was done to look at the best possible way to complete the task, and Agissar Corporation was recommended.

VOTING

Motion to Approve: Lorene Miner Kamalu. **Second:** Bob J Stevenson. All present voted aye.

8. #1220/2023. Adoption of the 2024 Tentative Budget — *presented by Curtis Koch, County Auditor*

Auditor Curtis Koch read a statement regarding the adoption of the 2024 Tentative Budget [see Attachment A].

VOTING

Motion to Approve, with some modifications still to be made: Randy B. Elliott. **Second:** Lorene Miner Kamalu. **Aye:** Commissioner Kamalu and Commissioner Elliott. **Opposed:** Commissioner Stevenson.

Commissioner Stevenson explained that he voted against the tentative budget because he believes there are things that still need to be looked at. He does not necessarily agree that a 2 percent increase for employees is the right amount at this time, and wants effort made to give more than that. He expressed his belief that the County is getting closer to a tax increase, as sales tax revenue is projected to be down, and there is a need to work as a team to figure out ways to avoid the increase. Commissioner Stevenson also spoke about surveys showing that employees are looking for more flex time or ability to have more time off. These are things the County needs to look at that tie into the budget. Commissioner Stevenson said he hopes he could get a little bit support from his fellow Commissioners. He added that he believes it's something they all need to be united on, but there is another budget meeting scheduled next week where it can be discussed further.

Commissioner Kamalu offered an explanation of her affirmative vote stating that there was a year with a 0 percent cost-of-living adjustment (COLA) increase, due to uncertainty about what the pandemic was going to do with revenues, and the County weathered that storm. The County has been proactive and steadily competitive in

COMMISSIONERS' MINUTES – DAVIS COUNTY

Commissioner over five years of budgets is that the County has a tremendous responsibility in public safety. She takes to heart the critical mass needed of employees in the Sheriff's Office. When they're having to do overtime to keep up with regular work, it concerns her. By the end of the most recent budget meeting, it had been negotiated to staff about half of the Sheriff's requests. Commissioner Kamalu said she had advocated for, and prioritized, all of the Sheriff's requests. Counties are recognizing that revenue from sales tax is declining, and it's not known how deep or how long, so she respects the caution of the elected Auditor and her colleagues.

Commissioner Elliott said the tentative budget is still a work in progress, and there are things that need to be worked through. He understands Commissioner Stevenson's concerns about a potential tax increase down the road as well as concerns for the Sheriff's staff needs. This is a working budget for the timelines needed to address the public, and there still might be things that change in this budget. The County is working the best it can with the money available. Sales tax did come in flat, and so there is no extra revenue coming from that. The County is going to continue to run very lean. Commissioners are mindful that they work for the County and for the citizens of Davis County, who expect them to be mindful of their tax dollars. Commissioners hear about fixed incomes, and that it's becoming less affordable to live in Davis County, so they have to be mindful of everything. It is a balancing act to make sure employees are paid, and the needs of the Sheriff's Office are taken care of, while trying to "land the plane easily" so there aren't big tax increases to the general public. He moved approval of the budget to meet timelines knowing more discussions will be had and hopefully will work out in a way that will be easy for everybody to swallow.

Auditor Curtis Koch clarified that what was adopted in this meeting is a tentative budget. Without this action, no final budget could be adopted.

Commissioner Kamalu gave a reminder that budget meetings are open and public, except for the parts that have to do with personnel, which are closed by law.

COMMISSIONERS' OFFICE

9. #1212/2023. Ratification of a Cooperation Agreement with the Multicounty Appraisal Trust to appoint Andy Hansen to the MCAT Board representing Davis County — *presented by Commissioner Kamalu*

MCAT is the Multi-County Appraisal Trust Board.

Financial Information: N/A

Terms:

- Beginning Date: 11/13/2023
- Ending Date: N/A

VOTING

Motion to Approve: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

10. #1232/2023. Approval of Addendum to Contract for Indigent Capital Defense Counsel Services — *presented by Commissioner Elliott*

Financial Information:

- Type: N/A
- Amount: TBD
- GL Account #: N/A
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 11/21/2023
- Ending Date: N/A

VOTING

Motion to Approve: Randy B. Elliott. **Second:** Bob J Stevenson. All present voted aye.

COMMUNITY & ECONOMIC DEVELOPMENT

11. RES #282/2023. Resolution Modifying Provisions of the Mutton Hollow Township — *presented by Planning*

COMMISSIONERS' MINUTES – DAVIS COUNTY

Financial Information: N/A

Terms:

- Beginning Date: 11/21/2023
- Ending Date: N/A

VOTING

Motion to Approve: Bob J Stevenson. **Second:** Randy B. Elliott. All present voted aye.

12. #1226/2023. Ratify a Temporary Access License to C&L Water Solutions for access to the Syracuse drain, and for the placement of a temporary sewer bypass line (TID 12-106-0059 and 12-106-0062) — *presented by Planning Manager Jeff Oyler on behalf of Kent Andersen, Director*

Financial Information: N/A

Terms:

- Beginning Date: 11/16/2023
- Ending Date: 02/29/2024

VOTING

Motion to Approve: Bob J Stevenson. **Second:** Randy B. Elliott. All present voted aye.

FACILITIES

13. #1200/2023. Agreement with Access Door Systems, L.C. for installation of automatic sliding doors on the Central & South Davis Senior Activity Centers — *presented by Lane Rose, Director*

Financial Information:

- Type: Payable
- Amount: \$45,389.00
- GL Account #: 2910290-540274
- Davis County Match Required: No
- Additional Financial Information: CDBG funding

Terms:

- Beginning Date: 11/21/2023
- Ending Date: 06/30/2024

14. #1215/2023. Ratification of an agreement with Acme Construction, Inc. for concrete service related to the Health Department parking lot expansion project — *presented by Lane Rose, Director*

Financial Information:

- Type: Payable
- Amount: \$106,570.65
- GL Account #: 4610930-630730
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 11/07/2023
- Ending Date: 06/30/2024

VOTING

Motion to Approve Items 13-14: Bob J Stevenson. **Second:** Randy B. Elliott. All present voted aye.

Discussion was had about the electric vehicle charging station that was recently installed at the County's Administration Building. It was reported that the adapters don't work for Tesla vehicles. Lane Rose said there are two adapters or heads on the charger, and ChargePoint said they might eventually replace one with a Tesla adaptor. For now, Tesla owners will need a CCS adapter. Another charger is still being installed. Those who use the chargers will pay with a credit card. Commissioner Kamalu thanked Director Rose for his work on the project.

GOLF COURSES

COMMISSIONERS' MINUTES – DAVIS COUNTY

contracts are renewals, and there are not any changes from the past. The agreements are payable yearly, based on a percentage of net sales from the pro shops only. Because the contracts have the same terms, they were presented and approved together.

Dustin Volk said that, in the last three years, the total gross sales from the pro shop has been \$2.7 million; \$1.63 of that was generated from tournament fees. Green fees, cart fees, and range fees are included in that amount. More than 414 golf bags, 3,600 golf clubs or sets of clubs, and over 3,800 hats were sold. The golf courses are a business, and a lot of work goes into setting up products in the shop and running tournaments, so the agreements are appreciated. Director Volk said he thinks the agreements are instrumental to the success of the golf courses. He thanked his co-workers and the Commissioners, especially Commissioner Stevenson, for changes in the running of the golf courses. Net profits are at about \$2.4 million in three years, he said, adding that he doesn't know if the golf courses made that much in the last 20 years.

Financial Information:

- Type: Payable
- Amount: TBD Yearly
- GL Account #: 5170661-510110 & 5170662-510110
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 01/01/2024
- Ending Date: 12/31/2028

16. #1196/2023. Profit Sharing Contract between Pete Stone and Davis County — *presented by Dustin Volk, Director*

[See Agenda Item 15 for discussion of this contract.]

Financial Information:

- Type: Payable
- Amount: TBD Yearly
- GL Account #: 5170662-510110
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 01/01/2024
- Ending Date: 12/31/2028

17. #1197/2023. Profit Sharing Contract between Zach Johnson and Davis County — *presented by Dustin Volk, Director*

[See Agenda Item 15 for discussion of this contract.]

Financial Information:

- Type: Payable
- Amount: TBD Yearly
- GL Account #: 5170661-510110
- Davis County Match Required: N/A
- Additional Financial Information: N/N

Terms:

- Beginning Date: 01/01/2024
- Ending Date: 12/31/2028

18. #1198/2023. Profit Sharing Contract between Shane Scott and Davis County — *presented by Dustin Volk, Director*

[See Agenda Item 15 for discussion of this contract.]

Financial Information:

- Type: Payable
- Amount: TBD Yearly
- GL Account #: 5170662-510110
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 01/01/2024
- Ending Date: 12/31/2028

COMMISSIONERS' MINUTES – DAVIS COUNTY

Financial Information:

- Type: Payable
- Amount: TBD Yearly
- GL Account #: 5170661-510110
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 01/01/2024
- Ending Date: 12/31/2028

VOTING

Motion to Approve Items 15-19: Randy B. Elliott. **Second:** Bob J Stevenson. All present voted aye.

In the spirit of Thanksgiving, Dustin Volk thanked Commissioners for their support of the golf courses. He also thanked the Auditor and his accounting division for their help, as well as Facilities, Public Works, and Human Resources. Finally, he thanked Brian Hatch of the Health Department for not closing the golf courses in March of 2020 [during the COVID-19 pandemic]. Staying open during that time allowed the Golf Courses to require customers to prepay for golf, which has become a permanent success. Director Volk expressed his opinion that had the courses been closed, they would have reopened to old ways and would not be in the current [successful] situation. Commissioner Kamalu added that golf courses were a place that people could go, and it helped them get through the pandemic.

County Auditor Curtis Koch excused himself at this point in the meeting in order to attend to a legislative appointment. He asked Chief Deputy Auditor Angie Nelson to take over his duties at the Commission Meeting.

HEALTH

20. #1182/2023. Contract with At Home Care for Seniors, Home Health Services of Utah to provide direct purchase of in-home services for clients of Davis County — *presented by Brian Hatch, Director*

The payable amount is dependent on services chosen by the client, who will be reimbursed by the County.

Financial Information:

- Type: Payable
- Amount: Service dependent
- GL Account #: 1510325-550620
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 07/01/2023
- Ending Date: 06/30/2025

21. #1183/2023. Agreement with American Type Culture Collection in order to purchase and ship bacteria (hazardous/infectious material) — *presented by Brian Hatch, Director*

The Health Department's lab has to have bacterial cultures to keep accreditation.

Financial Information: N/A

Terms:

- Beginning Date: 10/26/2023
- Ending Date: N/A

22. #1184/2023. Memorandum of Agreement (MOA) with Utah Department of Health & Human Services providing the General Provisions and Business Associate Agreement with Davis County — *presented by Brian Hatch, Director*

Director Hatch stated that the contract is for the sharing of information, and there is no financial impact.

Financial Information: N/A

Terms:

- Beginning Date: 07/01/2023
- Ending Date: 06/30/2028

COMMISSIONERS' MINUTES – DAVIS COUNTY

Financial Information:

- Type: Payable
- Amount: \$2,250.00 decrease
- GL Account #: 1530311-640741
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 10/24/2023
- Ending Date: N/A

24. #1211/2023. Amendment 1, Contract 2023-006 with Utah Department of Health & Human Services for the Violence and Injury Prevention Program — *presented by Brian Hatch, Director*

Financial Information:

- Type: Receivable
- Amount: \$30,336.00 increase
- GL Account #: 1530311-474505
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 10/01/2023
- Ending Date: 09/30/2024

VOTING

Motion to Approve Items 20-24: Bob J Stevenson. **Second:** Randy B. Elliott. All present voted aye.

LIBRARY

25. #1164/2023. Contract with LinkedIn for LinkedIn Learning Library online learning database — *presented by Ellen Peterson, Deputy Director*

The LinkedIn Learning online learning database is well-known and used by libraries throughout the nation. They advertise business courses primarily, but also have technology and arts courses.

Financial Information:

- Type: Payable
- Amount: \$20,000.00
- GL Account #: 2310580 540612
- Davis County Match Required: No
- Additional Financial Information: Charged \$20,000 annually for 3 years; total cost \$60,000.00

Terms:

- Beginning Date: 01/08/2024
- Ending Date: 01/07/2027

26. #1224/2023. Renewal contract with EBSCO for MyHeritage Family History Database — *presented by Ellen Peterson, Deputy Director*

MyHeritage is a genealogy database to search for U.S. and world historical documents including census, year books, photos, and more.

Financial Information:

- Type: Payable
- Amount: \$6,674.00
- GL Account #: 2310580 540612
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:

- Beginning Date: 11/01/2023
- Ending Date: 10/31/2024

27. #1225/2023. Contract with EBSCO for Flipster digital magazine service — *presented by Ellen Peterson, Deputy Director*

COMMISSIONERS' MINUTES – DAVIS COUNTY

- Davis County Match Required: No
- Additional Financial Information: N/A

VOTING

Motion to Approve Items 25-27: Randy B. Elliott. **Second:** Bob J Stevenson. All present voted aye.

PUBLIC WORKS

28. #1213/2023. Change Order to contract with Bowen Construction Co. for the Holmes Creek Fairfield Road Culvert Replacement Project #2022-336 — *presented by Adam Wright, Director*

Adam Wright explained that this change order amount is unusual, and was caused by a couple of issues. First, the design engineer underestimated the numbers in regard to asphalt and road base, using a square yard number instead of a square foot. Second, Layton City enforced policies on their road that did not allow the County use native material, as had been proposed to them early on. During construction the city required new material, which resulted in additional costs. That's what it takes to do the project right, so there won't be issue there in the future, Director Wright said, adding that there was no waste in the amount of materials used to replace the culvert in that road section. There was also an additional tree to be dealt with, as well some damage from the crane to curb, gutter and sidewalk. Director Wright gave his opinion that, in spite of issues with the estimate and change in standard, the project turned out very well and Bowen did a very good job. There were places where a wall couldn't be removed without damaging a structure, and Bowen came up with a good plan to keep that wall in place, potentially saving money by averting problems down the road. They also worked well with the public.

Financial Information:

- Type: Payable
- Amount: \$110,939.70
- GL Account #: 2440410-670756
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 11/21/2023
- Ending Date: 11/21/2024

VOTING

Motion to Approve: Randy B. Elliott. **Second:** Bob J Stevenson. All present voted aye.

SHERIFF'S OFFICE

29. #1163/2023. Service Provider Contract between Garrett Dental Services PLLC and Davis County Sheriff's Office for Dental Services for Inmates — *presented by Chief Taylor West on behalf of Kelly Sparks, County Sheriff*

Commissioner Kamalu pointed out that the Auditor's Office had noted that the payable amounts on the agenda document and the contract don't match. Chief West indicated he would follow up to make sure the amounts are right.

Financial Information:

- Type: Payable
- Amount: \$202,957.50
- GL Account #: 1020230-555312
- Davis County Match Required: N/A
- Additional Financial Information:
Yr 1 \$39,000.00, Yr 2 \$39,780.00,
Yr 3 \$40,575.60, Yr 4 \$41,387.10
and Yr 5 \$42,214.80

Terms:

- Beginning Date: 01/01/2024
- Ending Date: 12/31/2028

30. #1210/2023. Donation Agreement between Davis County and Elite K9 Gear LLC for donation of a nine-month old Belgian Malinois/Australian Shepherd mixed breed, male K9 named Copper (estimated value of \$6,000). K9 will be titled to the County (estimated value of \$1,000). — *presented by Chief Taylor West on behalf of Kelly Sparks, County Sheriff*

COMMISSIONERS' MINUTES – DAVIS COUNTY

- GL Account #: N/A
- Davis County Match Required: N/A
- Additional Financial Information: N/A

31-47. Agreements with individuals to participate in the 24/7 SCRAM continuous transdermal alcohol monitoring program — *presented by Chief Taylor West on behalf of Kelly Sparks, County Sheriff*

31. #1185/2023	35. #1189/2023	39. #1201/2023	43. #1205/2023	47. #1209/2023
32. #1186/2023	36. #1190/2023	40. #1202/2023	44. #1206/2023	
33. #1187/2023	37. #1191/2023	41. #1203/2023	45. #1207/2023	
34. #1188/2023	38. #1192/2023	42. #1204/2023	46. #1208/2023	

Financial Information for Items 31-47:

- Type: Receivable
- Amount: see additional financial information
- GL Account #: 1020230-472000
- Davis County Match Required: N/A
- Additional Financial Information: \$30.00 enrollment fee, \$10.00 per day continuous alcohol monitoring fee, \$2.00 per intoxilyzer test, and \$6.00 per liquid drug screen test

Terms for Items 31-47:

- Beginning Date: Upon final signature
- Ending Date: Until this individual is no longer under court order to participate in the program

VOTING

Motion to Approve Items 29-47: Bob J Stevenson. **Second:** Randy B. Elliott. All present voted aye.

Motion to recess to Board of Equalization: Randy B. Elliott. **Second:** Bob J Stevenson. All present voted aye.

BOARD OF EQUALIZATION

48. #1228/2023. Property Tax Register 11-21-2023 — *presented by Chief Deputy Auditor Angie Nelson on behalf of Curtis Koch, County Auditor*

Auditor Adjustments

Appeals

The Appeals Approved report and the Large Balance differences report that total \$10,784,204.00

Abatements

A Late Abatement report with various abatements totaling \$52,293.61

Corrections

Seven Veteran Exemptions from 2022 and three purchased Exempt Entities from 2023 totaling \$222,773.22

Treasurer Adjustments

The Small-Balance Write-Off report, which totals -\$9.93

Assessor Adjustments

Assessor's Corrections

Various Corrections totaling \$6,927,466.00

VOTING

Motion to Approve: Bob J Stevenson. **Second:** Randy B. Elliott. All present voted aye.

Motion to reconvene Commission Meeting: Randy B. Elliott. **Second:** Bob J Stevenson. All present voted aye.

COMMISSIONERS' MINUTES – DAVIS COUNTY

Commissioner Stevenson emphasized this would only be a test, and not countywide, to see whether ideas would work. He expressed appreciation for Commissioner Elliott's open-mindedness on this topic, as it was the top requests on the survey. It would also, hopefully, serve the public by extending hours at the County to allow people to come in a little later in the evening to accomplish the business they need. It would only be a test and may not work, he said, but we can't learn if we do not try.

Commissioner Kamalu commented that she believes in innovation, but often things must be thoroughly tested before rolling them out. What that test looks like would be part of the discussion, she said, adding that an employee might have a hard time testing a 36-hour work week to then be told it didn't work. There's probably a procedure for further discussion of the potential hurdles, she said, suggesting that the Clerk and HR department can help Commissioners schedule the right kind of meeting. Commissioner Kamalu commented that she values the compensation survey, but if she were an employee that didn't have the ability for any flex time she might wonder why others get some.

Commissioner Kamalu also remarked on the Utah Association of Counties annual conference, which was attended by most elected officials and department directors during the prior week. There were many opportunities to learn and work with other counties and State leaders. The Commissioner said there were two things that stood out to her – one was a presentation by a retired Forest Service employee about the history of public lands, and the other was a presentation by Representative Wilcox regarding school safety. Representative Wilcox presented to commissioners, council members, and sheriffs about threats to schools, which are watched for at the state and federal level. His bottom line was that Utah has more work to do because other places, where there have been serious tragedies in schools, knew there were risks but got serious after the tragedy occurred. Commissioner Kamalu said Representative Wilcox shared real examples that have happened in Utah, and promised legislation for school safety in the upcoming session. Commissioner Kamalu said she looks forward to visiting with Sheriff Sparks about what she learned. Finally, Commissioner Kamalu said it is a very special season of the year, and we live in a very special place in the world. She expressed her hope that we can be grateful this week and all through the holiday season and into the New Year.

MEETING ADJOURNED

Commission Meeting was adjourned at 11:22 AM.

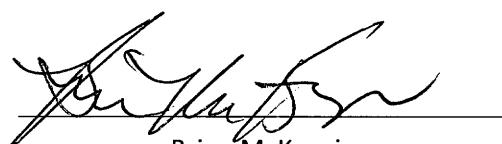
ATTACHMENTS

All publicly distributed materials associated with this meeting are noted as the following attachments:

- A. Auditor's Statement Regarding the Adoption of the 2024 Tentative Budget
- B. RES #282/2023, Resolution Modifying Provisions of the Mutton Hollow Township

Minutes Prepared by:

Becky Wright
Deputy Clerk



Brian McKenzie
Davis County Clerk

Minutes Approved on:

12/19/2023



Lorene Miner Kamalu
Commission Chair



COMMISSIONERS' MINUTES – DAVIS COUNTY

Motion to Deny and Hold Hearings: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

50-52. Approval of Minutes — *presented by Commissioner Kamalu*

50. #1169/2023. Regular Commission Meeting Minutes for October 24, 2023
51. #1222/2023. Special Work Session Minutes for October 27, 2023
52. #1223/2023. Work Session Meeting Minutes for October 31, 2023

VOTING

Motion to Approve Items 50-52: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

CLOSING REMARKS

County Clerk Brian McKenzie offered a reminder that Nov. 21, 2023, is Election Day, and it was not too late to cast a ballot as polls and drop boxes would be open until 8 PM throughout the County. At the time of the Commission Meeting, a little over 43,000 people had voted in the election, and those ballots had been counted and processed and were ready for release as soon as the polls closed.

Commissioner Kamalu commented that people can track their ballot after it's been submitted, and receive a notice when their ballot has been received and when it's been counted. Brian McKenzie said voters can sign up at ballottrax.utah.gov and decide to get a telephone call, text message, or email. A short discussion was had about the thoroughness of the County's election staff in reviewing signatures. It was mentioned that Commissioner Stevenson would have the opportunity to participate in the County's post-election audit for this election. The Clerk expressed appreciation for having the Commissioners involved in the election process as it adds an additional layer of independence to County elections to ensure there are many different eyes looking at elections and making sure they are accurate and secure for all.

Commissioner Elliott wished everyone a happy Thanksgiving, and encouraged them to enjoy time with family.

Commissioner Stevenson commented he had met with the new president of Utah State University, Betsy Cantwell. They discussed Davis County and also talked about possible signage next to the new [Davis Agricultural] Heritage Center arena. Commissioner Stevenson said he's starting the process with Justen Smith [Director of USU Extension Agriculture and Natural Resources Department] and the County's Tourism staff to come up with a sign for Utah State's executive board to approve. Commissioner Stevenson again thanked Lane Rose for his work on the charging station. He then commented on the tentative budget and the market survey showing that employees wanted to see if there could be a little more flexibility. He said he has been proposing that the County do a test dealing with flex schedules such as 5-4/9, a 4-day work week, and extending hours the County would be open in the evening to serve the public. This would only be a test to see whether it would work. Commissioner Stevenson looked to other Commissioners to see whether he could get any verbal support for looking at these options.

Commissioner Elliott said he's willing to do a test and think outside the box.

Commissioner Kamalu commented that the Chair has the opportunity to work closely with Human Resources (HR), and she remembered from other meetings over her five years as a Commissioner there are already departments that offer flex schedules. There is a lot of leeway that exists for the heads of departments, she said, noting that she has offered to host a meeting in which the Health Department Director can share things he's learned. There are some logistical concerns in HR having to do with schedules and deadlines for payroll, so it's going to be a very big thing for HR to figure out. Commissioner Kamalu expressed her concern that if the County has a 36-hour work week as a test, and if it can't happen everywhere, there could be some issues regarding pay equity. Commissioner Kamalu noted her undergraduate degree is in HR, and said it's not a bad idea to always be looking at how the County is doing regarding efficiencies. However, a 36-hour work week is so dramatic that she

DAVIS COUNTY REGULAR COMMISSION MEETING
AGENDA ITEM SUMMARY

Agenda Item Type: Resolution
Department: CED - Planning
Presenter: Kent Andersen, Director
Agenda Item: **Resolution Modifying Provisions of the Mutton Hollow Township**
Resolution of Davis County, State of Utah, Changing the Name of Mutton Hollow Township to the Mutton Hollow Planning Advisory Area, Clarifying that Elections are no longer used for Selection of Member(s) of the Mutton Hollow Planning Advisory Area, and Establishing that the Mutton Hollow Planning Advisory Area shall no longer be a Constituted Body.

Financial Information:

- Type: N/A
- Amount: \$0
- GL Account #: N/A
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 11/21/2023
- Ending Date: N/A

Attachments:

1. Resolution Modifying Provisions of the Mutton Hollow Township

#RES 282/2023

Proposed Meeting Date: 11/21/2023
Submitted by: Andersen, Kent
Document Type: public

WHEREAS, on December 10, 2013, errors were identified by the Davis County Clerk in the areas that

Legislative Body, passed General Ordinance 08-2001, repealing General Ordinance 01-98, eliminating the need for electing members to the Mutton Hollow Township Planning Commission; and

WHEREAS, in July, 2001, the Davis County Board of County Commissioners, as the Davis County Commissioners, as the Davis County Legislative Body, passed General Ordinance 01-98, reconstituting the Mutton Hollow Township Planning Commission; and

WHEREAS, on February 2, 1998, as a result of HB 2001, the Davis County Board of County Commissioners, as the Davis County Legislative Body, passed General Ordinance 01-98, reconstituting the Mutton Hollow Township Planning Commission; and

WHEREAS, on July 16, 1997, the Utah State Legislature passed HB 2001 during a special session; and

WHEREAS, on June 9, 1997, in accordance with HB 363's revisions to the Township Act, the Davis County Board of County Commissioners, as the Davis County Legislative Body, passed General Ordinance 02-97, which repealed General Ordinance 06-96 and reconstituted the Mutton Hollow Township as the Mutton Hollow Township Planning District Planning Commission; and

WHEREAS, on June 9, 1997, in accordance with HB 363's revisions to the Township Act, the Davis County Board of County Commissioners, as the Davis County Legislative Body, passed General Ordinance 02-97, which established zoning districts, and dissolved all existing townships except for those that met certain defined requirements; and

WHEREAS, in early 1997, the Utah State Legislature passed HB 363, which modified the Township Act, established zoning districts, and dissolved all existing townships except for those that met certain defined requirements; and

WHEREAS, on September 24, 1996, an election was held to create the Mutton Hollow Township; and

WHEREAS, in July, 1996, the Davis County Clerk prepared a report of the signers of the Mutton Hollow Township petition; and

WHEREAS, on May 30, 1996, and again on June 28, 1996, a petition for Mutton Hollow Township was filed with the Davis County Clerk and includes the legal description and proposed map; and

WHEREAS, the Davis County Board of County Commissioners, as the Davis County Legislative Body, adopted General Ordinance 06-96, which established the time and manner of conducting elections to create townships and provided for the election of township planning and zoning board members; and

WHEREAS, in 1996, the Utah Township Act (HB 120) was passed by the Utah Legislature, allowing for the formation of Townships; and

RESOLUTION OF DAVIS COUNTY, STATE OF UTAH, CHANGING THE NAME
OF MUTTON HOLLOW TOWNSHIP TO THE MUTTON HOLLOW PLANNING ADVISORY
AREA, CLARIFYING THAT ELECTIONS ARE NO LONGER USED FOR SELECTION OF
MEMBER(S) OF THE MUTTON HOLLOW PLANNING ADVISORY AREA, AND
ESTABLISHING THAT THE MUTTON HOLLOW PLANNING ADVISORY AREA SHALL
NO LONGER BE A CONSTITUTED BODY

RESOLUTION NO. #282/2023
DAVIS COUNTY, UTAH

should encompass the boundaries of the Mutton Hollow Township Planning Commission area, and Resolution 2013-588 was passed by Davis County to approve several withdrawals from the area as a result of annexation of Layton City and Kaysville City; and

WHEREAS, in 2015, SB 199 provided, in part, that “[a]n area that is an established township before May 12, 2015: (i) is, as of May 12, 2015, a planning advisory area; and (ii) (A) shall change its name, if applicable, to no longer include the word “township”; and (B) may use the word “planning advisory area” in its name”; and

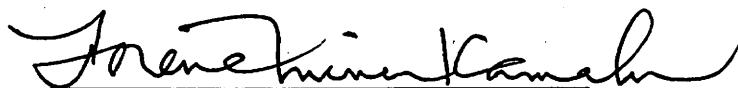
WHEREAS, Utah Code 17-27a-306(2) (2023) authorizes the Davis County Legislative Body to assign to the countywide planning commission the duties established in this part that would have been assumed by a planning advisory area planning commission, or designate and appoint a planning commission for the planning advisory area.

NOW, THEREFORE, BE IT RESOLVED, by the Davis County Legislative Body, as follows:

1. The Mutton Hollow Township Planning Commission has not been functioning in accordance with applicable law since at least May 12, 2015, and more likely since 2001, and, therefore, the Mutton Hollow Township Planning Commission is hereby renamed the Mutton Hollow Planning Advisory Area;
2. In accordance with SB 199 (2015), Utah Code 17-27a-306 (2023), and General Ordinance 08-2001 (which repealed General Ordinance 01-98), elections for the Mutton Hollow Planning Advisory Area are no longer authorized under applicable law, and, thus, elections for the Mutton Hollow Planning Advisory Area shall no longer be held to select members of the Mutton Hollow Planning Advisory Area;
3. The countywide planning commission is assigned the duties established in Utah Code Title 17, Chapter 27a, Part 3 (2023, as amended), and relating to the Mutton Hollow Planning Advisory Area that would have been assumed by a separate Mutton Hollow Planning Commission had the Davis County Legislative body designated and appointed a separate planning commission for the Mutton Hollow Planning Advisory Area.

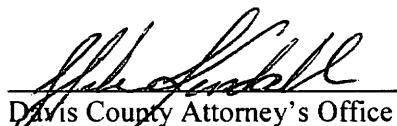
This resolution was duly PASSED, ADOPTED, or APPROVED by the Davis County Legislative Body, on this 20th day of November, 2023, with Commissioners Lorene Miner Kamalu aye, Randy B. Elliott aye, and Bob J Stevenson aye, all voting as documented herein above.

DAVIS COUNTY



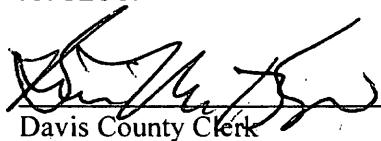
Lorene Miner Kamalu, Chair of the Board of County Commissioners of Davis County, Utah

Approved as to Form:



Davis County Attorney's Office

ATTEST:



Davis County Clerk

Commissioners,

You have before you a tentative budget for adoption.

UCA 17-36-10 1(a) Requires that the Finance Office of the County (or Auditor) file a tentative budget with the Governing Body on or before the first day of the next to last month of every fiscal period. This was accomplished on October 24th with no modifications to departmental requests.

In addition, UCA 17-36-10 8(a) states that the governing body shall review, consider, and adopt a tentative budget. This task was not accomplished on October 24th.

UCA 17-36-11 states that a tentative budget and all supportive schedules and data shall be a public record available for inspection during business hours at the office of the finance officer for at least 10 days before the public hearing on the adoption of a final budget. It is reasonable that this reference to a tentative budget refers to the "adopted" budget in 17-36-8(a). Therefore, it is necessary that the Board of Commissioners adopt a tentative budget. Currently, a public hearing for the final budget is scheduled for Tuesday, December 5th at 6:00 pm. Depending upon the action of the body today, the hearing on December 5th may need to be adjusted. The latest that a tentative budget can be adopted is December 20th with the final budget required for adoption no later than December 31st.

This tentative budget contains modification made during individual meetings held with each Commissioner and members of the Budget Committee regarding the departments that reside in each Commissioners portfolio. The budget also contains modifications that were directed by a majority of Commissioners during the Budget Committee meetings held on November 6th and November 13th.

Projections in this budget include a 2% cost of living adjustment for all County employees beginning January 1 as well as 0 to 3.5% merit increase dependent upon the annual performance appraisal. All vehicle requests have been removed as discussions continue regarding the establishment of operating an internal service fund for countywide fleet management continues. Additional reductions in operations and capital requests made by the departments are included as well.

If adopted today, my office will give view access to all departments so that they can review the changes made. In addition, an email will be sent to departments in which reductions in operational requests have been made providing them instructions for reducing budgets. If not adopted, schedules will need to be adjusted.

I am happy to answer any questions.

DAVIS COUNTY, UTAH
RESOLUTION NO. #282/2023

**A RESOLUTION OF DAVIS COUNTY, STATE OF UTAH, CHANGING THE NAME
OF MUTTON HOLLOW TOWNSHIP TO THE MUTTON HOLLOW PLANNING ADVISORY
AREA, CLARIFYING THAT ELECTIONS ARE NO LONGER USED FOR SELECTION OF
MEMBER(S) OF THE MUTTON HOLLOW PLANNING ADVISORY AREA, AND
ESTABLISHING THAT THE MUTTON HOLLOW PLANNING ADVISORY AREA SHALL
NO LONGER BE A CONSTITUTED BODY**

WHEREAS, in 1996, the Utah Township Act (HB 120) was passed by the Utah Legislature, allowing for the formation of Townships; and

WHEREAS, the Davis County Board of County Commissioners, as the Davis County Legislative Body, adopted General Ordinance 06-96, which established the time and manner of conducting elections to create townships and provided for the election of township planning and zoning board members; and

WHEREAS, on May 30, 1996, and again on June 28, 1996, a petition for Mutton Hollow Township was filed with the Davis County Clerk and includes the legal description and proposed map; and

WHEREAS, in July, 1996, the Davis County Clerk prepared a report of the signers of the Mutton Hollow Township petition; and

WHEREAS, on September 24, 1996, an election was held to create the Mutton Hollow Township; and

WHEREAS, on November 12, 1996, an election was held to elect three board members to the Mutton Hollow Township; and

WHEREAS, in early 1997, the Utah State Legislature passed HB 363, which modified the Township Act, established zoning districts, and dissolved all existing townships except for those that met certain defined requirements; and

WHEREAS, on June 9, 1997, in accordance with HB 363's revisions to the Township Act, the Davis County Board of County Commissioners, as the Davis County Legislative Body, passed General Ordinance 02-97, which repealed General Ordinance 06-96 and reconstituted the Mutton Hollow Township as the Mutton Hollow Township Planning District Planning Commission; and

WHEREAS, on July 16, 1997, the Utah State Legislature passed HB 2001 during a special session; and

WHEREAS, on February 2, 1998, as a result of HB 2001, the Davis County Board of County Commissioners, as the Davis County Legislative Body, passed General Ordinance 01-98, reconstituting the Mutton Hollow Township Planning District Planning Commission as the Mutton Hollow Township Planning Commission; and

WHEREAS, in July, 2001, the Davis County Board of County Commissioners, as the Davis County Legislative Body, passed General Ordinance 08-2001, repealing General Ordinance 01-98, eliminating the need for electing members to the Mutton Hollow Township Planning Commission; and

WHEREAS, on December 10, 2013, errors were identified by the Davis County Clerk in the areas that

Davis County Attorney's Office

ATTEST:

Lorene Miner Kamalu, Chair of the Board of County
Commissioners of Davis County, Utah

Approved as to Form:

DAVIS COUNTY

This resolution was duly PASSED, APPROVED, or ADOPTED, on this 2nd day of November, 2023, with Commissioners Lorene Miner Kamalu ay, Randy B. Elliott ay, and Bob J. Stevenson ay, all voting as documented herein above.

1. The Mutton Hollow Township Planning Commission has not been functioning in accordance with applicable law since at least May 12, 2015, and more likely since 2001, and, therefore, the Mutton Hollow Township Planning Commission is hereby renamed the Mutton Hollow Planning Area; which repealed General Ordinance 01-98, elections for the Mutton Hollow Planning Advisory Area are no longer authorized under applicable law, and, thus, elections for the Mutton Hollow Planning Advisory Area shall no longer be held to select members of the Mutton Hollow Planning Area; are no longer authorized under applicable law, and, thus, elections for the Mutton Hollow Planning Advisory Area shall no longer be held to select members of the Mutton Hollow Planning Area.
2. In accordance with SB 199 (2015), Utah Code 17-27a-306 (2023), and General Ordinance 08-2001 (which repealed General Ordinance 01-98), elections for the Mutton Hollow Planning Advisory Area are no longer authorized under applicable law, and, thus, elections for the Mutton Hollow Planning Advisory Area shall no longer be held to select members of the Mutton Hollow Planning Area.
3. The countywide planning commission is assigned the duties established in Utah Code Title 17, Chapter 27a, Part 3 (2023, as amended), and relating to the Mutton Hollow Planning Advisory Area that would have been assumed by a separate Mutton Hollow Planning Commission had the Davis County Legislature body designated under applicable law, and, thus, elections for the Mutton Hollow Planning Commission had the Mutton Hollow Planning Commission for the Mutton Hollow Planning Area.

NOW, THEREFORE, BE IT RESOLVED, by the Davis County Legislative Body, as follows:

WHEREAS, Utah Code 17-27a-306(2) (2023) authorizes the Davis County Legislative Body to assign planning advisory area planning commission the duties established in this part that would have been assumed by a countywide planning commission, or designate and appoint a planning commission for the planning advisory area;

WHEREAS, in 2015, SB 199 provided, in part, that "[a]n area that is an established township before May 12, 2015: (i) is, as of May 12, 2015, a planning advisory area; and (ii) (A) shall change its name, if applicable, to no longer include the word "township"; and (B) may use the word "planning advisory area" in its name"; and

2013-58 was passed by Davis County to approve several withdrawals from the area as a result of annexation of Layton City and Kaysville City; and

should encompass the boundaries of the Mutton Hollow Township Planning Commission area, and Resolution