COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES
Tuesday, December 12, 2023

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 AM on Tuesday, December 12, 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 10:04 AM and Rich Gallegos, Davis County Legal Defender, led the Pledge of Allegiance.

RECOGNITION, PRESENTATION, AND INFORMATIONAL ITEMS

1. #1160/2023. **A Proclamation Declaring December 12, 2023 as "William J. Albright Day" in Davis County —** ***presented by Commissioner Kamalu***

Legal Defender Coordinator Todd Utzinger said Bill Albright has been a legal defender in Davis County for 33 years and practicing law as a criminal defense attorney for 43 years. Bill's last official day of employment with Davis County will be December 31, 2023. Todd spoke of how things have changed over the years Bill has been with the County. When Bill started, there were two trailers in a parking lot. The defenders would meet clients in one of the trailers, then go to the other trailer to have a hearing before the judge. Now there is a Justice Complex with Justice Court, Juvenile Court, the Davis County Jail, and the County Attorney's Office in one place. When Bill first started, there were only a couple of attorneys, and they weren't specialized. Now they are constitutionally required to have attorneys that specialize in District Court, Juvenile Court, and Justice Court. Todd said working with Bill has always been a highlight in District Court, and he's somebody they've all looked to for guidance at different times. He has many years of experience and will be missed. Todd recognized the members of Bill's family in attendance, including his wife Dixie. Bill and Dixie are celebrating their 50th anniversary. The office held a celebration for Bill last week, at their Continuing Legal Education (CLE) meeting, but they wanted to honor him with a proclamation. It was noted that some legal defenders, prosecutors, and staff members were in attendance at the Commission Meeting.

Commissioner Kamalu said in her five years as a County Commissioner she's had the honor of working with the criminal justice system and serving at the State level with the Indigent Defense Commission. Their work exists to make sure that the Constitution of the United States is in play in the life of everyone accused of a crime.

Before Commissioners presented the proclamation, Todd displayed a toy shark. He explained the shark was given to Bill about 20 years ago by Judge Mike DiReda. At that time Mike DiReda was a prosecutor, and during a trial he said something to the effect that Bill was a shark. In Davis County there is a very good relationship between prosecutors in the County Attorney's Office and the Legal Defenders. After the trial, as a way to keep the spirit of cooperation going, Mike DiReda gave Bill the shark. The shark has hung over the doorway in the Legal Defenders' office for 20 years, and as they go off to trial they push a button on the shark to make it play the theme song to the movie "Jaws." The shark, now mounted on a plaque that reads "William J. Albright, Legal Defender Emeritus," was presented to Bill as a keepsake.

Following Todd Utzinger's presentation, Commissioner Kamalu read aloud the Proclamation Declaring December 12, 2023, as "William J. Albright Day" in Davis County (see Attachment A).

Bill Albright was invited to address those in attendance. He showed a new day planner and said it is completely blank, which has never happened for him in 43 years, but his wife has committed to help him fill it up. Bill expressed appreciation for the recognition and thanked everyone for showing up to this once-in-a-lifetime event.

Financial Information: N/A

Terms:

- Beginning Date: 12/12/2023
- Ending Date: 12/12/2023

PUBLIC COMMENTS
Commissioner Kamalu invited public comments; no comments were made.

BUSINESS/ACTION
ANIMAL CARE
2. #1309/2023. **Adoption Agreements with Animal Care for November 2023 — *presented by Ashleigh Young, Director***

A total of 190 animals were adopted in November: 124 cats; 65 dogs; and 1 chicken named Daredevil, which was picked up on Interstate-15.

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

Terms:
- Beginning Date: 11/01/2023
- Ending Date: 11/30/2023

3. #1310/2023. **Donation to Animal Care made by Susan Case — *presented by Ashleigh Young, Director***

The donation was made by Susan Case in memory of her sister, Carol Bates of Clearfield City.

Financial Information:
- Type: Receivable
- Amount: $10,000.00
- GL Account #: 1320253-493000
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
- Beginning Date: 11/17/2023
- Ending Date: 11/17/2023

4. #1311/2023. **November Donations to Animal Care — *presented by Ashleigh Young, Director***

Commissioner Kamalu said it's important to think about these numbers – 190 adoptions in a single month, because of the good work of the Animal Care staff. She also commented on how sweet it is to know the $10,000.00 donation is in memory of this sister that there were 17 more donations.

Financial Information:
- Type: Receivable
- Amount: $1,058.46
- GL Account #: 1320253-493000
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:
- Beginning Date: 11/01/2023
- Ending Date: 11/30/2023

VOTING
Motion to Approve Items 2-4: Lorene Miner Kamalu. **Second:** Bob J Stevenson. All present voted aye.

COMMUNITY & ECONOMIC DEVELOPMENT
5. RES #283/2023. **A Resolution of Davis County with Kaysville City Approving an Interlocal Cooperation Transportation Project Reimbursement Agreement using Fourth Quarter Proposition One Local Option Sales Tax Transportation Funds — *presented by Kent Andersen, Director***

Director Andersen said the project, for a parking lot [at the Kaysville Wilderness Park Trailhead], has been in the works for a while. Jeff Oyler applied for a State grant for $142,000.00. Additional funding of $245,000.00 came out of Prop 1 monies, and Kaysville committed $184,000.00, so the project was a good collaboration.

Financial Information:
- Type: Payable
- Amount: $387,000.00
- GL Account #: 2215435-540274
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
- Beginning Date: 12/12/2023
- Ending Date: Upon completion of the parties' obligations under the agreement.

6. #1307/2023. **Appropriation of Funds to Antelope Island State Park from the Antelope by Moonlight Bike Ride — *presented by Kent Andersen, Director***

Kent Andersen noted that the appropriation of funds is to the Friends of Antelope Island, not to Antelope Island State Park.

Financial Information:
- Type: Payable
- Amount: $12,000.00
- GL Account #: 1810170-540540
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:
- Beginning Date: 12/12/2023
- Ending Date: 12/31/2023

VOTING
Motion to Approve Items 5-6: Bob J Stevenson. **Second:** Randy B. Elliott. All present voted aye.

HEALTH
7. #1304/2023. **Donation to the Davis County Health Department, Meals on Wheels Program — *presented by Brian Hatch, Director***

Brian Hatch said the donor wishes to remain anonymous, and the money will be put to good use.

Financial Information:
- Type: Receivable
- Amount: $8,000.00
- GL Account #: 1510325-495100
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
- Beginning Date: 12/12/2023
- Ending Date: N/A

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

SHERIFF'S OFFICE
8. #1305/2023. **Memorandum of Understanding (MOU) between Naval Surface Warfare Center, Crane Division, (NA VSURFWARCENDIV) and Davis County for the Law Enforcement Electro-Optics Loan Program — *presented by Kelly Sparks, County Sheriff***

The U.S. Navy is providing Davis County with six sets of night optic vision equipment valued at approximately $10,000.00 per set. There is no financial obligation for Davis County. The equipment will help in search and rescue missions and in law enforcement.

Financial Information: N/A

Terms:
- Beginning Date: Upon final signature
- Ending Date: 12/31/2028

9. #891/2023. **Amendment #4 to Interlocal Cooperation Agreement (2019-465) between Davis County and Fruit Heights City for Law Enforcement Services — *presented by County Sheriff Kelly Sparks on behalf of Andrew Oblad, Chief Deputy***

The Sheriff stated that the contract will be reviewed on an annual basis to make sure the costs reflect actual costs to the County for providing that service.

Financial Information:
- Type: Receivable
- Amount: $1,091,823.36
- GL Account #: 1020210-452000
- Davis County Match Required: N/A
- Additional Financial Information:
  $272,955.84 annually* (July-June)
  $22,746.32* monthly (4 year contract)
  *Will be reviewed each year for amendment or termination

Terms:
- Beginning Date: 07/01/2023
- Ending Date: 06/30/2027

10. #1296/2023. **Training Agreement with Latwer Kekoolani Isaia for Law Enforcement Officer (LEO) certification — *presented by Kelly Sparks, County Sheriff***

The agreement is with a new employee for Police Academy training. The employee agrees to complete a two-year hiring period with the Sheriff's Office. The contract becomes a receivable if the employee defaults on the training agreement.

Financial Information:

- Type: Payable
- Amount: $15,458.00
- GL Account #: 1020210-495200
- Davis County Match Required: N/A
- Additional Financial Information: This contract begins on the day of hire and runs for two years from that date. This becomes a receivable if at any time trainee defaults on the contract.

Terms:

- Beginning Date: Day of hire
- Ending Date: Two years from the beginning date

11. #1297/2023. **MOU between Davis County and Transaction Record Analysis Center (TRAC) — *presented by Kelly Sparks, County Sheriff***

The MOU is to provide the Sheriff's Office with software that is very helpful in tracking financial crimes. It will be utilized extensively by the investigative team. The software is free to the Sheriff's Office, so there is no financial obligation to the County. It is a non-ending contract that remains in place as long as it is serviceable.

Financial Information: N/A

Terms:

- Beginning Date: Upon final signature
- Ending Date: N/A

12. #1298/2023. **Standard Service Provider Contract between Davis County and Stryker for service of two LifePak 15 devices, one Lucas device and eleven AEDs — *presented by Kelly Sparks, County Sheriff***

The agreement is for service of LifePak automated external defibrillators in the Sheriff's Office, Jail, and in a few patrol cars. It was noted that the 2024 budget request is $7,382.60, so this item will be $3,760.40 over budget. The Auditor said departments have the discretion to use operations [funds] how they see fit, so that should not be a problem as it is at the discretion of the Sheriff.

Financial Information:

- Type: Payable
- Amount: $44,572.00
- GL Account #: 1020230-560252
- Davis County Match Required: N/A
- Additional Financial Information: 2024, $11,143.00; 2025, $11,143.00; 2026, $11,143.00; and 2027, $11,143.00

Terms:

- Beginning Date: Upon final signature
- Ending Date: 10/14/2027

13-15. #1302/2023. **Agreements for individuals to participate in the 24/7 SCRAM continuous transdermal alcohol monitoring program— *presented by Kelly Sparks, County Sheriff***

13. #1299/2023
14. #1300/2023
15. #1302/2023

It was noted that an attorney review of Item 15 showed the participant's first name and initials don't appear to match. The Sheriff will look into it.

Financial Information for Items 13-15:

- Type: Receivable
- Amount: see additional financial information
- GL Account #: 1020230-472000
- Davis County Match Required: N/A

Terms for Items 13-15:

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

- 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

VOTING
Motion to Approve Items 8-15: Randy B. Elliott. **Second:** Bob J Stevenson. 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
16. #1308/2023. **Property Tax Register 12-12-2023 — *presented by Curtis Koch, County Auditor***

Auditor Adjustments
Appeals
- Appeals Report with recommended approval for various items totaling $2,059,140.00
- A Large-Balance Differences of $4,304,796.00
- An Appeals Hearing Finding Report with various findings attached
- A Withdrawn Report with various withdrawals

Abatements
- A Late Abatement Report with various late abatements recommended for $17,623.60

Corrections
- Two Corrections that are Veteran Exemption Tax Abatements for the Year 2022

Treasurer Adjustments
- Small Balance Write-Off for various adjustments of -$10.48

Assessor's Adjustments
Assessor's Corrections
- One correction for $229,050.00 and the attached report

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

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

CONSENT ITEMS
17. #1313/2023. **Regular Commission Meeting Minutes for November 28, 2023 — *presented by Commissioner Kamalu***

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

CLOSING REMARKS

Clerk Brian McKenzie commented on a question asked by Commissioner Stevenson in the previous meeting regarding the process for considering a ballot question related to fluoride within the County. The Clerk said he had done a little research and, in order to reconsider the fluoridation of water within Davis County, it would have to be determined by a vote of the people. There are two methods for getting that question onto the ballot: one would be an initiative, and that would be a petition process initiated by citizens within the county; the other would be a resolution passed by the legislative body to place it on the ballot for consideration. There are some time constraints in determining the process and some of the legal ramifications of a ballot question. The Clerk offered his recommendation the Attorneys be included in that conversation, if it's something the Commission is interested in pursuing.

Auditor Curtis Koch gave a reminder of the public hearing, being held as required by law, regarding the 2024 Budget Adoption. The public hearing starts at 6:00 PM December 13, 2023, in the Commission Chambers. Everyone is welcome to attend.

MEETING ADJOURNED
Commission Meeting was adjourned at 10:33 AM.

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

A. A Proclamation Declaring December 12, 2023, as "William J. Albright Day" in Davis County

Minutes Prepared by:

Becky R. Wright
Deputy Clerk

Brian McKenzie
Davis County Clerk

Minutes Approved on:

01/02/2023

Bob J Stevenson
Commission Chair

Davis County Commission

A Proclamation Declaring December 12, 2023 as

"WILLIAM J. ALBRIGHT DAY"

in Davis County

WHEREAS, William J. Albright has served the people of Davis County as a dedicated legal defender for 33 years;

WHEREAS, William J. Albright has been a caring, zealous advocate for countless individuals in Davis County who could not otherwise afford legal representation;

WHEREAS, William J. Albright has protected the constitutional rights of thousands of clients in cases ranging from simple traffic citations to complex aggravated murder cases;

WHEREAS, William J. Albright has been a resident and active member of the Davis County community for 40 years;

WHEREAS, William J. Albright has improved the lives of indigent clients in ways that strengthened individuals, families and the entire Davis County community;

WHEREAS, during his 43-year career as an attorney, William J. Albright has consistently performed his duties with grace, dignity, a positive attitude and compassion;

NOW, THEREFORE, we of Davis County Government in the state of Utah, do hereby proclaim December 12, 2023 to be "William J. Albright Day".

ATTEST BY:

Brain McKenzie (Dec 12, 2023 10:40 MST)
Brian McKenzie
Davis County Clerk

DAVIS COUNTY UTAH:

Lorene Kamalu (Dec 12, 2023 10:39 MST)
Lorene Miner Kamalu, Chair
Board of Davis County Commissioners