COMMISSIONERS' MINUTES – DAVIS COUNTY

WORK SESSION MINUTES

May 4, 2021

The Board of Davis County Commissioners met for a Work Session at 2:45 p.m. on May 4, 2021, in room 306 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Notice of this meeting was given under the requirements of UCA § 52-4-202.

ATTENDEES

Davis County Commissioners in attendance: Bob J Stevenson, Chair; and Randy B. Elliott, Vice-Chair. Lorene Miner Kamalu joined the meeting at 2:58 p.m.

Davis County Staff in attendance: Shairise Bills, Deputy Clerk/Auditor; Neal Geddes, Chief Civil Deputy Attorney; Curtis Koch, Clerk/Auditor; Janet Hanson, Commission Office; Josh Johnson, Library Director; Lane Rose, Facilities Director; Chris Bone, Human Resource Director; and Janet Hanson, Commissioner Office. Heidi Voordeckers joined via Zoom.

Members of the public in attendance: JJ Allen, Clearfield City Manager; Mark Shepherd, Clearfield Mayor; and Kent Bush, Clearfield City Council.

AGENDA AS POSTED

2:45 p.m. Library land swap discussion with Clearfield City

3:15 p.m. Closed Session—Motion to adjourn to closed session, if necessary for reasons permitted under UCA §52-4-205

DISCLAIMER

The meeting was an open dialogue. Critical points in the discussion have only been briefly summarized. The reader may refer to the audio recording and the publicly distributed materials for further clarification of content. Timestamps have been noted in the minutes to aid in locating points of discussion in the audio record. The audio recording for this meeting is available based upon the County's current retention schedule.

All documents from this meeting are on file in the Davis County (DC) Clerk/Auditor's office.

The meeting commenced at 2:45 p.m.

WORK SESSION DISCUSSION

Library land swap discussion with Clearfield City *(Minute 01:26)*

Background: The Clearfield Northern Library Branch was built in 1975 and paid for by the county taxpayers using Library funds. The Clearfield Community Development and Renewal Agency (CDRA) owns the land and leased it to Davis County for $1 annually. Several years ago, Clearfield City purchased some property on Main Street to use for commercial development. When the County decided to build a new Northern Branch, Clearfield City wanted to keep the library in Clearfield, so they proposed a land swap with the County. Clearfield would give them the land on Main Street to build the new library, and in exchange, the County would give them the current Northern Branch library building. Once the new library was complete, the County would demolish the old library at its expense, and Clearfield City would take possession of the land. It was to be a simple, clean land for clean land swap without any appraisals done. The cost to remove the asbestos, demolish the building, and backfill the dirt was estimated to be about $500,000. The County was willing to incur the cost because the location of the new land was ideal and was an upgrade to the existing location. There was never any consideration given to selling the old library building once the new one was built due to its age and condition.

Recently, there has been some third-party interest in purchasing the property, as is, and using it as a church with the understanding they would have to get approved financing. The City is considering the sale because of the strong community partnership with the church. The demolition costs are estimated at $500,000, so selling it would save the County the cost of tearing it down.

Josh Johnson, Library Director, said the building was assessed at $725,260 (not market value.) Selling the property would possibly create inequity of value between the two properties. While it will save the County the cost of demolition, they would lose the benefit of any profit made from the sale. He said the new land value has steadily decreased while developing it due to the unforeseen costs to the County for environmental remediation. This changes the value of the property from what they initially considered "clean land."

Commissioner Stevenson asked Mayor Shepherd if he would agree to split any profit from the sale, and he said it would not be worth it. The City planned to use the money to remodel their outdoor amphitheater, and if they split the profits, it won't leave much with which to do anything.

Neal Geddes, County Attorney, said the contract would have to be amended and a justification made to sell to a selected buyer. He is sure some middle ground can be found to amend the agreement.

Curtis Koch, Clerk/Auditor, said it would be fair to make the taxpayers whole. He asked why the profits wouldn't go back to the countywide taxpayers. He encouraged the City, Library Board, and the Commission to come to an equitable arrangement. Every dollar saved or recouped should go back into the library system for the benefit of all county citizens. Curtis said, for the record, the lesson moving forward when doing land swaps like this is it doesn't happen until the building opens.

Commissioner Elliott said more negotiations need to take place and find out what's equitable to both parties. He sees the value in having the church buy it but would like to see what the current valuation of the building is worth.

Commissioner Kamalu said she was glad that the City was willing to have the conversation even after seeing the valuation. She wants to ensure fairness to the County and transparency to the taxpayers is considered while the negotiations continue.

Councilman Bush said there is another opportunity here to help the church that benefits the community. The goodwill of doing that should come into play.

Mayor Shepherd said he didn't think anything can be done until a current property appraisal is done. He needs it to take to the City Council and see if the church is willing and able to pay that value, and if so, then negotiations can happen.

NEXT STEPS

A current property valuation of the old library needs to be done. Depending upon the results, more negotiations and possible contract amendments may follow. The County Assessor may have some recent information on valuations of the property that could be useful.

Closed Session

Commissioner Elliott motioned to closed session for reasons permitted under Utah Code Annotated (UCA) §52-4-205. Commissioner Kamalu seconded the motion, and all voted aye.

MEETING ADJOURNED

The Commission returned from closed session at 3:58 p.m. No action was taken during closed session and the meeting adjourned.

MATERIALS PRESENTED

There were no publicly distributed materials associated with this meeting.

Minutes prepared by:
Shairise Bills
Deputy Clerk/Auditor

Minutes approved on: 06/15/2021

APPROVED

COMMISSIONERS' MINUTES – DAVIS COUNTY

/s/ Curtis Koch
Curtis Koch
Davis County Clerk/Auditor

/s/ Bob J Stevenson
Bob J Stevenson
Commission Chair

APPROVED