

COMMISSION MEETING MINUTES  
November 10, 2015

The Board of Davis County Commissioners met on November 10, 2015 at 10 am in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Members present were: Commissioner P. Bret Millburn - Chair, Commissioner John Petroff, Jr., Commissioner Jim Smith, Clerk/Auditor Curtis Koch, Chief Deputy Civil County Attorney Neal Geddes and Deputy Clerk/Auditor Janet Hanson.

Agenda as posted

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PUBLIC NOTICE is hereby given that the Board of Davis County Commissioners, Farmington, Utah, will hold a Commission Meeting at the Davis County Administration Building, 61 South Main Street, Room 303, Farmington, Utah, commencing at **10:00 a.m. on November 10, 2015.**

**OPENING**

Flag Ceremony – American Legion Farmington Post 27  
Pledge of Allegiance – By Invitation

**BUSINESS/ACTION**

***Commissioner Millburn presenting:***

Resolution Commending the Military Services and Achievement of Veterans and Active Military Employed by Davis County

Resolution appointing representatives and two alternates to the Taxing Entity Committee established for all urban renewal and economic development project areas in Davis County, Utah

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

User agreement with Motor Vehicle Enforcement Division – access to the UCJIS files with non-disclosure (n/a)

***Lewis Garrett, Davis County Health Department Director, presenting:***

Agreement with Utah Dept. of Health – Targeted Case Management (TCM) funding for case management services delivered to Medicaid eligible children enrolled in the Medicaid program (receivable)

Agreement with Utah Dept. of Health – Child Health Evaluation and Care (CHEC) to provide Early Period Screening, Diagnosis and Treatment (EPSDT) program outreach (receivable)

Amendment with Utah Dept. of Health – Environmental Policy and Improved Clinical Care (EPICC) 1422: 1) to replace special provision in Amendment 1, 2) adding Year 2 activities and funding; 3) induce funding for the development of a Diabetes Prevention Program (receivable)

Amendment with Utah Division of Aging & Adult Services – increase funding for: 1) Nutrition Services, 2) Disease Prevention; 3) Caregiver; 4) MIPPA; and 5) Elder Abuse Prevention funding to be used to hold a 2016 conference in Davis County (receivable)

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

Summary list of agreements for October animal adoptions (136) (receivable)

**RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS**

- “Movember” – Men’s Health Awareness Month
- Notice of Public Hearing and Bonds to be issued to finance the acquisition, renovation or construction, and equipping of a manufacturing facility for the manufacture of aerospace components and related products owned and operated in whole or in part by Ki Ho Military Acquisition Consulting, Inc. to be held Nov. 17, 2015 at 10 am in Rm 303 of the Davis County Administration Building, 61 S Main St. Farmington

**BOARD OF CANVASSERS**

***Brian McKenzie, Davis County Elections Manager, presenting:***

2015 General Election Canvass

**BOARD OF EQUALIZATION**

Request approval of the Property Tax Register

**CONSENT ITEMS**

Meeting Minutes (Oct. 20 & 27, 2015 & Nov. 3, 2015)  
Check Registers

**COMMISSIONER COMMENTS**

**PUBLIC COMMENTS** (3 Minutes per Person)

Flag ceremony and Pledge

In honor of Veteran’s Day tomorrow, November 11<sup>th</sup>, members of the American Legion Farmington Post 27 conducted a flag ceremony.

Paula Stephenson, past Department Commander State American Legion, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Commissioner Millburn said the flag ceremony and the Pledge made him reflect and think of why he is very humbled to be a citizen of this great United States of America. He expressed his appreciation for those that have fought to preserve those freedoms. He gave a heartfelt “thank you”.

Resolution #2015-552 commending Military Services and achievement of Veterans and Active Military employed by Davis County and desires to establish a day of recognition

Commissioner Millburn presented and read the following:

Resolution #2015-552 commending the military services and achievement of veterans and active military employed by Davis County.

WHEREAS, Davis County employs approximately 63 veterans and active military of the various branches of the United States Armed Forces; and

WHEREAS, Davis County recognizes the courage and commitment of its veterans and active military personnel and wishes to express its appreciation for their outstanding military service; and

WHEREAS, Davis County desires to establish a day of recognition for veterans of all branches of the United States Armed Forces to honor their military service and show the County's deep appreciation for these brave men and women.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Davis County that the Davis County Commission does hereby establish November 10, 2015 as a County day of recognition and commendation of veterans employed with Davis County, both past and present, as well as a day to honor the outstanding service and commitment of its veterans to preserve the freedoms and rights enjoyed by all citizens of this great country and of Davis County.

Commissioner Petroff "gladly" made a motion to approve the resolution. Commissioner Smith "gladly" seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Marine Corp birthday

Commissioner Millburn indicated that today, November 10<sup>th</sup> is also a birthday, to which there was a "hoorah" from the audience from those who served in the Marines. It is the Marine Corps 240<sup>th</sup> birthday. Commissioner Millburn asked those in the audience from the Marine Corp to stand. He wished them happy birthday along with a round of applause.

Veteran's Day Ceremony invitation

It was announced that the American Legion Farmington Post 27 is conducting a Veteran's Day Ceremony in Farmington tomorrow at 11:11 A.M. on the 11<sup>th</sup> day of the 11<sup>th</sup> month being held at the Farmington City Cemetery. Commissioner Millburn extended an invitation to attend if their schedule permits.

Employees named who have previously served or are currently serving in various branches of the military

Commissioner Millburn said there was an effort to identify employees here in Davis County that either have previously served or are currently serving in the various branches of the military. He read the following Davis County employee's names into the record:

- |                      |                  |                   |                     |
|----------------------|------------------|-------------------|---------------------|
| Surveyor's Office:   | Max Elliott      | Sheriff's Office: | John Nicholas       |
| Recorder's Office:   | Richard Maughan  |                   | Nicholas K. Chard   |
| Clerk/Auditor:       | Kannon Thompson  |                   | Amy E. Hutchinson   |
| Health Dept:         | Lewis Garrett    |                   | Nicholas J. Jensen  |
|                      | Bob Ballew       |                   | Blake D. Lopez      |
|                      | Johnny Brown     |                   | Chad A. Marten      |
|                      | John Gallegos    |                   | Benjamin J. Parker  |
|                      | Roger Beachler   |                   | Kirk M. Silver      |
|                      | Neal Bernson     |                   | Mike S. Davis       |
|                      | Yolanda Cabrera  |                   | Brent A. McKissick  |
| Library:             | Trish York       |                   | Lynn Workman        |
|                      | Teresa Firestone |                   | Vickie Joseph       |
|                      | Hollis Kunimura  |                   | DeeAnn Servey       |
| Facilities:          | Mark Oliver      |                   | Roberta Wall        |
|                      | Bruce Stone      |                   | Jeff Herriott       |
|                      | Leonard Haupt    |                   | Todd Brisk          |
| Assessor's Office:   | Mike Cole        |                   | Kenneth R. Hatfield |
|                      | Steve Manful     |                   | Tashina M. Otvos    |
|                      | Steve Miller     |                   | David P. Penrod     |
|                      | Andy Hansen      |                   | Mark A. Reid        |
|                      | Patti Wood       |                   | Justin Vicente      |
| Public Works:        | Robert Smith     |                   | Shane A. Archibald  |
|                      | Dave Holcomb     |                   | Brent E. Barney     |
| Legacy Events:       | Larry Hearn      |                   | Albert H. Bell      |
|                      | Kent Brown       |                   | Joshua D. Boucher   |
| Information Systems: | Jim Dudleston    |                   | Kasey W. Hart       |
|                      |                  |                   | Brooklyn D. Welch   |
|                      |                  |                   | Alicia Meacham      |
|                      |                  |                   | Milicent Townsend   |
|                      |                  |                   | Brian Schlager      |
|                      |                  |                   | Richard Keith Major |
|                      |                  |                   | Jon West            |
|                      |                  |                   | Lance Jacobs        |

Wade Gilmore  
Tracy Zamora  
Jeff Herriott  
Gabriele Edwards  
Stuart Hardt  
Brian Schultz

Commissioner Millburn asked those whose names were announced and were present to come forward to be recognized. The Commissioners expressed their appreciation as they shook their hands and provided a Davis County coin as a token of appreciation.

The Commissioners also invited the members of the American Legion to come forward for recognition and to receive a coin. Paula Stephenson invited the Davis County employee veterans in the audience to make an association with them.

Commissioner Petroff spoke giving his appreciation to the military members. He indicated his father was a World War II veteran. He wished his father could have taken part in the honor flights. He grew up in an age when most of his neighbors had gone to serve. They came back and built America. He just wanted to say “Thanks!”

Commissioner Smith said one of his heroes’ growing up just happened to be such a nice guy he married his daughter. He was a World War II Marine and spent the entire war in Japanese prisoner of war camps. He was the greatest patriot and the absolute finest man that he ever worked with and associated with. He was frustrated and ashamed that there was a component in America that didn’t treat our veterans right (Vietnam). He is glad that America has caught on to what our veterans offer. He has nothing but deep respect and appreciation for those who served. He hoped that those in the audience know that it was not unnoticed the service they gave. He is proud to be a patriot, proud of our flag, proud of the members in attendance service and the opportunity to serve with them.

Curtis Koch spoke saying he has family members who have served our country and laid the foundation for the freedoms we enjoy today. Likewise, thank you for the service that has been provided and to those serving right now and are in harm’s way.

Neal Geddes said that we live in a wonderful country in a very special community. He wanted everyone to know that it is not lost on us the sacrifices they made and the special work they put in to guarantee that we have the freedoms that we do. You are appreciated!

Screening of  
the “Last Days  
of Vietnam”

Commissioner Millburn gave invitation to attend a special screening of the “Last Days of Vietnam” being shown this evening. It is being held at the Davis Conference Center in conjunction with Sundance Institute and KUED television. There is a reception beginning at 5:30 and a panel discussion following the screening comprised of veterans who served in Vietnam.

Commissioner Millburn thanked all those in attendance saying it was a pleasure having them at the meeting. He said that we are so appreciative of all the sacrifices that they have made, other forbearers have made and those that are currently serving continue to make on all of our behalf.

“Movember”  
Men’s Health  
Awareness  
Month

In recognition of “Movember” – Men’s Health Awareness Month, Commissioners Petroff and Smith, Neal Geddes, and Curtis Koch donned mustaches & beards. Commissioner Millburn already has a natural mustache and beard. Men were encouraged to make sure they get their check-ups.

Public notice of  
public hearing  
re: Ki Ho tax  
exempt bonds

Public notice of public hearing and bonds to be issued to finance the acquisition, renovation or construction, and equipping of a manufacturing facility for the manufacture of aerospace components and related products owned and operated in whole or in part by Ki Ho Military Acquisition Consulting, Inc. to be held November 17, 2015 at 10:00 A.M. in room 303 (during Commission Meeting) of the Davis County Administration Building, 61 South Main Street, Farmington.

Resolution #2015-553 appointing representatives to the Taxing Entity Committee

Commissioner Millburn presented resolution #2015-553 appointing representatives and two alternates to the Taxing Entity Committee established for all urban renewal and economic development project areas in Davis County, Utah. He explained the change is due to a representative having left employment with Davis County. The representatives are P. Bret Millburn, Davis County Commissioner, and Curtis Koch, Davis County Clerk/Auditor. The alternates are Dale Peterson, Davis County Assessor, and Mark Altom, Davis County Treasurer.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Sheriff's Office employees being deployed.

Chief Deputy Kevin Fielding, Davis County Sheriff's Office, said that two of the Sheriff's Office employees named in the military list, Shane Archibald and Chad Marten, will be deployed before Christmas.

Employee battling cancer.

In regards to "Movember," Chief Fielding indicated the Sheriff's Office has an employee battling testicular cancer. Employees are wearing purple ribbons for testicular cancer awareness and have shaved their heads for donation milestones.

User agreement #2015-554 Motor Vehicle Enforcement – UCJIS files

Chief Deputy Fielding presented user agreement #2015-554 with Motor Vehicle Enforcement Division to access the UCJIS files. Period of contract is July 1, 2015 through June 30, 2016. No monies are involved.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2015-555 UT Dept. of Health – TCM funding

Lewis Garrett, Davis County Health Department Director, presented the following:

Agreement #2015-555 with Utah Department of Health funding Targeted Case Management (TCM) services delivered to Medicaid eligible children birth through age 3 currently enrolled in the Medicaid program. Period of contract is July 1, 2015 through June 30, 2016. Contract amount is based upon fee for service up to \$1,000,000.00.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2015-556 UT Dept of Health – CHEC funding

Agreement #2015-556 with Utah Department of Health funding Child Health Evaluation and Care (CHEC) to provide Early Periodic Screening, Diagnosis and Treatment (EPSDT) program outreach for referrals of children at high risk. Period of contract is July 1, 2015 through June 30, 2016. Receivable amount is \$37,705.00.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment #2015-104B UT Dept of Health EPIICC 1422

Amendment #2015-104B with Utah Department of Health to the Environmental Policy and Improved Clinical Care (EPIICC) 1422 to: 1) replace Special Provisions; 2) adding Year 2 activities and funding; 3) induce funding for the development of a Diabetes Prevention Program. Period of contract is October 1, 2015 through September 30, 2016. Receivable amount is \$72,500.00.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment #2015-365A UT Dept of Human Services, Div Aging & Adult Services

Amendment #2015-365A with Utah Department of Human Services, Division of Aging and Adult Services to increase funding for: 1) Nutrition Services; 2) Disease Prevention; 3) Caregiver; 4) MIPPA; and 5) Elder Abuse prevention funding to be used to hold a 2016 conference in Davis County. Period of contract is July 1, 2015 to June 30, 2016. Receivable contract amount is \$25,055.84.

Commissioner Smith made a motion to approve. Commissioner Smith seconded the motion. All

voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Summary list  
#2015-557 for  
October 2015  
animal  
adoptions

Clint Thacker, Davis County Animal Care and Control, presented summary list #2015-557 of October 2015 animal adoptions (136). He was excited that there were so many adoptions and said they are on track to have the highest amount of adoptions than ever before. He gave credit to their partnership with the Best Friends.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Board of  
Canvass

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

2015 General  
Election  
Canvass

Brian McKenzie, Davis County Elections Manager, presented the 2015 General Election Canvass. He indicated there were 10 cities that utilized vote by-mail. Because of this they anticipated a large number of outstanding ballots after election night. They worked diligently to count those ballots to be able to present the results today. He gave a PowerPoint presentation which included some of the following information:

- Mailed over 89,000 ballots
- 10 cities were vote by-mail
- 5 cities used polling locations
- 23 vote centers were available across the County to drop off their ballots or to vote
- 52,325 voters cast a ballot
- 31,038 returned their by-mail ballot
- 1,451 voted at an early voting location
- 12,530 voted at the vote centers

On November 6<sup>th</sup>, an election audit in accordance with the Lt Governor's Election Audit Policy, was conducted:

- Ten voting machines were selected by the Lt. Governor's Office
- Poll workers served as the audit team
- Hand count of the paper audit trail compared to the electronic count
- Matched 100%

Disposition of Ballots not counted:

- By-mail ballots – 614 (majority came back without a signature)
- Provisionals – 28
- Total ballot not counted – 642

Brian explained the extensive measures they go through to verify and contact voters to resolve the issues with their ballots.

**Election results:**

**Proposition 1**

Passed - 55.53 %

Against - 44.47%

Brian said city elections, RAP tax and the school bond results will be prepared and delivered to the city recorders and the school district today. They will be conducting their own canvass.

Commissioner Smith inquired how 38% turnout compared with previous municipal elections. Brian said it was great. They compared this election to the most similar election they could find which was in 2007. In 2007, there was a state-wide question on the ballot which was regarding the school voucher. He credits voter turnout to the vote by-mail process. Commissioner Millburn asked if there was any difference from last year in receiving the vote by-mail ballots. Brian said they were comparable.

In regards to Proposition 1, Commissioner Millburn asked if there was any data by city. Brian will create a report.

The cities that did not participate in vote by-mail were: Centerville, Layton, South Weber, Sunset, West Point and West Bountiful. In looking at their voting results, it was apparent there wer not as many votes

cast.

Curtis Koch commended the staff, specifically Brian, for having done an amazing job. He shared a comment from a representative of the Lt. Governor's Office during the Election Open House who said "Davis County is the gold standard when it comes to elections in the State of Utah." He credits Brian and the efforts he and his staff make. The Audit staff also jumped in and helped out on election day. He also thanked the cities that opted to vote by-mail, noting that change is difficult and scary. He feels that as the voters anticipate receiving their ballots by mail, they will be more informed, engaged, will act and will vote. He's very pleased with the efforts of his staff, the cities and the voters. He looks forward to even better results as they move forward with vote by mail.

Commissioner Petroff commented on the opportunities that vote by-mail provides, such as being able to look at each city and find out how they voted on a particular item, i.e. Proposition 1. It gives a good indication of how effective that opinion develops.

Tabulations  
accepted and  
approved

Commissioner Petroff made a motion, as the members of the Davis County Election Canvass Board, to accept the tabulations as presented by the Davis County Clerk/Auditor and declare them to be the official Davis County results for this special general election held on November 3, 2015. Commissioner Smith seconded the motion with appreciation of a job very well done. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Brian said they cannot do what they do without the great support from so many other departments within the County: the security they receive from the Sheriff's Office, I.T. support from Information Systems, and organization assistance from the Facilities Department. There are so many people involved that make this event successful. They are very grateful for their ongoing support and help. A huge thank you to these departments and their staff.

Commissioner Petroff told Brian his next job was to work on the legislation to be able to release information as it comes in. Brian agreed, saying it would help them too, by being able to have the election canvass two weeks out from the election.

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

BOE

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

Property Tax  
Register  
approved

Curtis Koch, Davis County Clerk/Auditor, presented the Property Tax Register which reflected 2 abatements, 1 Treasurer adjustment and 2 corrections.

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

Reconvene

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

Minutes  
approved

Commissioner Smith made a motion to approve Commission Meeting minutes for October 20 and 27, 2015 and November 3, 2015. Commissioner Petroff seconded the motion. All voted aye.

Check registers  
approved

Check registers as prepared by the Davis County Clerk/Auditor, were approved with a motion by Commissioner Petroff. Commissioner Smith seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

No Commission comments.

No public comments.

Adjourned

Meeting adjourned.

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Clerk/Auditor

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Chair