COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES
Tuesday, November 12, 2024

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 AM on Tuesday, November 12, 2024, 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 Bob J Stevenson
Vice Chair Randy B. Elliott
Commissioner Lorene Miner Kamalu
County Clerk Brian McKenzie

OPENING
The meeting convened at 10:00 AM and Commissioner Kamalu led the Pledge of Allegiance.

RECOGNITION, PRESENTATION, AND INFORMATIONAL ITEMS
1. #917/2024. **Employee Service Awards for November 2024 recognizing employees who have reached milestones in their careers with Davis County — *presented by Commissioner Kamalu***

Facilities
Landis Allen, 5 years – Landis was unable to attend but was recognized by a round of applause.

Pre-Trial Services
Johnny Blackman, 5 years - Chris Bone, Director of Human Resources, spoke on Johnny's behalf. Chris thanked Johnny for his years of service. The County's Pre-Trial Services began in 2018, and Johnny was brought on in the early stages of that department. Pre-Trial Services allows for a level of monitoring clients and reduces failures to appear in court, in turn reducing repeat offenses and helping the court system run efficiently. In his five years, Johnny has worked his way up to be the coordinator over the area. Johnny works hard to ensure the office is certified with the Bureau of Criminal Identification (BCI) and has done a good job monitoring, tracking, and improving services to clients.

Golf Course
Sarah Adams, 5 years – Sarah was unable to attend but was recognized by a round of applause.

Justin Lilywhite, 25 years – Justin was unable to attend but was recognized by a round of applause.

Library
Karen Blair, 25 years – Karen was unable to attend but was recognized by a round of applause.

Sheriff's Office
Kelly Sparks, 30 years - Mitch Matern, Justice Complex Maintenance Manager, spoke on Sheriff Sparks' behalf. Mitch has watched Sheriff Sparks rise through the ranks in the Sheriff's Office, first becoming a lieutenant and later a captain over the Patrol Division. Sheriff Sparks has demonstrated his leadership abilities throughout his 30 years. Over the years, Sheriff Sparks has improved the camaraderie amongst the department as well as many other County entities. Sherriff Sparks has been the Sheriff for the last few years and continues to show his abilities as a leader. He takes his time to think about important decisions and not rely on knee-jerk reactions when it comes to issues facing his department. This year he was nominated as Sheriff of the Year at the Utah State Sheriff's Association. The County is lucky to have him.

Arnold Butcher, Chief Deputy Sheriff, also spoke on Sheriff Sparks' behalf. Sheriff Sparks has worked in almost every capacity in the Sheriff's Department. Over the years, Chief Deputy Butcher has looked up to Sheriff Sparks. He admires the care Sheriff Sparks puts into each of his decisions. When the Sheriff speaks, everyone listens with reverence because of his leadership.

PUBLIC COMMENTS

Utah House Representative Ariel Defay, Kaysville, was elected after House Bill 499 was passed and was not involved in it. Representative Defay has reached out to multiple groups such as the bill sponsor, legislative leadership, and citizens in her district. The proposed Code Blue warming center in Kaysville is in Representative Defay's district. She does not believe the building has adequate services around it and may not be suitable to be a long-term solution. Representative Defay stated that the intent of the Code Blue law was not to preempt local government, but it was unintentionally vague in its language. The Legislature has an open bill file and is committed to clarifying the vague language. Representative Defay is concerned the Code Blue center will turn into a long-term shelter and does not feel it is appropriate for those conditions.

Claudia DeMordaunt, Kaysville, strongly opposed utilizing the Emissions Testing Facility as a Code Blue center due to a lack of resources available surrounding the building as well as possible public health and safety concerns. She spoke on the addiction, physical health, and mental health concerns that face the homeless population. She is concerned these issues will affect the neighborhood should those experiencing homelessness choose to leave the warming center. Claudia named several locations in the County which might be better suited as warming centers including at least one already in consideration. She also emphasized the County needs to consider how an increase in criminal activity may happen in the area surrounding a new warming center.

Joel Harris, Kaysville, lives four blocks from the proposed building and is concerned with the possible spike in crime in the area; specifically drug paraphernalia left on the ground in the neighborhood and increase in public urination and defecation. He is also concerned for the safety of those experiencing homelessness being so close to the railroad tracks. Joel doesn't believe Kaysville residents are uncaring, but he doesn't want his property value to be cut in half.

Jason Largey, Kaysville, also lives close to the Emissions Facility. His family had moved from Kearns to Kaysville in 2010 due to the amount of criminal activity in Kearns. Jason stated that the warming center will bring crime and other issues to the area which will negatively affect residents and businesses. Jason used the analogy of the prison at the Point of the Mountain. Houses were built after the prison, and residents chose to live near it, which would not be the case in Kaysville. Residents did not choose to be near the warming center and it will be forced on them. Jason suggested using buses and tents as a warming solution instead of the Emissions Facility.

Kaysville City Mayor Tammy Tran, Kaysville, mentioned the issues with the Code Blue law and how it has been implemented throughout the State. The city of Kaysville does not agree that the Emissions Facility is the right place to house a warming center. Mayor Tran expressed the need to be able to tell the public how the warming center will be managed. She also expressed the need for more data on how these warming centers will work out in the County as well as an assurance of the long-term plan for the property. Mayor Tran urged those listening to reach out to their legislators on the issue.

Kseniya Kniazeva, Salt Lake City, runs a nonprofit for those experiencing homelessness called The Nomad Alliance. This nonprofit has a mobile shelter bus which has been operating for two seasons. Kseniya spoke on the success this mobile shelter has had helping those in Salt Lake County in need of shelter. It required little investment and is managed by those who use its services. Because it is mobile, it puts less pressure on the community. If the nonprofit were to receive more donations, they would be happy to move north into Davis County. They also provide services to help homeless individuals get off the streets and into housing.

Lari Creeden, Kaysville, suggesting using the Memorial Courthouse as a solution. It was explained by the Commissioners that the Memorial Courthouse has no vacant offices and is in use.

Alexandra Benitez Mendenhall, Salt Lake City, was the manager for the mobile shelter in 2023. Alexandra believes a mobile shelter would be a good opportunity for the County as the homeless population is smaller compared to Salt Lake County. Alexandra urged those in attendance to keep an open mind.

Two public comments were sent electronically to Commissioner Kamalu which were asked to be read during the meeting.

Megan Condie, Kaysville: "Ms. Kamalu,

As Davis County debates the Code Blue warming bus for individuals experiencing homelessness, I hear a lot of concerns about the potential increase in crime this type of initiative may bring to our community. Notably, one resident said in the Kaysville City Council Meeting that he didn't want "murderers and rapists" brought into his city.

My husband and I work in the criminal justice system. I'd like to offer some insights to ease fears on this point as you and the Commission continue to work to resolve concerns and challenges.

On the issue of violent crime, Utah-based research by the University of Utah clearly shows that a person is *incontrovertibly* more likely to be murdered by a *known* person rather than an unknown person. A "known" person is a person with whom the victim is familiar before the crime. For example, a person whose name the victim knows because the victim and the accused have had multiple interactions *prior* to the incident. This is most often due to a romantic relationship, a working relationship, and/or a familial connection.

I think it's fair to say the concerned citizens of Kaysville are not in regular close contact with homeless individuals, particularly not via those three scenarios. Statistically, Kaysville residents can rest assured they are in no more danger of violent crime (especially murder) if 16-20 unhoused individuals spend the night in our city than if they don't.

On the very sensitive topic of sexual assault: research by Utah State University shows 80-90% of sexual assaults against women in our state are committed by a *known* male. Among college students in Utah, 90% of female victims of assault *knew* their attacker.

If approximately 90% of sexual assaults in Utah are committed by *known* individuals rather than unknown (i.e. homeless) individuals, women of Davis County would be better served by organizations that help them exit unhealthy relationships than by preventing 16-20 homeless individuals from spending a night in a warming bus.

As for the concerning issue of drug crimes? Research shows youth ages 12-17 are introduced to drugs and alcohol in two ways: 1) it's offered to them by a friend, or 2) they sample what they find in their parent's liquor and/or medicine cabinets. There is no statistic for this age group approaching unknown individuals (i.e. a homeless person) in order to try drugs for the first time.

(Let's give ourselves some credit: our kids know better than to ingest questionable substances from strangers).

Homeless individuals get citations for drug crimes not because they're standing on street corners selling to kids, but because they sleep in a park or parking garage, get searched by the police in the process of being cited for vagrancy, and the search yields small portions of drugs intended for personal use.

Interestingly, a temporary warming shelter has the potential to reduce interactions between police and homeless individuals, which can save taxpayer dollars.

For example, consider the taxpayer dollars spent funding not only the police officers filing reports and preserving evidence after citing a homeless person for sleeping in a park, but also the prosecutors, the public defenders, the judges, bailiffs, court staff, etc. as that citation goes through legal due process. That's not including the expense of housing an individual in a detention center or overseeing probation.

Providing a designated location for those unhoused individuals means they have a place to sleep that isn't in undesirable locations, thus reducing the need for police involvement and taxpayer dollars spent on the ensuing legal process.

Conveniently, the warming bus initiative also alleviates the appearance of "unsightly" homeless individuals whom residents don't want to see. Mayor Tran (Kaysville) proposed a modern, professionally retrofitted bus/RV for 16-20 individuals to sleep in. The Davis County Commission plans for those individuals to be *returned* to wherever they were staying *before* spending the night in the warming bus. The plans prevent homeless camps or lingering groups of homeless individuals.

In sum, there's a lot of fear of the unknown among the county residents, but I don't think fear of increased violent crime or sexual assault is necessary.

My experience in criminal justice leads me to believe we can proceed safely with sheltering homeless individuals in a small, temporary, mobile unit without fear of a drastic increase in violent crime and sexual assault. In this initiative, we can feel safe *and* demonstrate compassion for the less fortunate.

Thank you,
Megan"

The second message was not able to be read during the meeting due to outcry from those in attendance and will instead be entered only into the minutes.

Sylvia Haro, Kaysville: "Thanks so much for responding. Just wondering if the emission bldg. is still being considered for the code blue? What are your thoughts on this. I agree that we need to have a place for our homeless population in Davis County. My thoughts on this is we could do better than the emissions bldg. that is not suited for humans or pets to stay there. I wouldn't want one of my relatives, if they were homeless, to stay at that facility. Cement floors and walls are probably not insulated to keep it warm. Winters are tough here and no one should be out in the cold weather regardless of their situation. I'm very sympathetic with this population because any one could lose our jobs and our home and end up in a situation like they are. My 2 cents worth. Thank you"

Commissioner Stevenson let the crowed know that they were out of time for public comment and needed to move on with the meeting. Multiple members of the public yelled from the crowed demanding further comments and expressing dissatisfaction of electronic comments being read rather than allowing more people to speak. One member in particular continued to speak out of order and Commissioner Stevenson warned that she could be removed if she continued to do so. She stated that she worked hard for what she had and believed all homeless people are drug addicts and didn't want them near her children. Commissioner Stevenson stated they have to follow the law that the State has passed and that he would not argue with her. An exception was asked for a few more comments and three more people were allowed to speak.

Jared Richards, Kaysville, commented on how each city that has tried busing as a solution has still seen an increase in crime and strain in the community. Jared suggested that a better model would be The Other Side Academy. According to his research, busing fails to address the root causes of homelessness as well as addiction and mental health challenges. The Other Side Academy provides support to individuals in order to rebuild their lives. They can learn essential skills and gain stability. They provide their own funding by operating businesses such as a thrift store, moving service, and donut shop. They require no tax payer dollars and operate a self-contained community minimizing disruption to neighborhoods.

Jill Dredge, Kaysville, asked that the County take a step back and pause any action with the Code Blue centers due to the penalties being removed from the Code Blue law. This may allow the County to find a location which accommodates without affecting residents and businesses.

Morgan Atkinson, Kaysville, asked if anyone has considered if the Emissions Facility is a safe location for the homeless population and whether an environmental assessment had been done in order to protect those who would be using the warming center.

Rachel Holmes, Kaysville, spent the winter of 2023 volunteering at the Lantern House in Ogden. While volunteering there, one of her coworkers anecdotally stated that about a third do not seek to get off the streets. Rachel stated Kaysville does not have the resources to take care of that population.

Commissioner Stevenson agreed with Rachel and stated the County could use as much help as possible from the Legislature. He expressed appreciation to both Representative Defay and Mayor Tran. He stated the County has not had a Code Blue night yet and wants to make sure they have as many answers to these problems as possible. Commissioner Stevenson doesn't believe any of the possible warming center locations are perfect, and they are continuing to look for better locations as well as for a more permanent location. The Commission wants all of the County to understand all of the challenges this issue brings and that they are listening to the community's concerns.

A member of the crowd asked if there are penalties for doing nothing, Commissioner Stevenson answered that the State could withhold funding from the County which would withhold money from the cities in turn. Commissioner Stevenson reiterated that none of the possible Code Blue locations are being considered as permanent.

BUSINESS/ACTION

COMMUNITY & ECONOMIC DEVELOPMENT

2. #948/2024. **Approval of a Regional Economic Development Management Agreement by and between Davis County, Weber County, Northern Utah Economic Alliance (NUEA) — *presented by Kent Andersen, Director***

In 2019, Davis and Weber Counties formed a five-year agreement to collectively market and recruit both regions collaboratively. That agreement expired this year, and Weber County has requested this to be a one-year agreement. Participation would be considered through the Strategic Marketing Plan by NUEA and would be presented to both County Commissions for consideration.

NUEA President Chris Roybal spoke on the success NUEA has seen between Davis and Weber Counties. NUEA is also engaged with all 25 cities in the two counties. NUEA's mission is to increase capital investment and job creation within the region. NUEA is looking forward to opportunities on the horizon for the region; multiple projects will expand the economic development of both counties.

Financial Information:

- Type: Payable
- Amount: $75,000.00
- GL Account #: 1010180-550621
- Davis County Match Required: N/A
- Additional Financial Information: During the course of the Term, in 2025, Davis and Weber shall each contribute $75,000.00 for a collective funding total of $150,000.00. For any subsequent renewals of this Agreement, the annual budget will be based upon the Strategic Marketing Plan (SMP) approved by the County Commissions as an annual addendum to this Agreement.

Terms:

- Beginning Date: 10/29/2024
- Ending Date: 12/31/2025

3. #941/2024. **Approval to Accept 2024 Davis County Active Transportation Plan — *presented by Kent Andersen, Director***

Director Anderson wanted to thank those in his office who put work into this plan as well as Avenues Consultants and the Wasatch Front Regional Council. This plan combines all the local active transportation plans into one large county regional transportation plan which the Commission can use as a tool to make investments with its increment funds.

Financial Information: N/A

Terms: N/A

VOTING
Motion to Approve Items 2-3: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

FACILITIES
4. #928/2024. **Approval of an Easement Encroachment Agreement between the United States of America and Davis County for land improvements on the Western Sports Project (WSP) — *presented by Lane Rose, Director***

This agreement will allow the County to build improvements to the property. The easement is for the Weber Basin Waterline which rests on the WSP property.

Financial Information: N/A

Terms:

- Beginning Date: 11/12/2024
- Ending Date: N/A

5. #936/2024. **Ratification of an Agreement with BH Inc. for concrete work at the Davis Park Golf Course — *presented by Lane Rose, Director***

Financial Information:

- Type: Payable
- Amount: $26,498.94
- GL Account #: 5170661-630730
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 11/12/2024
- Ending Date: 12/31/2024

6. #944/2024. **Ratification of an Agreement with Acer Landscape Management, LLC. for the Syracuse Branch Library Landscape Services — *presented by Lane Rose, Director***

Financial Information:
- Type: Payable
- Amount: $54,455.50
- GL Account #: 4810950-620720
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
- Beginning Date: 11/05/2024
- Ending Date: 06/30/2025

VOTING
Motion to Approve Items 4-6: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

HEALTH
7. #923/2024. **Approval of an Agreement with Davis School District to provide Comprehensive Suicide Funds to conduct a screening event — *presented by Brian Hatch, Director***

Financial Information:
- Type: Payable
- Amount: $700.00
- GL Account #: 1530311-550620
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
- Beginning Date: 10/09/2024
- Ending Date: 12/31/2024

8. #926/2024. **Approval of a Summary Sheet for Memorandum of Agreement (MOA) with Mercy Housing and Northern Lights Dance Club — *presented by Brian Hatch, Director***

Financial Information: N/A

Terms:
- Beginning Date: Various
- Ending Date: Various

9. #935/2024. **Approval of a Grantee Agreement with National Council on Aging Inc. (NCOA) to provide funds for the purpose of increasing older adults' food security — *presented by Brian Hatch, Director***

Financial Information:
- Type: Receivable
- Amount: $50,000.00
- GL Account #: 1530311-474601
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
- Beginning Date: 11/01/2024
- Ending Date: 04/30/2026

VOTING
Motion to Approve Items 7-9: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

INFORMATION SYSTEMS
10. #943/2024. **Approval of a Contract renewal with Nearmap for Aerial Imagery — *presented by Jeff Hassett, Director***

Financial Information:
- Type: Payable
- Amount: $65,869.20
- GL Account #: 1010136-555265
- Davis County Match Required: N/A
- Additional Financial Information: 2025 budget, but renews December 2024

Terms:
- Beginning Date: 12/22/2024
- Ending Date: 12/22/2025

11. #945/2024. **Approval of a Participating Addendum to State Contract (MA4566) for Lumen Pricing Changes for Davis County — *presented by Jeff Hassett, Director***

Financial Information:
- Type: Payable
- Amount: $5,276.65
- GL Account #: N/A
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
- Beginning Date: 11/12/2024
- Ending Date: N/A

VOTING
Motion to Approve Items 10-11: Randy B. Elliott. **Second:** Lorene Miner Kamalu. All present voted aye.

LIBRARY
12. #942/2024. **Approval of Renewal contract with EBSCO Information Services for MyHeritage Family History Database — *presented by Josh Johnson, Director***

Financial Information:
- Type: Payable
- Amount: $7,008.00
- GL Account #: 2310580 540612
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:
- Beginning Date: 11/01/2024
- Ending Date: 10/31/2025

VOTING
Motion to Approve Item 12: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

SHERIFF'S OFFICE
13. #924/2024. **Approval of Amendment #1 to Standard Professional Service Contract #341/2024 between Davis County and Mechanical Service & Systems Inc. (MSS) for chiller replacement omitting and replacing the dollar amount — *presented by Andrew Oblad, Chief Deputy***

Financial Information:
- Type: Payable
- Amount: $197,811.00
- GL Account #: 1020210-620720
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
- Beginning Date: Upon final signature
- Ending Date: 02/28/2025

14. #937/2024. **Approval of the list of 24/7 SCRAM (Continuous Transdermal Alcohol Monitoring Program) Agreements with Davis County Sheriff's Office for October 2024 — *presented by Andrew Oblad, Chief Deputy***

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

VOTING
Motion to Approve Items 13-14: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

Motion to move into Board of Equalization: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

BOARD OF EQUALIZATION

15. #952/2024. **Property Tax Register 11-12-2024 — *presented by Curtis Koch, County Auditor***

The Property Tax Register for November 12, 2024 was presented and contained the following: Auditor's Adjustments consisting of Appeals reports, Abatement reports, and Corrections; Treasurer's Adjustments; Assessor's Adjustments consisting of Personal Property Penalty Waivers, Personal Property Appeals, and Corrections. This record is maintained by the Davis County Auditor as the Clerk of the Board of Equalization.

VOTING

Motion to Approve Item 15: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

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

CONSENT ITEMS

16. #951/2024. **Approval of the Regular Commission Meeting Minutes for October 29, 2024 — *presented by Commissioner Stevenson***

VOTING

Motion to Approve Item 16: Randy B. Elliott. **Second:** Lorene Miner Kamalu. All present voted aye.

CLOSING REMARKS

Commissioner Stevenson thanked Clerk McKenzie and his team on their hard work over the past few weeks with the 2024 General Election.

Commissioner Kamalu thanked everyone who has been working hard on the Code Blue plan. Information about the plan is on the County website. Commissioner Kamalu also wanted to clarify that the Code Blue plan was conducted in 2023 in Davis County and this would be the first year without hotel/motel vouchers for anyone using money from the State. The vouchers will only be used this year for families with children.

MEETING ADJOURNED

Commission Meeting was adjourned at 11:30 AM.

Minutes Prepared by:

Patrick Black
Deputy Clerk

Brian McKenzie
Davis County Clerk

Minutes Approved on:

12/10/2024

Bob J Stevenson
Commission Chair

STATE OF UTAH DAVIS COUNTY