

# BOARD OF DAVIS COUNTY COMMISSIONERS MINUTES

## Board of Davis County Commissioners - Work Session Minutes Tuesday, May 27, 2025

The Board of Davis County Commissioners met for their regularly scheduled meeting at 8:30 AM on May 27, 2025, in room 306 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.

### ROLL CALL

<b>Chair</b> Lorene Kamalu	<b>Chief Deputy Sheriff</b> Arnold Butcher
<b>Commissioner</b> Bob Stevenson	<b>Emergency Services Manager</b> Ember Herrick
<b>County Clerk</b> Brian McKenzie	<b>Human Resources and Risk Director</b> Chris Bone
<b>County Controller</b> Curtis Koch	<b>Community and Economic Development Director</b> Kent Anderson
<b>Chief Deputy Civil Attorney</b> Neal Geddes	<b>Community Development Planning Manager</b> Jeff Oyler
<b>Senior Civil Attorney</b> Mike Kendall	<b>Commission Office Manager</b> Shauna Brady
<b>Sheriff</b> Kelly Sparks	<b>Deputy Clerk</b> Becky Wright

### AGENDA ITEM

- 18:30 AM - 9:30 AM
- #2025-519. A Work Session to discuss House Bill 48 - new Wildland Urban Interface legislation with County Fire Warden, Emergency Management, and County Sheriff's Office - Presented by Ember Herrick, Emergency Services Manager

[Minute 00:01] The meeting began at 8:37 AM. Commissioner Kamalu commented that House Bill 48 (HB 48), the new Wildland Urban Interface (WUI) legislation, is going to have a big impact on Davis County. She excused the County Fire Warden, who was deployed in Arizona fighting wildfires, and invited Davis County Emergency Services Manager Ember Herrick to lead the discussion.

[Minute 01:28] Emergency Services Manager Herrick said she attended a presentation where fire wardens and fire marshals were given a better explanation of the bill than had been provided to County Commissioners during a previous meeting. She explained that, because of HB 48, all homes in high-hazard-risk areas will be required to have an inspection and will be assessed a fee based on their wildfire risk score. Utah Forestry, Fire and State Lands (FFSL) is the agency administering this new law, which was passed in the last Legislative Session; however, the law is written so that counties are responsible for the inspections and have the discretion to determine who will do them.

The timeline for implementation of HB 48 stipulates that FFSL has to create a fee schedule, requirements for people doing inspections, and create a database where all inspections will be uploaded, by January 1, 2026; this will provide consistency throughout the State. There’s not much the County can do until FFSL has those things in place.

Fees will be assessed through County taxes, starting with the 2026 Tax Year. Every home inspected will pay a depreciated fee based on their risk assessment score. The County fee range will be based on what the State considers appropriate. Fire officials who conduct the assessments will be able to tell property owners what they can do to reduce their wildfire risk score and, if they do those things, their score should improve and the assessment fee will go down. The idea of the bill is to encourage people to mitigate wildfire risk on their personal property, so Utah won’t see insurance providers going out of business, or canceling people’s insurance, like they have in California. The new Utah law specifies that insurance providers can't stop providing someone with insurance coverage, or limit their insurance, unless the homeowner refuses to do any of the mitigation work.

Emergency Services Manager Herrick suggested the County's role will also be to help property owners by scheduling chipping or fuel mitigation days, when people can bring wood debris to the street for the County

to chip for them or take to the green waste facility. The County can also work with the State to encourage 9/11 National Day of Service projects to help neighbors in high-risk areas who physically can't do mitigation work themselves or have limited funds to pay for it.

Emergency Services Manager Herrick said some people will be concerned about these inspections, and the County should anticipate the need for outreach and education to show how this is in their best interest – not only to mitigate the wildfire risk on their property but also so they can keep fire insurance.

[Minute 6:39] The discussion first focused on how FFSL will determine high-hazard areas. FFSL has an existing map on the Utah Wildfire Risk Assessment Portal (UWRAP), [wildfirerisk.utah.gov](http://wildfirerisk.utah.gov). The map shows high-hazard areas, even in the middle of cities, so it is a countywide concern and not just a mountain interface issue. FFSL is updating the map and hopes to have it done by fall. It was suggested that the County should start publishing information now, including a link to the current map, in its digital newsletter so people can understand how the new law will impact everyone.

Director Bone, representing the risk perspective, asked if there is any protection for the County in the event an inspector provides advice and then the property burns in spite of the owner following through with mitigation. It was pointed out that mitigation reduces, but does not eliminate risk; the County will be complying with statute and national standards but can't guarantee a house won't burn down. The State will set the standards and criteria for inspectors, then the County will decide to work with the fire agencies within its boundaries (if the agencies are willing to do these inspections) or hire private contractors. Davis County's Fire Warden estimates 70,000 homes in Davis County will need to be inspected.

[Minute 10:16] Attention was directed to the task of figuring out the fees, because the County has to begin assessments in 2026. Commissioners were informed that while there is a starting date for assessments, there is no deadline for when inspections need to be completed. A question was asked about the methodology by which the County is supposed to identify properties to be assessed, which will include homes, businesses, and vacant lots. The current version of the wildfire risk map was projected on a screen, showing a scattering of orange (high-risk) areas. It was noted that open grass fields, such as elementary school yards and green parks, are considered high risk. Some risk areas on the map are partial parcels, such as buildings or backyards. Emergency Services Manager Herrick said fire marshals expressed the opinion that many of these areas aren't high risk, and that's why FFSL is taking a long time to review the map parcel by parcel. In theory, the categories (yellow for moderate risk, orange for high risk, and red for extreme risk) should cover an entire parcel. Clerk McKenzie suggested asking the County's Geographic Information System (GIS) team if they can overlay maps to help correctly identify parcels, otherwise tens of thousands of people will likely be confused and angry when this rolls out.

[Minute 14:39] There's going to be a period for public comment, once the final map is available in the fall. It was suggested that the County needs to encourage members of the public to provide feedback to legislators – particularly to Representative Casey Snider and Senator Michael McKell, who sponsored the bill. Commissioner Stevenson commented that the fires and their aftermath in California and Maui are very sad, but it's crazy to change everywhere else because of isolated events. He acknowledged that Davis County could lose houses if a fire started on the mountains during a very dry summer with an east wind, but he hasn't seen that happen in his 71 years. Sheriff Sparks and Planning Manager Jeff Oyler indicated the County has been fortunate, but there have been close calls and people continue to build in mountain/forest areas. Sheriff Sparks expressed the opinion that the Legislature probably had a good intent, as far as the wildfire interface, but they did not draw the map and the map is likely not reflective of the legislative intent. Commissioner Kamalu suggested the interim session would be a good time for the Utah Association of Counties (UAC) to talk about it.

[Minute 16:57] Discussion returned to the fee; no one knows how big it could be. Controller Koch said there is concern about setting it too high. Adding a fee to taxes by January 1 requires having it on valuation notices by July 20, making the deadline June 22. Clerk McKenzie advised looking at how the legislation is written to find out if the fee falls under the taxation process or can be assessed through an ordinance passed by the Commission. It was noted that the fee would be variable, based on the risk level. There is no guidance on how often inspections must be done; it's going to be a rolling process, rather than one time, because people's yards change and mitigation lowers risk scores.

Insurance companies will be able to access the State's database and see risk scores, as they already do with other databases such as floodplains. Commissioner Kamalu said the stated intent of SB48 is to help people not get dropped by their insurance providers, but she's worried. She ventured that the great majority of the 70,000 homes to be inspected are not currently being looked at by insurance companies as high fire risk; however, the State's action could label homes not currently on the WUI as a high risk, resulting in dramatic increases in insurance premiums. Emergency Services Manager Herrick pointed out that a lot of people don't have wildfire insurance, and their main home insurance won't cover it. The County needs to help educate the public about the fact that wildfire and earthquake insurance are separate policies. Commissioner Kamalu said part of the presentation she participated in about HB 48 focused on the data of horrific fires and showed it's not just being on the WUI that makes a difference, but the density of dwellings and other factors, presumably such as grasses and trees. Emergency Services Manager Herrick said construction and home hardening, such as covering vents so embers can't enter, can make structures more fire-resistant.

[Minute 22:00] Emergency Services Manager Herrick and Planning Manager Oyler are working on updating County Code. The last wildfire code adopted by the State was the 2006 WUI code. There is a 2021 code that could be adopted, and a new version is in the works because WUI is updated nationally every three years. According to FFSL, the State should already be doing assessments and mitigation under the 2006 WUI Code, but it hasn't been enforced. Emergency Services Manager Herrick recognized that unfunded mandates are stressful but said the County will be better off doing all it can before deadlines. Sheriff Sparks asked if the State has any plans for public education and was informed that united presentations and messaging will be rolled out as soon as the map is updated.

[Minute 24:25] It was pointed out that most of the red [extreme risk] on the map is above Highway 89, along the mountain, and that is a critical area. The hope is to only need assessments for extreme risk areas.

Commissioner Kamalu said there may be impacts to the County's budget, although fees are supposed to cover what has to be done. She noted the County has very little unincorporated land, making a tricky situation in which cities approve development on the mountains and then the County is sometimes expected to deal with problems caused by developments approved 20 years ago. In response to a question about the potential for city fire departments to take on some of this responsibility, because the County has no fire personnel, Emergency Services Manager Herrick said there are eight fire districts in Davis County's 15 cities. The County is working on new agreements with those districts, updating 1983 fire contracts, but HB 48 will be something new. Some of them may want to take on risk inspections, but a lot are at capacity and would need money to hire staff. Director Bone said the question is whether this should be a central County responsibility or decentralized to the districts.

[Minute 28:09] Commissioner Kamalu said the County needs a voice in this discussion and to activate residents. It's going to require a huge public information campaign, with the media helping to share accurate information. Commissioner Stevenson said the problem is there are still a lot of unanswered questions. There wasn't much activity related to the bill during the Legislative Session because it wasn't expected to pass, but it did on the second to last day. Commissioner Kamalu said the Interim Session is the time to educate about the impact of the bill on Davis County. Controller Koch recommended asking for a repeal of the bill during a Special Session. He's afraid the bill will cost taxpayers more because insurance companies will take advantage of government assessments to raise rates, he said, adding that the State has a responsibility to put out accurate information. Attorney Geddes questioned the quality of the bill's definitions. Commissioner Stevenson said UAC leadership ought to push back at the Legislature because the January 1, 2026, deadline is too soon; he said what they're doing isn't bad, but how they are going about it is. Displeasure was expressed, by multiple people, about the heavy-handed way in which this and other bills are passed. An opinion was expressed that two legislators decided this was a good idea, and other legislators just trusted them instead of questioning experts about how it would be rolled out, how much it would cost, and how much insurance rates would go up.


[Minute 35:03] Concern was expressed about stream channels. Planning Manager Oyler said the County manages all [16] stream channels in Davis and, while Public Works does its best to clear them with available manpower, they can become full of overgrowth, dead wood, and brush. If fire marshals say they need to be cleaned out, it will be a massive lift for the County. Emergency Services Manager Herrick added that the challenge is not just cleaning channels out but getting permits from the US Army Corps of Engineers.

[Minute 35:55] Commissioner Kamalu said periodic meetings should be held, especially when there’s a substantial update regarding HB 48, with Emergency Services Manager Herrick taking the lead. Commissioners and their staff will be happy to help with public education and press releases. Some things can be done now, such as letting people know the County Fire Warden will do a free Firewise inspection; it may not be the same as the State’s required inspection, because no one knows what that's going to be, but he will assess property and give advice on how to mitigate risks based on national standards. Commission staff could write a newsletter article to let people know they need to talk to their legislators. Commissioner Kamalu said she thinks the County has a responsibility to help legislators understand the impact, and to encourage the public to be vocal – in a diplomatic way – in expressing their opinion to legislators.


**MEETING ADJOURNED**

The meeting adjourned at 09:14 AM.

Minutes Prepared by:  
Becky R. Wright  
Deputy Clerk

  
Brian McKenzie (Jun 18, 2025 09:48 MDT)  
Brian McKenzie  
Davis County Clerk

Minutes Approved on:  
06/17/2025

  
Lorene Kamalu (Jun 18, 2025 09:44 MDT)  
Lorene Miner Kamalu  
Commission Chair

