COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES
June 30, 2020

The Board of Davis County Commissioners met for their regularly scheduled meeting at 4 p.m. on June 30, 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; Commissioner Randy B. Elliott; Curtis Koch, Davis County Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

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 consideration of the COVID-19 pandemic, attendance will be limited to less than 20 individuals, including Commission and staff. Masks are recommended, and all those in attendance will be required to participate in a socially distant manner. Because of the room occupancy limitation, it is encouraged that those wishing to watch the meeting do so by viewing the meeting online. Meeting proceedings may be viewed remotely through YouTube live-streaming at: https://www.daviscountyutah.gov/commission/meetings.

For those wishing to direct comments to the Commission regarding the public hearing or to make public comment can do so in-person, or email comments to commissioners@daviscountyutah.gov by 3:30 p.m. the day of the meeting.

The meeting convened at 4:01 p.m. and Lori Gaitin, Human Resources Benefit Administrator, led the Pledge of Allegiance.

Recognitions, Presentations & Informational Items

June Employee Service Awards — *Presented by Commissioner Lorene Miner Kamalu*

The June employee service awards were presented. Prior to the pandemic, these were presented in person however now the certificate and gift card are presented by the department to the employee being recognized. The Commission feels it is still important to recognize the employee in Commission Meeting to thank them for their valuable careers that increase the institution's knowledge. The employees being recognized are:

- Becca Naisbitt, five years, Davis County Library
- Nannette Hadley, five years, Davis County Health Department
- Jessica Alsop, 10 years, Davis County Health Department
- Mike Moake, 10 years, Davis County Legacy Events Center
- Rachel Hedman, 10 year, Davis County Library
- Danyelle Gardepy-Beets, 20 years, Davis County 911 Dispatch
- Gladys Gober, 25 years, Davis County Library

PUBLIC COMMENTS

The public was invited to make comments to the Commission.

Spencer Hadlock, of Layton, remarked that over the past year he has been able to interact with the Commissioners and the Commission secretaries have been very helpful. However, the only way to contact the Commissioners is to send an email to a general address where the secretaries forward it to the individual Commissioners. Sometimes, he feels his email was not directed to the correct person. His concern is that according to Utah Code 11-47-103, elected officials should have their direct email and phone numbers published. Spencer asked if this was something the Commission would be changing because he feels that having the secretaries forwarding the emails is not a direct line of communication.

The Commissioners thanked him for his comments and said they will have the County Attorneys' review the code to make sure the Commissioners are in compliance. They further stated they all have access to the general Commission email account and they do receive direct correspondence from citizens. Additionally, their direct contact information is on business cards and various distributed materials.

[See the end of the meeting for additional public comments.]

BUSINESS/ ACTION

Proclamation #2020-152-C for reauthorization and third extension declaring a state of emergency

Proclamation #2020-152-C for reauthorization and third extension of proclamation declaring a state of emergency and invoking emergency powers in Davis County due to a public health emergency — *Presented by Commissioner Lorene Miner Kamalu*

This is a reauthorization and the third extension of the proclamation declaring a state of emergency and invoking the emergency powers in Davis County due to a public health emergency. These proclamations have been in place since March 18 but expire after 30 days, unless the governing body agrees to extend it beyond the 30 days. This specific proclamation retroactively took effect on June 18 and will continue until September 30. The resolution period is 06/18/2020 to 09/18/2020.

Request #2020-294 to accept and ratify bids accepted during the Delinquent Tax Sale;
b. Approve the associated minutes; and
c. Accept the tax deeds executed and attested with the Clerk/Auditor's seal, which tax deeds convey in fee simple all property sold

Request #2020-294 for the Davis County Legislative Body to: A. accept and ratify bids accepted by the Davis County Clerk/Auditor during the 2020 Delinquent Tax Sale held June 26, 2020; B. approve the associated minutes; and C. accept the tax deeds executed by the Davis County Clerk/Auditor in the name of Davis County and attested with the Davis County Clerk/Auditor's seal, which tax deeds convey in fee simple all property sold — *Presented by Curtis Koch, Davis County Clerk/Auditor*

The 2020 Davis County Real Property Delinquent Tax Sale was held last Friday on June 26, 2020. Being presented today is a list of the properties sold during the tax sale. These bids accepted by the Clerk/Auditor need to be accepted and ratified by the Commissioners. Also, the tax sale minutes need to be approved, and the tax deeds, which convey in fee simple all property sold, need to be accepted before the Clerk/Auditor can attest and stamp them.

Curtis continued by saying they were very pleased to have not sold any homes since the citizens were able to retain them. He also stated the largest parcel sold was in West Farmington and it went for $6,400 but as a whole, the tax sale was low-key with a lot of preferred sales.

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

Agreement #2020-295 with Bradley Joseph Samuel Haws for special functions and law enforcement officer training, wages, and benefits

Agreement #2020-295 with Bradley Joseph Samuel Haws for special functions and law enforcement officer training, wages, and benefits — *Presented by Commissioner Lorene Miner Kamalu*

This is a training reimbursement agreement with Bradley Joseph Samuel Hawes for special functions and law enforcement officer training, wages, and benefits. The Commission explained that as part of these training agreements, the individual agrees to work for the County for two years which allows the County to recuperate the cost of paying for their training. The contract period is 06/30/2020 to 06/30/2022. The receivable amount is $13,830.

Amendment #2015-330-G with Utah Attorney General's Office for the CJC's FY2021 annual funding

Amendment #2015-330-G with Utah Attorney General's Office for the Children's Justice Center's (CJC) FY2021 annual funding — *Presented by Commissioner Lorene Miner Kamalu*

This amendment with the Utah Attorney General Office is for the Children's Justice Center's FY2020-2021 annual funding. The state contract number is 160219. The previous years' funding is also listed in the contract. The contract period is 07/01/2015 to 06/30/2021. The receivable amount is $1,238,135.

Agreement #2020-296 with Asphalt Preservation for asphalt

Agreement #2020-296 with Asphalt Preservation for asphalt preventative maintenance for parking lots at the Health Department, and Kaysville and Centerville Branch libraries — *Presented by Commissioner Lorene Miner Kamalu*

preventative maintenance

This agreement with Asphalt Preservation is for preventative maintenance on the parking lots at the Health Department, and the Kaysville and Centerville branch libraries. The contract period is 06/30/2020 to 07/31/2020. The payable amount is $24,320.

Amendment #2018-323-B increasing funding for the Summer Food Service Program and replacing Attachment A

Amendment #2018-323-B with Utah Department of Health increasing funding for the Summer Food Service Program and replacing Attachment A in exchange for continued services — *Presented by Commissioner Lorene Miner Kamalu*

This amendment with the Utah Department of Health increases the funding for the Summer Food Service Program by $115 and replaces Attachment A in exchange for continued services. The program's new total amount is $460. The contract period is 07/01/2020 to 06/30/2021. The receivable amount is $115.

Agreement #2020-297 with Tate McCotter to be an ACLU legal representative

Agreement #2020-297 with Tate McCotter to be an American Civil Liberties Union (ACLU) legal representative for District Court Litigation — *Presented by Commissioner Lorene Miner Kamalu*

This agreement with Tate McCotter is for him to act as an American Civil Liberties Union (ACLU) legal representative for District Court litigation. The contract begins 06/30/2020.

Agreement #2020-298 with Safe Harbor for CDBG-CV program funding of the Domestic Violence Support Services Project

Agreement #2020-298 with the Davis Citizens Coalition Against Violence, dba Safe Harbor, for Community Development Block Grant (CDBG) Coronavirus Aid, Relief, and Economic Security (CARES) Act (CDBG-CV) program funding of Domestic Violence Support Services Project Program Year 2020 — *Presented by Commissioner Lorene Miner Kamalu*

This is a subrecipient agreement with the Davis Citizens Coalition Against Violence who does business under the name Safe Harbor. The agreement increases the amount from the CDBG-CV funding for the Domestic Violence Support Services Project during program year 2020. The contract period is 07/01/2020 to 06/30/2021. The payable amount is $30,000.

Agreement #2020-299 with Safe Harbor for CDBG-CV program funding for the Domestic Violence Overflow Support Project

Agreement #2020-299 with the Davis Concerned Citizens Against Violence, dba Safe Harbor, for CDBG-CV program funding for Domestic Violence Overflow Support Project COVID-19 Activity Program Year 2020-2021 — *Presented by Commissioner Lorene Miner Kamalu*

This agreement with the Davis Citizens Coalition Against Violence, doing business as Safe Harbor, increases the Domestic Violence Overflow Support Project's CDBG-CV funding during the COVID-19 activity program year 2020-2021. The Commission remarked how the current pandemic has increased the number of citizens seeking assistance from Safe Harbor and they are grateful for this organization's service. The contract period is 07/01/2020 to 06/30/2021. The payable amount is $25,000.

Agreement #2020-300 with Safe Harbor for CDBG-CV program funding for the Domestic Violence Counselor Project

Agreement #2020-300 with the Davis Concerned Citizens Against Violence, dba Safe Harbor, for CDBG-CV program funding of the Domestic Violence Counselor Project during the COVID-19 Activity Program Year 2020-2021 — *Presented by Commissioner Lorene Miner Kamalu*

This is an agreement with Davis Citizens Coalition Against Violence, doing business as Safe Harbor, increases the Domestic Violence Counselor Project's CDBG-CV funding during the COVID-19 activity program year 2020-2021. This adjustment is needed to increase the capacity of the program in response to the pandemic. The contract period is 07/01/2020 to 06/30/2021. The payable amount is $49,000.

Agreement #2020-301 with Safe Harbor for CDBG program funding for parking lot repair/replacement project

Agreement #2020-301 with Davis Concerned Citizens Against Violence, dba Safe Harbor, for CDBG program funding for parking lot repair/replacement project, Program Year 2020 — *Presented by Commissioner Lorene Miner Kamalu*

This CDBG subrecipient agreement is not related to the CARES Act and is for the Davis Citizens Coalition Against Violence, doing business as Safe Harbor, Parking Lot Repair Replacement Project during program year 2020. The contract period is 07/01/2020 to 06/30/2021. The payable amount is $120,000.

Amendment 2017-179-F to SSBG extending ending date and increasing funding and match requirement amounts

Amendment #2017-179-F to a grant with Utah Department of Human Services for Social Services Block Grant (SSBG) extending ending date and increasing funding and match requirement amounts — *Presented by Commissioner Lorene Miner Kamalu*

This amendment is for a grant with the Utah Department of Human Services and increases the Social Services Block Grant (SSBG) funds. The contract period is 07/01/2020 to 06/30/2021. The receivable amount is $107,633.

Agreement #2020-302 with USFS for permission to construct portions of Bonneville Shoreline Trail on USFS property

Agreement #2020-302 with US Forest Service (USFS) for permission to construct portions of Bonneville Shoreline Trail on USFS property — *Presented by Commissioner Lorene Miner Kamalu*

This agreement with the United States Forest Service (USFS) is the County receiving permission to do construction work on the Bonneville Shoreline Trail that is on USFS property. It also is a cost share agreement that allows funding to transfer between the two entities for various project costs and oversight. USFS will not be giving the County money; instead they will be providing the oversight and professional expertise. This means the County will be paying for the USFS services that are used. Lastly, it was noted that the language of the cost sharing agreements never change but the Davis County Attorney Mike Kendall and Jeff Oyler, Davis County Planning Manager, have reviewed the contract and are comfortable with the requirements. Some of the specific details will be passed on to the contractor when the project reaches that point. The contract period is 07/01/2020 to 05/01/2025. The payable amount is $29,941.45.

Agreement #2020-303 with SupportLinc for EAP Services for Davis County employees

Agreement #2020-303 with CuraLinc Healthcare, dba SupportLinc, for Employee Assistance Program (EAP) Services for Davis County employees — *Presented by Lori Gaitin, Davis County Benefits Administrator*

This agreement with CuraLinc Healthcare, doing business as SupportLinc, is for the new Davis County Employee Assistance Program (EAP). During open enrollment, the County's current benefit broker went out to bid looking for the best EAP services for the right price. SupportLinc was picked from the eight choices because they offer more services for a lower cost then what the County was previously paying. Through this EAP any Davis County employee can get access to crisis management, legal, and financial services over the phone, through video chatting, text, etc. The contract period is 06/30/2020 to 06/30/2023. The payable amount is $1.48 per employee.

Resolution #2020-304 authorizing Davis County to pick up the employee portion of the New Public Safety and Firefighter Tier II Contributory Retirement System

Resolution #2020-304 of Davis County, Utah, authorizing Davis County to pick up the employee portion for County employees who are a member of the New Public Safety and Firefighter Tier II Contributory Retirement System administered by Utah Retirement Systems (URS) — *Presented by Commissioner Lorene Miner Kamalu*

This resolution authorizes Davis County to pick up the employee portion for County employees who are members of the New Public Safety and Firefighter Tier II Contributory Retirement System available through URS. This resolution was discussed in a previous budget meeting and the Commissioners feel it is a good choice for the County and eligible personnel. The resolution period begins 07/01/2020. The payable amount is 2.27 percent of the eligible employee's wage.

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

Commissioner Elliott moved to recess to 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:

Under Auditor adjustments are two veteran exemption tax abatements for 2019. Under Assessor

adjustments is a penalty waiver application report totaling $946.73. Under Assessor Corrections are Assessor initiated corrections totaling $3,201,963.

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

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

CONSENT ITEMS

Check Registers

Check Registers

Check Registers for June 16, 23, and 30, 2020 were approved.

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

Indigent Hardship Abatement Register

Indigent Hardship Register

The Indigent Hardship Register was approved.

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

Meeting Minutes

Meeting Minutes

The following meeting minutes were presented for approval:

- May 12, 2020 Amended Commission Meeting Minutes,
- May 19, 2020 Amended Commission Meeting Minutes,
- May 26, 2020 Amended Commission Meeting Minutes,
- June 2, 2020 Commission Meeting Minutes, and
- June 9, 2020 Work Session Minutes

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

PUBLIC COMMENTS

The public was invited to make comments to the Commission.

Rhonda Perkes, from Congressman Chris Stewart's office, wanted to give an update on a few items. First, the Congressman's office is still working to get the Air National Guard to help with the County-wide 4th of July Air Parade. They have been able to secure other participants including a KC-136. She also said the parade's flight path has been adjusted so it will fly over as many Davis County cities as possible. The Utah military liaison, the Federal Aviation Administration (FAA), and air traffic controllers have been working together to coordinate between the participating private, public, and military entities.

Rhonda also said Congressman Stewart will be at the Top of Utah Military Affairs Committee (TOUMAC) meeting on August 3 which the Commissioners are invited to attend. Congressman Stewart's office is hoping to hold a small townhall after the meeting but they are still trying to figure out if and how to make that possible while still following COVID restrictions. The annual Security Summit will still be held this year but it will be streamed. Once again, the details are still being worked on.

Lastly, she unofficially wished everyone involved in the elections, be they a candidate or administering it, good luck.

COMMISSION COMMENTS

Commissioner Kamalu invited comments from the dais.

Clerk/Auditor

Curtis Koch said tonight at 10 p.m. the first round of election results will be released. This will be the only release for this evening and the results can be viewed on the Davis County or Lieutenant Governor's website. Today, the election staff have been focusing on the drive-thru voting location, since everything that had arrived by mail has been processed. The incoming ballots will be processed as quickly as possible. Thankfully, all ballots cast using the drive-thru location will not need to go through a signature verification since they were verified on-site. Thus far, the drive-thru location has not been overwhelmingly busy but the "drive and drop" ballot return box at the polling location has been very popular. The polling location will close at 8 p.m. tonight. Looking ahead, the results will be updated by 3 p.m. everyday until they are done and the County will still use the adjudication process to verify ballots. It is expected by Thursday that the bulk of the ballots will be processed. As of this moment, Curtis does not have an estimate of the number or percentage of cast or outstanding ballots. In addition to processing the ballots quickly, Curtis has a goal to keep the election staff safe and is grateful for the extra canvass time in case something unforeseen happens.

Curtis wanted to go on the record to explain the reason behind the timelines listed on the Davis County ballots. Davis County wants to count every vote possible and as such the ballot lists two ways to return it: by mail or in a ballot drop box. The by mail option has a mail by date of the Friday before the election. This is done to guarantee the ballot is postmarked in time for the vote to count, even if it gets delayed in the mail system. When this date was not put on the ballots in 2014, a higher number of ballots had to be rejected. The ballot drop boxes, the second way mentioned on the ballot, are located in the city office buildings and are only available through the day before the election. This is because city office buildings close at 5 p.m. on Election Day but ballots can be dropped off until 8 p.m.. To still offer this form of ballot casting, the ballot drop boxes are at the polling locations on Election Day [rather than requiring city offices remain open until 8 p.m.]. Curtis reiterated that all of this is done to help educate the voter and to do everything Davis County can to count their vote.

He finished by encouraging voters who are still wanting to cast their vote to use the ballot drop box at the polling location or, if there was a problem with their ballot, to use the drive-thru voting. The ballot printed at the polling location will be the same as the mailed one. He also said, ballots received today will be quarantined for 24 hours before being counted so the results released tonight will not include votes cast today and it will not be a big release numbers-wise. Lastly, he said this is a historic election from an administrative standpoint.

Commissioners

Commissioner Elliott said Lieutenant Jason Sorensen, a recently retired emergency manager at the Davis County Sheriff's Office, passed away last night. He was involved in a crash of an experimental plane and, although he survived the crash, he died from his injuries. The day the plane crashed was sobering for Commissioner Elliott because it crashed on his street so he saw the first responders on the scene. He said it is especially hard to lose someone you know well and the loss of Lt. Sorensen is felt all around. Commissioner Elliott encouraged those involved to do their part to honor Lt. Sorensen's memory and family.

Commissioner Kamalu read the press release from the Davis County Sheriff's Office regarding Lt. Sorensen's death:

> "It is with extreme sadness and heavy hearts that we announce the passing of Lieutenant Jason Sorensen, retired Davis County Sheriff's Office Deputy Sheriff/Paramedic and paramedic/pilot for Intermountain Life Flight. He died tonight, June 29, just after 9 p.m. Sorensen survived a plane crash that occurred in Davis County on June 25, 2020. Unfortunately, the injuries and burns sustained in the crash were insurmountable and eventually claimed his life. Sorensen spent his life saving others and his efforts will continue after life, with the donation of his organs to others in need.
>
> "Davis County Sheriff's Office is hurting today. Jason was universally loved. He had a huge impact

on the lives of many people in Davis County and around the state. Jason was an important part of our Sheriff's Office family and we truly mourn his loss. We send our love and comfort to his wife, children, and family. We also express our gratitude for the compassionate care he has received from loved ones, medical professionals, and even strangers during his greatest time of need." —Sheriff Kelly V. Sparks"

She added that the Commission adds their love and care to all the people involved and the Sheriff's Office in general. She honors everyone at the Sheriff's Office for their tremendous and continuous work. Commission Kamalu also read part of the statement from Intermountain Life Light: "We will carry his memory and the impact of his wonderful life forward as we continue to do the important work that Jason dedicated his life to, and the people who he worked so hard to help." The funeral details will be announced at a later time.

Commissioner Kamalu then mentioned a press release from the Community and Economic Development department announcing the availability of the CARES Act grant program funding. There is over $5 million dollars available for qualifying local and small business to be used during the pandemic.

Lastly, Commissioner Kamalu wanted to answer some questions she has heard about the mask wearing mandate. She explained the COVID-19 data varies from county to county, but Davis County is collaborating with Weber County to try and provide a practical regional approach. At this time, there is no new directive language from the Davis County Health Department but they are expecting one soon. Commission Kamalu further clarified that a directive and an executive [public health] order are two different things. Wearing masks has always been a directive and it is still recommended to wear one. Through virtual meetings with city officials, in-person meetings with the Davis County policy team, and analyzing the Davis County specific data, it has been determined that a directive is a good step for the County. Furthermore, the cities unanimously agreed to ask citizens and businesses to do more to protect themselves and others but at this time, no actions are being mandated. Commissioner Kamalu closed by wishing everyone a Happy July 4th.

MEETING ADJOURNED

Commission meeting was adjourned at 4:56 p.m.

Minutes prepared by:
Jessy Turner
Deputy Clerk/Auditor

Minutes approved on: 07/21/2020

/s/ Curtis Koch
Curtis Koch
Clerk/Auditor

/s/ Lorene Miner Kamalu
Lorene Miner Kamalu
Commission Chair