COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES
April 7, 2020

The Board of Davis County Commissioners met for their regularly scheduled meeting at 4:00 p.m. on April 7, 2020, in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Required legal notice of this meeting was given.

Present on the dais were: Commissioner Lorene Miner Kamalu, Chair; Commissioner Bob J Stevenson, Vice-Chair; and Commissioner Randy B. Elliott. Curtis Koch, Davis County Clerk/Auditor was present in the audience; and Neal Geddes, Chief Civil Deputy County Attorney, was present via phone.

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

In keeping with recommendations of Federal, State, and Local authorities to limit gatherings to control the continuing spread of COVID-19, and in accordance with Utah Governor Gary Herbert's Executive Order on March 18, 2020, suspending some requirements of the Utah Open and Public Meetings, Act, the Board of Davis County Commissioners will make the following adjustments to our normal meeting procedures.

- Some or all members of the Board and meeting presenters may participate electronically via phone or video conference.
- In-person participants will be limited to no more than 10 people and will be by invitation only.
- Public Comment will not be taken during the meeting but may be submitted through the means listed below. Comments submitted before 3:30 p.m. on Tuesday, March 31st, will be distributed to Board members prior to the meeting:
    - Online at https://www.daviscountyutah.gov/commission/contact, via email at commissioners@daviscountyutah.gov or by telephone at (801) 451-3200

Meeting proceedings may be viewed remotely through YouTube live-streaming:
https://www.daviscountyutah.gov/commission/meetings

The meeting convened at 4:03 p.m., and Curtis Koch, Davis County Clerk/Auditor, led the Pledge of Allegiance.

Recognitions, Presentations & Informational Items

RFP's received for the Children's Justice Center (CJC) Tile Facade Repair — *Presented by Curtis Koch, Davis County Clerk Auditor*

The County received one bid from Royalty Services Group.

RFP's received for the Davis Conference Center Moveable Airwalls — *Presented by Curtis Koch, Davis County Clerk Auditor*

The County received two bids; one from Alder Sales Corporation, and the second from B and B Specialties.

RFP's received for Benefits. Consulting & Brokerage Service — *Presented by Curtis Koch, Davis County Clerk Auditor*

Davis County received the following eight bids:
Golden West Health Insurance, HUB, Moreton and Company, GBS, NFP, Buckner, Colonial Insurance, and GG Capital Management

Commissioner Elliott asked Curtis why there was only one bid submitted for the CJC tile façade repair. Curtis did not speculate but left it to the experts to determine why and what the next steps will be.

PUBLIC COMMENTS

Members of the public were invited to submit comments to the Commission. No public comments were submitted. The Commission expressed condolences for those community members that have lost life as a result of COVID-19.

BUSINESS/ ACTION

Resolution #2020-0135 to adopt additional 2020 budget appropriation requests. Budget appropriation requests to be funded by new revenues and or monies unspent in the prior year

Resolution #2020-0135 to adopt additional 2020 budget appropriation requests. Budget appropriation requests to be funded by new revenues and or monies unspent in the prior year — *Presented by Curtis Koch, Davis County Clerk/Auditor*

Curtis noted that all the changes or increases in the budget are from prior year projects and are rolling over to this year. He presented those budgeted projects as follows:

- **Fund 10** *Corrections*- Building Improvements—Roll of 2019 funds for a security check station in the jail for $20,701

  Sheriff- Vehicle Equipment—Roll of 2019 funds to outfit the replacement vehicle for a destroyed vehicle for $13,785

- **Fund 15** *Health Administration*- Vehicles— Roll of 2019 funds for a vehicle purchase delivered on 02/24/2020 for $26,368

- **Fund 24** *Flood*- Flood Projects—Roll of 2018 funds for the railroad crossing culvert project for $1,720,318

- **Fund 62** *Telephone*- Telephone Software—Roll of 2019 funds for the Avaya upgrade for $41,188

- **Fund 63** *B&G West*- Building Improvement—Roll of 2019 funds for the jail shower door project for $7,797

The total increase for expenses was $1,830,158, all of which was in last year's budget and is rolling into this year. The contract period is 04/07/2020 to 12/31/2020. The amount is $1,830,158.

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

Notice of Public Hearing to consider additional budget appropriations requests.

Notice of Public Hearing to consider additional budget appropriations requests. Increases will be funded by new revenues and/or monies unspent in the prior year — *Presented by Curtis Koch, Davis County Clerk/Auditor.*

The public was invited to make comments pursuant to UCA§ 17-36-26. There were no public comments submitted. Commissioner Stevenson explained the need to expend $1.7 million for the culvert. It is a major culvert that runs under the Union Pacific tracks and I-15 and is failing and must be replaced. The contract period is 04/07/2020 to 12/31/2020. The amount is $1,830,158.

Commissioner Stevenson moved to close the public hearing and approve the resolution.

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

#2020-0136 Proposed Community Development

#2020-0136 Proposed Community Development Block Grant (CDBG): — *Presented by Stephen Lyon, Davis County Grants Administrator*

Block Grant (CDBG):

Stephen explained this public hearing is for the annual action plan 2020-2021 and a substantial amendment to the program's annual action plan for 2019.

For 2019, there is an addition of $75,000 for a Woods Cross housing Relocation Project and $30,000 for the Down-Payment Assistance Program. An activity will be added, [and is on the agenda today] for the COVID-19 Sheltering Assistance through Open Doors for $8,000. He mentioned they were awarded $545,932 as part of the Coronavirus Aid, Relief, and Economic Security (CARES) act, and those monies will be designated for CDBG-CV, likely through an amendment to the 2019 plan.

For 2020, there are 11 new activities totaling $864,905. There is no action to be taken today. It is simply the public comment period as required by the Department of Housing and Urban Development (HUD). The public hearing is a requirement to allow the public to view and comment on the proposed action. The public comment period remains open, and documents are available for viewing on the county website or by appointment for the next 30 days until April 30th.

Stephen indicated that one public comment had been received, thus far, from Bountiful Community Food Pantry in support of their project.

Commissioner Stevenson moved to a public hearing. Commissioner Elliott seconded the motion. All voted Aye.

Notice of Public Hearing and Public Comment Period

Notice of Public Hearing and Public Comment Period — *Presented by Stephen Lyon, Davis County Grants Administrator*

There were no public comments submitted.

Commissioner Stevenson moved to close the public hearing and approve the draft annual action plan proposal.

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

Agreement #2020-0137 with Open Doors for PY19 Community Development Block Grant (CDBG) program funding for Quarantine Rapid Re-Housing Project

Agreement #2020-0137 with Open Doors for PY19 Community Development Block Grant (CDBG) program funding for Quarantine Rapid Re-Housing Project — *Presented by Commissioner Kamalu on behalf of Stephen Lyon, Davis County Grants Administrator*

This is a sub-recipient agreement with Open Doors, the Community Action Agency in Davis County, for FY2019 COVID-19-related for a quarantine rapid rehousing project. This will assist low-income, displaced individuals that have either tested positive or suspect exposure to the COVID-19 Coronavirus to prevent them from becoming homeless due to their circumstances. The contract period is 04/07/2020 to 06/30/2020. The payable amount is $8,000.

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

Amendment # 2020-0111-A with Archiplex Group LLC to include address omitted in agreement for architectural services

Amendment #2020-0111-A with Archiplex Group LLC to include address omitted in agreement for architectural services — *Presented by Commissioner Kamalu on behalf of Chief Deputy Susan Poulsen, Davis County Sheriff's Office*

This is an agreement with Archiplex Group LLC amending the contract to include an address omitted in the agreement for architectural services. The contract period begins 03/17/2020.

Motion to Approve: Com. Elliott

Seconded: Com. Stevenson
All voted Aye

Amendment #2015-0518-E with Utah Department of Health for Maternal and Child Health (MCH) adding a deliverable

Amendment #2015-0518-E with Utah Department of Health for Maternal and Child Health (MCH) adding a deliverable — *Presented by Commissioner Kamalu on behalf of Brian Hatch, Davis County Health Director*
This agreement with the Utah Department of Health for Maternal and Child Health (MCH) is amended to add a deliverable. The contract period is 10/01/2019 to 09/30/2020. The receivable amount is $95,229.

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

Agreement #2020-0138 with Carden International Circus Inc. for elephant shows and rides at 2020 Davis County Fair

Agreement #2020-0138 with Carden International Circus Inc. for elephant shows and rides at 2020 Davis County Fair — *Presented by Commissioner Kamalu on behalf of Blessett, Davis County Event Coordinator*

This agreement with Carden International Circus Inc. is for elephant shows and rides at the 2020 Davis County Fair. The contract period is 08/10/2020 to 08/16/2020. The payable amount is $6,500.

Agreement #2020-0139 with Live A Little Productions for Monster Truck Insanity Tour Show on opening night of 2020 Davis County Fair

Agreement #2020-0139 with Live A Little Productions for Monster Truck Insanity Tour Show on opening night of 2020 Davis County Fair — *Presented by Commissioner Kamalu on behalf of Blessett, Davis County Event Coordinator*

This agreement is with Live A Little Productions for the Monster Truck Insanity Tour Show on opening night of the 2020 Davis County Fair. The contract period is 08/11/2020 to 08/13/2020. The receivable amount is $1,500.

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

Agreement #2020-0140 with Martha Silva for rented space for a privately hosted Quinceanera party

Agreement #2020-0140 with Martha Silva for rented space for a privately hosted Quinceanera party — *Presented by Commissioner Kamalu on behalf of Mike Moake, Davis County Marketing & Events Coordinator*

This agreement is with Martha Silva for rented space for a privately hosted Quinceanera party. The contract period is 09/04/2020 to 09/05/2020. The receivable amount is $2,553.65.

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

Agreement #2020-0141 with Broken Heart Rodeo Company LLC to be a stock contractor for the 2020 Davis

Agreement #2020-0141 with Broken Heart Rodeo Company LLC to be a stock contractor for the 2020 Davis County Fair Rodeo — *Presented by Commissioner Kamalu on behalf of Dave Hansen, Davis County Legacy Events Center Director*

This agreement with Broken Heart Rodeo Company LLC is to be a stock contractor for the 2020 Davis County Fair Rodeo The contract period is 08/14/2020 to 08/15/2020. The payable amount is $17, 000.

County Fair Rodeo

Summary List 2020-0142 of rental agreements (21) at Legacy Events Center

Summary List #2020-0142 of rental agreements (21) at Legacy Events Center — *Presented by Commissioner Kamalu on behalf of Dave Hansen, Davis County Legacy Events Center Director*

This list is a summary of 12 low-dollar, low-risk rental agreements at the Legacy Events Center. The contract period is 03/13/2020 to 07/11/2020. The receivable amount is $4,268.43.

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

Resolution #2020-0143 and interlocal agreement with Clinton City for Proposition 1 grant to construct the Cemetery Trailhead

Resolution #2020-0143 and interlocal agreement with Clinton City for Proposition 1 grant to construct the Cemetery Trailhead — *Presented by Commissioner Kamalu on behalf of Jeff Oyler, Davis County Planning Manager*

This resolution and interlocal agreement is with Clinton City for the use of the Proposition 1 grant to construct the Cemetery Trailhead. It will also include parking and a restroom adjacent to the D&RG trail. The contract period is 04/07/2020 to 04/07/2022. The payable amount is $75,000.

Resolution #2020-0144 and interlocal agreement with Fruit Heights City for Proposition 1 grant for the Green Road and Country Lane sidewalk project

Resolution #2020-0144 and interlocal agreement with Fruit Heights City for Proposition 1 grant for the Green Road and Country Lane sidewalk project — *Presented by Commissioner Kamalu on behalf of Jeff Oyler, Davis County Planning Manager*

Resolution and interlocal agreement with Fruit Heights City for the use of the Proposition 1 grant for the Green Road and Country Lane sidewalk project The contract period is 04/07/2020 to 04/07/2022. The payable amount is $93,000.

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

Commissioner Stevenson emphasized that without the Proposition (Prop) 1 dollars that the tax-payers supported, the County would be unable to accomplish these projects with some of the smaller cities within the county.

Contract #2020-0145 Finalize a Quitclaim Deed and receive closing documents from U S Title Company as part of a negotiated sale to Dominion Energy Utah on the sale of surplus real property known as part of Tax ID 08-076-0122

Contract #2020-0145 Finalize a Quitclaim Deed and receive closing documents from U S Title Company as part of a negotiated sale to Dominion Energy Utah on the sale of surplus real property known as part of Tax ID 08-076-0122 — *Presented by Commissioner Kamalu on behalf of Tony Thompson, Davis County Property Manager*

This action will finalize a Quitclaim Deed and allow the receipt of the closing documents from the U S Title Company, as part of a negotiated sale to Dominion Energy Utah on the sale of surplus real property known as part of Tax ID 08-076-0122, and supplementing contract 2020-0102.

#2020-0146 Approval to issue a Permit to Enter and Construct to UDOT on real property owned by Davis County known as Tax IDs 07-080-0023, 11-117-0079, 11-117-0078, 11-117-0010 and 11-022-0044

Contract #2020-0146 Approval to issue a Permit to Enter and Construct to UDOT on real property owned by Davis County known as Tax IDs 07-080-0023, 11-117-0079, 11-117-0078, 11-117-0010 and 11-022-0044 - proposed improvements for US-89; Farmington to I-84 project 2020-0146 — *Presented by Commissioner Kamalu on behalf of Tony Thompson, Davis County Property Manager*

This request is for approval to issue a Permit to Enter and Construct to Utah Department of Transportation (UDOT) on real property owned by Davis County known as Tax IDs 07-080-0023, 11-117-0079, 11-117-0078, 11-117-0010, and 11-022-0044 to enter and construct the proposed improvements for US-89; Farmington to I-84 giant project. The locations associated with those tax IDs were identified as 07-080-0023—in the area of 360 S Highway 89 for drainage; 11-117-0079 and 11-117-0078—the city street for Mountain Road; 11-117-0010—347 N 1300 E in Fruit Heights; and 11-022-0044—Oak Hills Drive in Layton.

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

It was noted that a huge, deep hole was dug out in the middle of the East Mountain Wilderness Park. It was originally thought to be part of the drainage relating to the Highway 89 project, but it turns out that it is a fall study being done on the heels of all the recent earthquakes to examine the underlying fault line.

Commissioner Elliott moved to recess to the Board of Equalization. Commissioner Stevenson 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:

The report consisted of four Veteran exemption tax abatements submitted for consideration.

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

Commissioner Stevenson 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. Elliott
Seconded: Com. Stevenson
All voted Aye

Commission Meeting Minutes

Meeting Minutes

The meeting minutes for the Work Session for March 10, 2020, were presented for approval.

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

COMMISSION COMMENTS

Commissioner Stevenson commented that the possibility of the landfill reopening would be re-evaluated next week. He expressed appreciation for community patience and understands people want to take care of their yards and homes, but also knows the importance of staying home and staying safe, and the importance of keeping the landfill employees safe.

Commissioner Elliott said that it is a balancing act between our safety and economy, while not over-balancing and overrunning our health facilities. He encouraged the public to continue maintaining social distancing while we get past the curve. He knows it is a balancing act between personal freedom and staying home, but said you can still exercise your freedoms while limiting your activities to those that are essential. By doing this, life can resume normalcy much quicker.

Commissioner Kamalu said the Commission had received a fair amount of emails and phone calls from citizens asking them to do more. She said their decisions are based on data and the expertise of the public health director who has been guiding the County through this very challenging time. These decisions are taken very seriously, and they want to lead by example. Administratively, the County has departments working from home where possible. If it is necessary to be in the office, things are being put in place to support a safe working environment. The Clerk/Auditor impressed her by acting quickly and personally installing plexiglass in front of the Clerks' office space. She expressed thanks to the Sheriff's department for providing an officer to greet the public coming into the administration building and offering help and guidance to people. It was said there had been tremendous collaboration and cooperation within the county to help the citizens. She expressed gratitude, on behalf of the Commission, to the citizens and businesses who have been supportive and are doing their best to help throughout the county.

Commissioner Kamalu expressed thanks to the Emergency Operation Center (EOC) that is being organized by the emergency manager and also Chris Bateman for the County Health Department, with input by the policy team, and guided by Brian Hatch and the Health Department. Some of the leaders in the County organization have been asked to serve in unique ways through this urgent phase and into the recovery phase of the COVID-19 pandemic.

She mentioned there has been some confusion about essential and non-essential business because Davis County didn't spell out a specific list in it's public health order. There have been businesses that had questions about their operations under the current order. Commissioner Kamalu gave kudos to those trying to do everything that is asked of them. The Commission is tasked with weighing the importance of some things, but stated the importance for the public to understand that the inconvenience is due to the COVID-19 and the government is trying to keep people safe.

Commissioner Stevenson commented that there were only two reported cases yesterday and that they would rather be overprotective and keep this system that we have to go through to a minimum with as few people as possible involved in suffering from this disease. Opening things up too quickly could create a spike that we don't want to see. We want people and their families to be protected, and understand the financial impact.

Commissioner Kamalu encouraged people to do their very best during this challenging time and reminded us there are silver linings. She said, "We will get through it and be better prepared for the future because of it, and we're grateful to all of you."

Commissioner Kamalu invited other comments from the dais.

County Attorney

Neal Geddes said to stay safe and continue to do social distancing. He believes it is working and is hopeful we can move back this phase of our lives delicately and quickly.

MEETING ADJOURNED

Commission meeting was adjourned at 4:44 p.m.

All publicly distributed materials associated with this meeting are noted as follows:

Minutes prepared by:
Shairise Bills
Deputy Clerk/Auditor

Minutes approved on: 05/05/2020

/s/ Curtis Koch
Curtis Koch
Clerk/Auditor

/s/ Lorene Miner Kamalu
Lorene Miner Kamalu
Commission Chair