**These minutes are pending legislative approval and are subject to change until approved. **

COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES
August 27, 2019

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10 a.m. on Aug. 27, 2019, in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. The required legal notice of this meeting was given.

Present on the dais were: Commissioner Randy B. Elliott, Chair; Commissioner Lorene Miner Kamalu, Vice-Chair; Curtis Koch, Davis County Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

Excused: Commissioner Bob J Stevenson

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

OPENING

The meeting convened at 10 a.m. and Mitch Mattern, from Facilities West [Sheriff's Office Facilities], led the Pledge of Allegiance.

Commissioner Elliott excused Commissioner Stevenson, who is out of town.

Recognitions, Presentations & Informational Items

Employee Service Awards for the Month of August

This is a great opportunity to recognize employees for milestone anniversaries. If the employees were in attendance they were invited forward, and their supervisor was asked to say a few words about them. Following the supervisor's words, a picture of the employee and their supervisor was taken with Commissioners Elliott and Kamalu. The following employees were recognized:

- **Marci Clark**, Health Administration, five years—Marci was unable to attend. Commissioner Kamalu works very closely with her and is very grateful for her work.
- **Marissa Hinrichs**, Central Library Branch, five years—Lynette Mills said Marissa is an Office Specialist I (OSI) at the Central Branch and she is amazing.
- **Cindy Sorensen**, Treasurer's Office, 10 years—Mark Altom said Cindy has worked in the Treasurer's Office for 10 years but seven of those years were as a part-time employee. She is fun to work with because she is pleasant to the customers, be they over the phone or in person, and with her fellow employees. Mark also appreciates her positive attitude.
- **Jeremy Pundt**, Public Works, 10 years—Brandon Hunt said it seems like Jeremy has been with the County forever and works to control the weeds. He has been Brandon's right-hand-man for those 10 years and seems to know all the right answers. The Commissioners added they had the chance to visit the retention basin where the County uses goats to control the grass and weed population; it was a fun experience.
- **Neil Pace**, Valley View Golf Course, 10 years—Neil was unable to attend.
- **Lorraine Hansen**, Attorney's Office, 15 years—Lorraine was unable to attend.
- **Ralph Burningham**, Central Library Branch, 15 years—Ralph was unable to attend. Lynette Mills said he is a [Library] driver, so he works at all the branches.
- **Anna Scholes**, Central Library Branch, 20 years—Lynette Mills said Anna has been an Associate Librarian at the Central Branch for her whole career which is rare because most employees move up to be an Associate Librarian. She helps order the non-fiction materials for the system and loves to take trips.

The Commissioners once again thanked the employees for their service and longevity with the County.

PUBLIC COMMENTS

The public was invited to make comments to the Commission.

Thomas Rodgers, from Bountiful, came before the Commission in defense of Ron Makin who has been accused of arson and to defend those who live in manufactured homes. In Davis County there are currently 2,600 family units who live in mobile home parks. Every mobile home built since 1976 poses a risk of occupant asphyxiation. Thomas has personally witnessed a child become extremely ill because of this. Years ago, he went to Washington D.C. to expose this hazard to the legislature and bureaucracy. While there, he was assaulted and blinded by individuals he said profited from the building of manufactured homes.

Ron Makin, a resident of the Meadows Apartments in Bountiful, was accused of arson. Thomas felt inspired

that Ron is innocent and he could help prove it. Thomas was trained in the medical field and combustible materials, which some medications are. When he reviewed the evidence and based on his extensive experience, he felt the fire was started as a result of medication accidentally combusting and not because of arson. According to Thomas, Davis County does not look good in the public's eye right now because the process of gathering the prosecuting materials has taken the County attorneys 14 to 15 months. During this time, the County attorneys are getting paid, while he and the defendant are having to pay costly fees.

Furthermore, he feels the truth is being prevented from being uncovered because they have not received complete surveillance videos, total evidence records, and the records of another individual who was more likely to be a factor in the accidental fire. Instead, Roy, who was not at the building when the fire occurred, is being accused; although, the County attorneys claim he was at the building. Thomas believes, at this point, the County attorneys are trying to save their professional image rather than reveal the truth. He also thinks Bountiful City and Davis County need people of integrity to act with integrity. The process is 14 to 15 months in and he feels like Bountiful City and the County are subverting the truth. He finds this to be sad because he used to be friends with Troy Rawlings [the Davis County Attorney]. Also, the longer this process goes, the more injury occurs to whom he believes is the innocent party.

Thomas encouraged the Commissioners to visit gassingamerica.com for more information on the mobile home problem and to view his credentials. He also added that Senator Orrin Hatch, Senator Charles Grassley [of Iowa], the Center for Disease Control (CDC), and the Government Accountability Office are behind him on this problem. He also asked the Commissioners to go to meadowsfire.com for more information about the arson case. He especially encouraged them to watch the report done by Channel 4 on the fire. Right now, this case is being followed on a national level, even if the County is not watching it as close. Thomas does not want the County or Bountiful City to look bad to the world, but because some individuals are looking to preserve their professional appearance, they are. He asked the Commissioners to have the people in the judiciary to do the right thing.

BUSINESS/ ACTION

PUBLIC HEARING

Notice of Public Hearing and public comment period to consider additional budget appropriation requests
— Presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor

Heidi said there are six budget amendment requests to consider. The first General Fund amendments are tied to the Munis implementation to transfer funds from the Human Resource budget to the Information Systems budget for the time clocks being purchased. The next request is to transfer funds from the County-wide contingency funds to the Sheriff's budget to replace a vehicle totaled this year. The last item [in the General Fund account,] is to use $23,000 from the County-wide contingency fund for building improvements at the Justice Court.

The Commission commented that it was their understanding the $23,000 for the Justice Court improvement was insufficient. Mitch [Mattern, Justice Complex Maintenance Manager] confirmed this. The Commission recommended this request be put on hold while discussions continue on the funding of the building improvements and how much money is needed. Heidi said, for the record, that it would reduce the $52,300 being pulled from the contingency fund by $23,000 for that project.

The next two requests [from Fund 15] are from the Health and Senior Services, because of grant funding that came in earlier than anticipated. The goal of this request is to recognize those revenues and offsetting expenditures. Specifically, $3,024 from Contract #2019-145 is to be expended in miscellaneous supplies, and for $3,500 in enhanced fitness grant revenues from Contract #2018-544-B to be spent against travel and education training, as dictated by the grant.

The final request is a budget correction tied to the Capital Improvement funds. Last year, $150,000 was budgeted for the Memorial Courthouse with an additional $25,200 in relocation expenditures. Both items are listed in the final budget but were not entered in the electronic budget system. This correction is to include these items that were approved in the 2019 budget.

Commissioner Elliott moved to open the Public Hearing. Commissioner Kamalu seconded the motion. All voted Aye.

There were no public comments.

Commissioner Elliott moved to close the Public Hearing. Commissioner Kamalu seconded the motion. All voted Aye.

Resolution #2019-454 for consideration of approval for additional 2019 Budget appropriation requests

Resolution #2019-454 for consideration of approval for additional 2019 Budget appropriation requests - to be funded by new revenues and or monies unspent in the prior year — *Presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor*

A motion was made to approve the additional 2019 Budget appropriation requests except the item for the Justice Court, pending further discussion. The contract period is 08/27/2019 to 12/31/2019. The net effect on the total fund balance is $175,200.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Amendment #2019-45-A with Turn Community Services, Inc. for FY17-18 CDBG funding for building repairs

Amendment #2019-45-A with Turn Community Services, Inc. for FY17-18 Community Development Block Grant (CDBG) funding for building repairs — *Presented by Stephen Lyon, Davis County Grants Administrator*

This amendment is from FY2017 with Turn Community Services. The original $10,000 were larger than needed, so the County will award Turn Community Services $5,000 instead. Turn Community Services is a statewide program that provides services for individuals with disabilities by helping them with finding a job and gaining job skills. This project is to install a fence and make general building improvements to their Clinton facility. The contract period is 07/07/2018 to 06/30/2019. The payable amount is $5,000.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Agreement #2019-455 with Grand Enterprises for the repair of Legacy Events Center elevator pit

Agreement #2019-455 with Grand Enterprises for the repair of Legacy Events Center elevator pit — *Presented by Mack McDonald, Davis County Facilities Director*

These repairs in the elevator pit were budgeted last year for $25,000. For the past few years, the pit has been flagged by the State inspector because water seeps into the area and rusts the elevator equipment. It was recommended to get this fixed. The County first tried to find a plumber but was unable to find someone so the request was given to general contractors. The County's proposed plan is to dig around the exterior of the pit and seal the waterways and cracks, thus preventing the water from seeping in. However, doing this will only reach two of the pit's sides. One of the contractors suggested installing a sump pump which will require piping the water out of the pit and a separating system to extract the water from the hydraulic fluid. A different contractor recommended to open the cracks and add a waterstop system that would act as a sealant when moisture is present and then epoxy the elevator pit's interior. Fixing the seeping problem will get the Legacy Events Center's elevator back into code compliance. The contract period is 08/20/2019 to 09/30/2019. The payable amount is $11,987.14.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Agreement #2019-456 with Tobin Family Karate LLC for an intermountain karate tournament

Agreement #2019-456 with Tobin Family Karate LLC for rental space for an intermountain karate tournament — *Presented by Mike Moake, Davis County Marketing and Events Coordinator*

This contract is for the Intermountain Karate Tournament, hosted by Tobin Family Karate. This tournament draws people from all over the U.S. Last year there were attendees from Texas. The Events Center is excited to have them back. The contract period is 03/26/2020 to 03/28/2020. The receivable amount is $3,247.50.

Agreement # 2019-457 with

Agreement #2019-457 with USA Gymnastics Trampoline and Tumbling for rental space for competitions — *Presented by Mike Moake, Davis County Marketing and Events Coordinator*

USA Gymnastics Trampoline and Tumbling for rental space for competitions

This contract is for the regional trampoline and tumbling competition. The Legacy Events Center was able to secure hosting every Utah regional trampoline and tumbling competition. The contract period is 02/27/2020 to 02/29/2020. The receivable amount is $3,567.64.

Agreement #2019-458with USA Wrestling Utah for rental space for tournaments

Agreement #2019-458 with USA Wrestling Utah for rental space for tournaments — *Presented by Mike Moake, Davis County Marketing and Events Coordinator*

This Western Regional Wrestling Tournament is an exciting event to host. It is projected to bring in almost 2,500 wrestlers with their families, with most coming from outside of Utah. This will mean at least 500 hotel rooms will be rented in the Events Center vicinity. To help secure the hosting of this event, the County agreed to give the promoter $5,000 in facility rental credit. The contract period is 05/12/2020 to 05/16/2020. The receivable amount is $4,820.

Motion to Approve Agenda Items: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Summary List #2019-459 of 16 2019 Davis County Fair vendors

Summary List #2019-459 of 16 2019 Davis County Fair vendors — *Presented by Dave Hansen, Davis County Legacy Events Center Director*

This summary list is for a wide variety of commercial vendors at the Davis County Fair. The contract period is 08/14/2019 to 08/17/2019. The receivable amount is $8,875.

Summary List #2019-460 of 24 2019 Davis County Fair vendors

Summary List #2019-460 of 24 2019 Davis County Fair vendors — *Presented by Dave Hansen, Davis County Legacy Events Center Director*

This summary list is for Davis County Fair vendors. The contract period is 08/14/2019 to 08/17/2019. The receivable amount is $9,350.

Motion to Approve Agenda Items: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Memo of Understanding #2019-461 with Utah Office of Tourism with Utah Cooperative Marketing Program funding to attract out-of-state visitors

Memo of Understanding #2019-461 with Utah Office of Tourism with Utah Cooperative Marketing Program funding to attract out-of-state visitors — *Presented by Jessica Merrill, Davis County Community & Economic Development Tourism Director*

Jessica first introduced Bailey Lefthand, who is the Community & Economic Development's new Marketing and Tourism Coordinator. She comes from a marketing and advertising background so she will be helping with the public-facing social media and blog accounts.

This co-op with the State of Utah's Governor's Office of Economic Development (GoEd) focuses on the ski campaign that will brand Davis County as a winter base camp with budget-friendly hotels for the nearby ski resorts. These advertisements are required to be done outside the state, so Idaho and other key markets identified will be targeted. The campaign will run from Sept. to Mar. Last year the County did a program with Expedia that tracked the number of hotel rooms booked through this campaign, resulting in 3,000 to 4,000 hotel nights. This feature will be used again this year. The co-op does require a matching amount of $45,000. The campaign goes for six months, but the funds must be used within two years. The contract period is 08/16/2019 to 12/31/2021. The receivable amount is $45,000.

Amendment #2018-275-B with State of

Amendment #2018-275-B with State of Utah Governor's Office of Economic Development (GoED) and the Utah Office of Tourism to change the effective dates of the 2018 Co-op Grant — *Presented by Jessica*

Utah-GOED and Utah Office of Tourism to change the effective dates of the 2018 Co-op Grant

Merrill, Davis County Community & Economic Development Tourism Director

This amends the 2018 co-op agreement [see Contract #2018-275 and Contract #2018-275-A]. The County received half the money upfront knowing the second half would be received after providing reports showing how the campaign went. By the time the County turned in the report and requested they send half of the funds, the contract had passed its original expiration date. This amendment changes the expiration date so the funds can be collected. The contract period is 09/17/2018 to 08/31/2019. [The receivable amount is $22,400.]

Agreement 2019-462 with USU Utah Botanical Center to provide matching tourism funds for construction of docks on ponds

Agreement #2019-462 with Utah State University (USU) Utah Botanical Center to provide matching tourism funds for the construction of docks on ponds — *Presented by Jessica Merrill, Davis County Community & Economic Development Tourism Director*

This grant between the Utah State University (USU) Botanical Center and the Tourism department is to help create water access points at the Kaysville Ponds. There are also other partners contributing money such as Kaysville City, USU and the State Office of Recreation. The County will provide the remaining $10,000 from the Tourism Fund because it fits in with tourism goals. The docks will be ADA accessible and will allow visitors to fish, kayak, paddleboard, etc. in a safer manner than what is currently available. There is also an in-kind donation. Construction will begin in the Fall of 2019. The Commissioners expressed their interest in seeing a map of where the docks will be installed. The contract period is 08/15/2019 to 12/31/2019. The payable amount is $10,000.

Motion to Approve Agenda Items: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Agreement #2019-463 with Farmington City for conditional use/site plan

Agreement #2019-463 with Farmington City for conditional use/site plan — *Presented by Chief Deputy Susan Poulsen, Davis County Sheriff's Office*

This agreement was presented first so Mitch Mattern could answer any questions before he had to leave.

This request is for the Davis County Jail's medical wing conditional use and site plan. This project has been many years in the making and involves multiple groups. As of right now, there is no cost. The cost will be attached after the Planning Commission approves the plan. Once approved, the contract's term will be for 12 months. The Commission thanked Farmington City for working with the County on this.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Agreement #2019-464 with Tyler Francis for corrections officer training reimbursement

Agreement #2019-464 with Tyler Francis for corrections officer training reimbursement — *Presented by Chief Deputy Susan Poulsen, Davis County Sheriff's Office*

This training reimbursement agreement with Tyler Francis is to attend the Corrections' Academy. If the two-year commitment is not fulfilled then the funds must be paid back. The contract period is 08/27/2019 to 08/27/2021. The receivable amount is $11,970.12.

Interlocal Agreement #2019-465 with Fruit Heights City to provide law enforcement services

Interlocal Agreement #2019-465 with Fruit Heights City to provide law enforcement services — *Presented by Chief Deputy Susan Poulsen, Davis County Sheriff's Office*

This one-year contract is for the Sheriff's Department to provide law enforcement services for Fruit Heights City. The Commissioners said when they attended the Fruit Heights City Council meeting Fruit Heights appeared to be very grateful for this service. The contract period is 07/01/2019 to 06/30/2020. The receivable amount is $197,100.

Amendment #2016-238-C with UT Dept. of Corrections to increase State inmate housing services funding

Amendment #2016-238 with the Utah Department of Corrections to increase funding to cover an additional six months of State inmate housing services — *Presented by Chief Deputy Susan Poulsen, Davis County Sheriff's Office*

This amendment increases the funding needed to house inmates from the State. The contract period is 06/30/2019 to 12/31/2019. The receivable amount is $690,000.

Notice of Award #2019-391-A from and agreement with the UT Dept. of Safety for the EMPG

Notice of Award #2019-391-A from and agreement with the Utah Department of Safety for the Emergency Management Performance Grant — *Presented by Chief Deputy Susan Poulsen, Davis County Sheriff's Office*

This notice of award is for the Emergency Management Performance Grant (EMPG). The contract period is 07/01/2019 to 06/30/2020. The receivable amount is $65,600.

Motion to Approve Agenda Items: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Request #2019-466 to cancel September 10, 2019, Davis County Commission Meeting

Request #2019-466 to cancel September 10, 2019, Davis County Commission Meeting — *Presented by Commissioner Elliott*

All of the Commissioners will be in Washington D.C. on Sept. 10. Utah counties and municipalities were invited by the White House to speak with their counterparts in Washington and to voice concerns to the national level. Last year this was a beneficial visit, so the Commissioners decided to attend again.

Motion to Approve: Com. Elliott
Seconded: Com. Kamalu
All voted Aye

Commissioner Kamalu moved to recess to Board of Equalization. Commissioner Elliott seconded the motion. All voted Aye.

BOARD OF EQUALIZATION

Property Tax Register

Property Tax Register matters were presented by Curtis Koch, Davis County Clerk/Auditor, as follows:

Under Auditor adjustments is an approved report for change in value totaling $779,291 and a report with no change in value recommended. Under Auditor corrections are three veteran tax abatement exemptions.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Commissioner Kamalu moved to reconvene Commission Meeting. Commissioner Elliott seconded the motion. All voted Aye.

CONSENT ITEMS

Check Registers

Check Registers

Check Registers were approved.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Indigent Hardship Abatement Register

Indigent Hardship Abatement Register

The Indigent Abatement Register for the following name was presented for approval:

David C Smith

A motion was made to request David have hearing first.

Motion to Request a Hearing: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Commission Meeting Minutes

Meeting Minutes

Commission Meeting Minutes for August 13, 2019, and Work Session Minutes for August 6, 2019, and August 13, 2019, were presented for approval.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

COMMISSION COMMENTS

Commissioner Elliott said the fall weather is coming which will make the skiers happy. There have been some exciting agreements passed today, especially the medical facility. It is exciting to have the cities working together within the County.

Commissioner Kamalu wanted to mention the upcoming Community & Economic Development Annual Fall Art Contest. This time is for the fine art submissions. Some of the art will be displayed in the County [Administration Building] for the public to enjoy for six months. She wanted to thank those who worked on this contest which took coordination between three different departments. Things are moving in the right direction. Submissions are due at the beginning of Sept.

MEETING ADJOURNED

Commission meeting was adjourned at 10:48 a.m.

Minutes prepared by:
Jessy Turner
Deputy Clerk/Auditor

Minutes approved on: _____

_____
Curtis Koch
Clerk/Auditor

_____
Randy B. Elliott
Commission Chair