COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES
July 6, 2021

The Board of Davis County Commissioners met for their regularly scheduled meeting at 4:00 p.m. on 07/06/2021, 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 Bob J Stevenson, Chair; Commissioner Randy B. Elliott, Vice-Chair; Commissioner Lorene Miner Kamalu; and Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor.

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 4:00 p.m. and Commissioner Lorene Kamalu led the Pledge of Allegiance.

Commissioner Stevenson expressed his gratitude to be meeting today after the Fourth of July celebration and the independence we have in our Country, without that we wouldn't even be here. The meeting will begin with the Employee Service Awards. He stated the Commission is excited COVID is over so we can bring people back together. The Commission has asked each of the department heads to present these awards.

Recognitions, Presentations & Informational Items

Presentation of Employee Service Awards for July

Library - *Presented by Deputy Director Matt Goff*

- Barbara Johnson, 15 years with the Library. Barbara was a member of the Kaysville City Library prior to her 15 years with Davis County. She works part time for the library and is also a great chef to thousands of children as the head lunch lady at Kaysville Elementary.
- Amy Chase, five years with the Library. (Not in attendance)
- Annelise Keck, five years with the Library. (Not in attendance)

Health Department - *Presented by Rachelle Blackham*

- Teresa Macias, Fifteen years with Health Administration. Teresa started a Food Handlers Permit class, specifically for Spanish speaking individuals 13 years ago. She has been teaching food safety education to the Latino population for a long time. She moved over to Environmental Health 10 years ago. Teresa holds the certificate for medical translation for the entire department. Teresa is a public health champion in the Latino community. She was a trainer and a lead for the Disease Investigation for the Latino population in Davis County.

Sheriff's Office - *Presented by multiple department heads*

- Samuel Carter, five years with the Sheriff's Office. Presented by Captain Daly. Samuel started in October 2011 as a Jail Operations Specialist he worked in that capacity until attending Weber State Police Academy. Upon completing the academy he received a position as a Correctional Officer. He then became a full time Police Officer with Syracuse City and serves part time as a Davis County Courtroom Bailiff.
- Ashlee Buckley, five years with Corrections. (Not in attendance)
- Justin Vicente, ten years with Corrections. (Not in attendance)
- David Evans, fifteen years with the Sheriff's Office. Presented by Investigations Lieutenant Travis Gill. David Evans was hired in 2006. He spent 4 ½ years in corrections. He then transferred to Civil where he did civil transport and warrant service for 5 ½ years. He then transferred to Detectives. He has now accepted a position in the new mentorship program. David always has a happy demeanor and is an outstanding person.

· Geoffrey Hasty, fifteen years with the Sheriff's Office. Presented by Chief Sparks and Captain Daly. Geoff started in 2006 in the courts. In 2010, he transferred to the schools as a D.A.R.E Officer. He then moved over to an SRO position. In 2017, he was promoted to Sergeant and is over the Bailiffs. For the last year he has been running the courts and the bailiff's due to a shortage of staff. Captain Daly expressed the Sheriff's Office's gratitude to him for that. In 2016, he was County Employee of the year. In 2014, he was SRO of the year. In 2011, he was D.A.R.E. Officer of the year.

· Heather Swaner, twenty years with Corrections. (Not in attendance)

· Shelley Campbell, 25 years with 911. Presented by Tiffany Hess. Shelley started part time 25 years ago. She was a full time dispatcher at Clearfield City. She liked working with us so much she took a full time position. Shelley is the one to always make you laugh. Shelley was unable to attend but asked Tiffany to tell the Commission thank you and she is honored.

· Kevin Brown, 30 years with the Sheriff's Office. Captain Daly read a few words written by Kevin Brown. Kevin thanked the Commission for the opportunity. Law Enforcement is something he always wanted to do. He said leaving the Sheriff's Office after such a long career is bittersweet. He worked with many good people. Kevin wrote 30 years is easy if you do 5 years at a time. He started his career in 1991 as a Correctional Deputy. After five years he transferred to be Judge Roger Bean's Bailiff in Layton for a number of years. He then served Civil Court papers for 22 years. Recently, he has been in the Farmington Court as a Bailiff.

Commissioner Kamalu acknowledged that so many Sherriff employees have stepped up during the Pandemic. Commissioner Kamalu expressed gratitude for the deputies who have watched over and continue to watch over the Davis County Administration Campus. She thanked them for doing whatever their line of duty requires of them. She stated the Commission appreciates them and their families.

Commissioner Stevenson commented on the County's amazing employees. He stated the employees are what make the Commission look good and we appreciate everything you do.

RFP Register for the Building Inspection & Plans Examiner — *Presented by Chief Deputy Clerk/Auditor Heidi Voordeckers*

This Request for Proposal was issued June 7th and closed June 30th with three responses from the following three vendors:

West Coast Code Consultants, Inc.
Shums Coda Associates, Inc.
Aoka Engineering LLC.

RFP Register for E-Cigarette, Marijuana, Other Drug Prevention Grant — *Presented by Chief Deputy Clerk/Auditor Heidi Voordeckers*

This Request for Proposal was issued June 7th and closed June 30th with three responses from the following three vendors:

My Discovery Destination
Drug Safe Utah Education, Inc.
Davis School District

Commissioner Stevenson announced the Commission will go back to weekly meetings which will be held on Tuesdays at 10:00 A. M. This will begin August 3, 2021. Next meeting there will be an Ordinance change to put this in place.

PUBLIC COMMENTS

The public was invited to make comments to the Commission.

Lorna Rosenstein with Waterwatch of Utah addressed the Commission. She read from a paper which she shared with each of the Commissioners. Excerpts from the paper she read are listed below.

"April 1, 2013, HB 72 the Utah Safe Drinking Water Act Requirements was enrolled as law. The purpose of the bill is transparency and compliance. It requires that the fluoride added to the public water supply provide a Certificate of Analysis (COA) with each batch delivered. The COA is required to disclose a negotiated list to include 9 detected impurities generally found in 'fluoride' including Arsenic. They are referred to as the 'Utah Nine'. Although the composition varies batch to batch, in the case of Arsenic, 43% of samples tested detected its presence. Each of the detected impurities on the 'Utah Nine' list is also on the EPA List of Lists. The same day the bill passed, the fluoride supplier sent an email to the legislators, insisting the bill be vetoed. Our supplier of HFS [fluorosilicic acid] is the largest in the United States. They have told us that the new requirements being considered by the State of Utah would be the first in the United States. The Davis County Health Department Director, Lewis Garrett, the chemical supplier and the chemical distributor worked against the bill's passage. It was not until after he took an early retirement that it was discovered that Mr. Garrett had been the State pro fluoride Director since 1997, when he applied for and was awarded the federal water fluoridation grant. Likely he did not reveal this conflict of interest when he was hired by Davis County, Utah. Brian Hatch, the current Director of the Health Department inherited not only Lewis Garrett's firmly established pro-fluoride position but also Waterwatch of Utah's persistent appeals for questions to be asked and answered. For the record, unlike Mr. Garrett, I believe Brian to be fair minded, reasonable and rational. I also believe him to be exhausted by the entire topic." Lorna went on to say that after 18 years, she is too.

"The 2019 accidental release of undiluted Flourosilicic acid from Paradise Well in Sandy City, and the Public Water Utilities Director's public statement "I didn't know what I didn't know" underlines the fact that what happened in Sandy should be carefully reviewed for relevance in Davis County, Utah."

"Tuesday June 22, 2021, Sandy City made a final fluoride presentation. The conclusion was that there were no further problems to resolve as the lead and copper issues had been remedied. The same COA that identified the high levels of arsenic at 37.8ppm 44 listed Lead at Oppm and Copper at 0.02ppm. With lead and copper levels identified at such low levels, it is easy to blame not the highly corrosive, fluorosilicic acid stock solution containing contaminants of concern - like arsenic - rather place the blame on the homeowners old, outdated lead and copper pipes and their corroded water softeners and Sandy City's old, outdated infrastructure that needs fixing which, when all completed, solves everything. It doesn't. And covering up the seriousness of the exposure by using the same proponent soundbites outlined in the 1997 Federal Grant Narrative is unconscionable. Pregnant moms and babies deserve better."

"Feb 22, 2011 and following a request from the Davis County Commissioners to do so, Davis County Attorney, Troy Rawlings presented his legal opinion relative to the implementation of the fluoride mandate. Mr. Rawlings suggested 5 options:

2. Possibly establish a water advisory board or committee to study these issues and make recommendations
3. Utah Code 17-53-226 38 gives [Davis County] Commissioners the ability to hold hearings
5. The Commissioners could entertain the idea of a temporary moratorium on the addition of fluoride until we get the questions answered."

Lorna stated that after the Davis Commission meeting, Mr. Garrett recommended the Davis County Commissioners to take no action and they took his recommendation.

On February 23, 2016, a Freedom of Information Act request was submitted to both Davis and Salt Lake counties from the Evins Law Offices in Hot Springs, Arkansas. The State of Arkansas has mandated fluoride for all water systems. Evins Law Office is representing a small water company that continues to pay the fines for not implementing because their questions have not been answered. The request sent to you stated it was for information you may have regarding cost discrepancies given Utah's legislative and legal experience with fluoridation. The GRAMA request and responses Arkansas forwarded to me had a lot of useful information from Davis and Salt Lake Counties omitted. This is a small water agency and they need help. Lorna added no water agency should be forced to add a politically motivated, vaguely regulated, hazardous contaminant to the public water supply because it happens to contain fluoride.

"Please use your authorities to call for an immediate and temporary moratorium on the addition of fluoride. As water agencies will reconnect after the evaluation, do not remove the product from the well houses. Establish a Committee to assess the facts, determine ALL the relevant County, State and Federal laws, rules and regulations and make recommendations. In 2013, the chemical distributor and the largest chemical supplier of fluoride said Utah was the only State in the U.S. to require product compliance and transparency, let's use our 20 years of experience to once and for all, get it right."

APPROVED

Commissioner Stevenson asked if he was correct that the people in this county voted in favor of fluoride being in the water. Lorna agreed they had voted yes but added there was legislation enacted that prevented the Health Department from using taxpayer dollars to influence the outcome of a vote and that was specific to Davis County. Commissioner Stevenson told Lorna that he respected her opinion. He added that there will always be controversial issues. He stated we live under the 51% rule. Lorna interjected by stating one would have to follow the legislative history to see that there were all kinds of questions relative to the cost presented to the voter and the information presented to the voter. Lorna advised she was not talking about if we do or do not love it, she was asking if we are implementing things so we are going to be safe and not have any instances like Sandy. Lorna stated she appreciates the opinions here but said this is not about opinions, this is about safety and making certain the infrastructures use the best practices to keep the water agencies from accepting any liabilities.

Commissioner Stevenson stated he will sit down and talk with the Health Department Director, Brian Hatch to gain a good understanding on this. Lorna recommended the Commissioners look at the follow up documents submitted. Commissioner Stevenson thanked Lorna for talking with them today and educating them. He stated Lorna comes in very well prepared and does her research. He said when any one comes in like that, they deserve to be given the time they need to comment.

Rhonda Perks from Congressman Chris Stewart's Office advised the House Republicans reappointed members of the China Taskforce. On July 1, 2021, Congressman Stewart was reappointed to that task force. It was made public by the intelligence committee the congressman sits on that they were in the middle of an investigation on China's malign activities against corporate America. The Congressman has been heavily involved with this investigation. He believes China is aiming to become the predominant superpower and he does not want that to see that happen. Rhonda stated Congressman Stewart feels strongly that America needs to remain the leader in the world as many countries rely on that. Our world would become a far less safe place if we allow what is happening in China, including human right violations, to continue. Because of this, Congressman Stewart is a co-sponsor of a bill that will ban US tax dollars from funding Gain-of-Function research from our advisories in those countries. There is not a number on that bill yet.

Rhonda read a paragraph written by Congressman Chris Stewart. "There is significant circumstantial evidence that COVID-19 leaked from the Wuhan Institute of Virology. The origin of this virus is one of the most important questions we currently face and the American people deserve answers but we already have one unfortunate answer that can't be ignored, US taxpayer dollars have been funneled to the very lab that conducted this dangerous research and turned our world upside down."

Rhonda explained dollars going into research are hard to track. Congressman Stewart is hoping to put some brakes in place so these kinds of things do not happen again. His goal is for transparency into the type of research American tax dollars are funding.

Commissioner Elliot asked if legislation is being run so China cannot come in and buy agricultural property anymore. Rhonda answered yes. She stated she is unsure if it is tied into the legislation of that particular bill but there are a number of different bills right now with language concerning what China is doing. Rhonda mentioned there is a lot of attention on this.

Commissioner Kamalu spoke about the National Security Summit that's held here. There are big time names and positions who come in and teach about national security. She stated it is worth the time to go. All three Commissioners are registered for the Summit which will be held August 6, 2021. Rhonda Perks stated attendance is almost full.

BUSINESS/ ACTION

CJC

Amendment #2015-330-I with the State of Utah, Utah Attorney General's Office for Fiscal Year 2022 Advisory Board.

1. Amendment #2015-330-I with the State of Utah, Utah Attorney General's Office for Fiscal Year 2022 Advisory Board Amendment — *Presented by Children's Justice Center Director Tanya Perkins*

The Children's Justice Center Advisory Board has been removed from the State Statute. The Attorney General's Office has added it to the Scope of Work, stating we can still run those as they are beneficial to the centers. The contract period is 07/01/2021 to 06/30/2022. The receivable amount is $196,122. Which is $324 more than last year.

Commissioner Kamalu mentioned the Congressman being very attentive to this item.

Clerk/Auditor

Resolution #2021-311 Adoption of South Davis Recreation District's Resolution, thereby levying a tax on taxable property within the district.

2. Resolution #2021-311 Adoption of South Davis Recreation District's Resolution, thereby levying a tax on the taxable property within the district — *Presented by Chief Deputy Clerk/Auditor Heidi Voordeckers*

The combined Tax Rate for 2021 is .000210 for a total annual revenue of $2,174,940. A portion of which goes to General Operations and another portion goes toward their debt service. The contract period is 01/01/2021 to 12/31/2021.

CED

Resolution to approve the Interlocal Cooperation Agreement with Farmington City Redevelopment Agency.

Kent Anderson introduced Mari Gubler, Davis County's new Tourism and Marketing Coordinator.

Kent made the request to table item 3 and 7 for additional legal review.

3. Resolution to approve the Interlocal Cooperation Agreement with Farmington City Redevelopment Agency for tax increment participation in the Community Reinvestment Area #3 Project Area — *Presented by Community and Economic Director Kent Andersen*

Notice of Sale #2021-312 of Davis County surplus real property known as Tax ID 12-106-0060.

4. Notice of Sale #2021-312 of Davis County surplus real property known as Tax ID 12-106-0060 — *Presented by Community and Economic Director Kent Andersen*

The property is located in Syracuse on the Syracuse Drain. This is a negotiated sale to UDOT for the West Davis Corridor. The payable amount is $200.

Notice of Sale #2021-313 of Davis County surplus real property known as Tax ID 08-024-0041.

5. Notice of Sale #2021-313 of Davis County surplus real property known as Tax ID 08-024-0041 — *Presented by Community and Economic Director Kent Andersen*

The property is an exchange with the city of Kaysville for a Davis County Animal Control Property. The payable amount is $200.

Notice of Sale #2021-314 of Davis County surplus real property known as Tax ID 07-080-0129.

6. Notice of Sale #2021-314 of Davis County surplus real property known as Tax ID 07-080-0129 — *Presented by Community and Economic Director Kent Andersen*

The property is located in Fruit Heights at Davis Park. The payable amount is $200.

Items 4, 5, and 6 will be noticed together. All three items will be spoken to at Public Comment on Tuesday, August 3, 2021 with an opportunity for action from the Commission on August 10, 2021.

Davis County Tax Increment Financing Project Area Participation Guidelines.

7. Davis County Tax Increment Financing Project Area Participation Guidelines — *Presented by Community and Economic Director Kent Andersen*

Tabled per request made earlier in the meeting.

Facilities

Agreement #2021-315 with Marble Ventures, Inc.

8. Agreement #2021-315 with Marble Ventures, Inc. for installation of a new countertop for the reception desk at Central Davis Senior Center — *Presented by Facilities Director Lane Rose*

This is for a new main entrance countertop at the Senior Center. There were no dates provided. The payable amount is $4,960.03.

Health

Agreement #2021-316 with Utah Dept. of Environmental Quality.

9. Agreement #2021-316 with Utah Department of Environmental Quality to provide environmental services in the areas of general services, air quality, drinking water, scope of work, used oil, and other water quality services — *Presented by Health Director Brian Hatch*

This Agreement is for the funding the Health Department receives to do air quality and other water quality services. The contract period is 07/01/2021 to 06/30/2022. The receivable amount is $125,413.

The Commission spoke with Brian Hatch regarding his role in the Kaysville and Fruit Heights City parade. Brian commented on what a great tribute to the Health Department it was.

Amendment #2021-347-A Contract Amendment Memo from Utah Dept. of Human Services, Division of Aging and Adult Services.

10. Amendment #2021-347-A Contract Amendment Memo from Utah Department of Human Services, Division of Aging and Adult Services for Aging Medicaid Waiver budget for SFY2022 — *Presented by Health Director Brian Hatch*

This Amendment is for the Alternatives Program to bill Medicaid. As the Division of Aging and Adult Services provides services, they get reimbursed by Medicaid. [The contract period is 07/01/2021 to 06/30/2022. The receivable amount is $40,500.]

Amendment #2021-33-E with the Utah Dept. of Human Services, Division of Aging and Adult Services..

11. Amendment #2021-33-E Contract Amendment Memo with the Utah Department of Human Services, Division of Aging and Adult Services for pass-through funds for SFY22 — *Presented by Health Director Brian Hatch*

This Amendment is the annual operating expense we receive to provide nutrition services, meals and wheels and other services. The contract period is 07/01/2021 to 06/30/2022. The receivable amount is an increase of $1,837,900.

On the topic of the Health Department, Commissioner Kamalu commented that when she was a new Commissioner, she learned all about fluoride by sitting down with Lorna and touring some of the facilities. She appreciated learning about the fluoride delivery system in Davis County and did not find any reason for alarm at that time. Brian Hatch added the utmost important job of the Health Department is the safety of our drinking water. The Health Department has agreed to look into the safety aspects. The public has voted and it is our job to ensure it is safely delivered.

HR

Grant Award 2021-317 Agreement with Utah Indigent Defense Commission.

12. Grant Award #2021-317 Agreement with Utah Indigent Defense Commission - Funding wages for one (1) administrative staff position and (1) contracted legal defender attorney for Davis County Indigent Legal Defenders Program — *Presented by Human Resources Director Chris Bone and Attorney Todd Utzinger*

Chris Bone began by saying Todd Utzinger sent his apologies as he was unable to attend today's meeting. He introduced this item with no further discussion. The contract period is 07/01/2021 to 06/30/2022. The amount is $155,500 [with a local match of $2,392,289.] This item was discussed in the Work Session Meeting prior.

Public Works

Resolution #2021-318 adopting and approving an Interlocal Cooperation Agreement with Layton City for the Sugar Factory Drain Line.

13. Resolution #2021-318 adopting and approving an Interlocal Cooperation Agreement with Layton City for the Sugar Factory Drain Line at 2700 West — *Presented by Commissioner Stevenson*

This item was introduced with no further discussion.

Sheriff

Interlocal Agreement #2021-319 Agreement with South Weber Fire for dispatch services.

14. Interlocal Agreement #2021-319 Agreement with South Weber Fire for dispatch services — *Presented by Chief Deputy Andy Obald*

This item was introduced with no further discussion. The contract period is 07/01/2021 to 06/30/2022. The receivable amount is $9,864.80.

Chief Deputy Andy Oblad expressed the Sheriff's Office's appreciation for the Commission's and the citizen's support in what they do.

Agreement #2021-320 with Garrett Dental Services, PLLC.

15. Agreement #2021-320 with Garrett Dental Services, PLLC for dental services for the Davis County Correctional Facility — *Presented by Chief Deputy Andy Oblad*

This item was introduced with no further discussion. The contract period is 07/06/2021 to 12/31/2021. The payable amount is $89 per hour of service.

Treasurer

Amendment #2019-594-A Addendum to Loomis Agreement.

16. Amendment #2019-594-A Addendum to Loomis Agreement to change Treasurer and Animal Services to three times per week — *Presented by Commissioner Stevenson*

This item was introduced with no further discussion. The contract period is 07/06/2021 to 06/30/2022. The payable amount is $353.58 per month plus fees per department.

Motion to table items 3 and 7: Com. Elliott
Seconded: Com. Kamalu
All voted Aye

Motion to approve items 1-16 excluding items 3 and 7: Com. Elliott
Seconded: Com. Kamalu
All voted Aye

CONSENT ITEMS

Indigent Hardship Abatement Register

Indigent Hardship Register

Commissioner Elliot moved to deny the abatement and hold a hearing.

Motion to deny and hold hearing: Com. Elliott
Seconded: Com. Kamalu
All voted Aye

Commission Meeting Minute

Meeting Minutes

Meeting Minutes for June 1, 2021 and June 15, 2021 were presented for approval.

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

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

BOARD OF EQUALIZATION

Property Tax Register

Property Tax Register matters were presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor, as follows:

Auditor's Adjustments:
Corrections:

- Two Veteran's Tax Exemptions from 2020 totaling $3,751.01

Treasurer's Adjustments:
Personal Property Penalty Waivers:

- Multiple Business Penalty Waivers for late filing totalling $1,334.30

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

COMMISSION COMMENTS

Commissioner Elliot commented that he decided to not be in any parades this year, instead he stood on the side lines and enjoyed them. It was a great time to celebrate the 4th, the great country and freedoms we have, our ability to travel between states and the opportunity to see everyone without masks on.

Commissioner Kamalu commented on the Moonlight Bike Ride. She was sad to have missed it but heard amazing things about it. She commended the great tourism group we have in Davis County, stating they do really good work. These events seem to be reaching new heights of popularity, attendance and fun. We are all very proud of the great work the tourism group is doing.

Commissioner Stevenson invited comments from directors. No comments were made.

MEETING ADJOURNED

Commission meeting was adjourned at 4:52 p.m.

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

A1 - A3. Maps of Davis County surplus real property
A1. Tax ID 12-106-0060
A2. Tax ID 08-024-0041
A3. Tax ID 07-080-0129

Minutes prepared by:
Rian Santoro
Deputy Clerk/Auditor

Minutes approved on: 08/03/2021

/s/ Curtis Koch
Curtis Koch
Clerk/Auditor

/s/ Bob J Stevenson
Bob J Stevenson
Commission Chair