COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES
July 5, 2022

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 a.m. on July 5, 2022, 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 Randy B. Elliott, Chair; Commissioner Lorene Miner Kamalu, Vice-Chair; Commissioner Bob J Stevenson; Brian McKenzie, Davis County Chief Deputy Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

Excused: Clerk/Auditor Curtis Koch

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 10:00 a.m. and Davis County Treasurer Mark Altom led the Pledge of Allegiance.

Recognitions, Presentations & Informational Items

Employee Service Awards for employees reaching milestones in July 2022 — *Presented by Commissioner Kamalu*

Library – *Presented by Commissioner Lorene Kamalu*

- **Ligia Farzati**: Five Years with Davis County. Ligia was not in attendance.

Health Admin – *Presented by Commissioner Lorene Kamalu*

- **Kellie Farr:** Five years with Davis County. Kellie was not in attendance.

- **Angie Jones** – *Presented by Deputy Director Rachelle Blackham*: Fifteen years with Davis County. Rachelle began by stating that the acts of kindness that Angie bestows upon her and others at the Health Department include creating luncheons, morale-boosting, and decorating the office. She explained that kindness extends to the clients that Angie serves. Angie started as a Lab Tech and then moved into the Lab Director position, then Angie became an Environmental Health Scientist, and is now one of the Health Department's Bureau Managers. Angie continues to take care of all of the water operators and Rachelle joked that, in turn, Angie protects the drinking water throughout Davis County.
Jay Clark, Environmental Health Services Division Director said a few words as Angie's supervisor. Jay stated that Angie is a person who deserves a lot of recognition and is the glue to the Environmental Health Services Division. Jay expressed his happiness for having Angie on the team.

- **Larry Sanders**: Fifteen years with Davis County. Larry was not in attendance.

Information Systems – *Presented by Commissioner Lorene Kamalu*

- **Austin Cronnell**y: Fifteen years with Davis County. Austin was not in attendance.

Sheriff's Office – *Presented by multiple Sheriff's Office Supervisors*

- **Andrew Fisher** – *Presented by Captain Boydston*: Five years with Davis County. Captain Boydston advised that Andrew started his career in the Maintenance Department which is where he and Andrew first met while working on patrol cars. Andrew put himself through LEO (Law Enforcement Officer) Training and was then hired by the Sheriff's Office in Corrections. Andrew was sent to the BCO (Basic Correctional Officer) Academy with Captain Boydston and would push him to run the mile for the PT Test. It was explained that after serving about a year in Corrections, Andrew transferred to the Patrol Division and has been there since. Captain Boydston thanked Andrew for the great job he has done.

- **Gary Matthews** – *Presented by Captain West*: Five years with the Sheriff's Office. Captain West began by sharing what a sergeant of his said to him a long time ago, "There are two types of cops. The doers and the watchers." Captain West stated that Deputy Matthews is definitely not a watcher, he is a doer. He is always willing to step up and help. Deputy Matthews is a mentor to younger deputies and has a can-do attitude, which is really appreciated.

APPROVED

It was noted that Deputy Matthews is currently assigned to the courts and is one of the first faces the public sees and the Sheriff's Office is proud to have him as he is an experienced deputy having worked elsewhere prior to working for Davis County. Captain West expressed his gratitude to Gary Matthews.

· **Jacy Diehl**: Ten years with Davis County. Jacy was not in attendance.

· **Jennifer Schow** – *Presented by Sergeant Swaner*: Ten Years at Davis County Sheriff's Office. Sergeant Swaner advised that Jennifer is probably one of the hardest working people at the Sheriff's Office and has an amazing work ethic. He stated that above all, it is her huge heart that means so much to those at the Sheriff's Office. She began as a deputy and then began assisting in training as the Training Coordinator. Jennifer then moved to the Classification Section and was immensely helpful there. Recently, she became a Background Investigator and that division has already seen great strides just from Jennifer being there. Jennifer started the Peer Support Group at the Sheriff's Office, which was greatly needed. Sergeant Swaner expressed his appreciation to Jennifer and stated how lucky the department is to have her. Jennifer truly cares about everyone.

· **Russell Baer** – *Presented by Sergeant Jared Meldrum*: Fifteen Years with the Sheriff's Office. Sergeant Meldrum advised that Russ spent three years in Metro Narcotics and had a very distinguished career, winning quite a few awards for his work there. He continues to bring his investigative skills to the jail. Russ is currently our gang specialist as he knows more about gangs than anybody at the Sheriff's Office and does a lot of interviews with inmates finding out everything he can about gang affiliations. He went on to state that Russ is down in the trenches doing a lot of the work that not everyone would want to do every day and that work is what keeps the people in the jail safe. Sergeant Meldrum thanked Russ.

· **Ronald Rowe** – *Presented by Lieutenant Jeff Jensen*. Twenty Years with the Sheriff's Office. Lt Jensen stated that Ron is amazing; he could talk about Ron and the stuff he has done for hours. He explained that Ron left his family business, New England Sandwich Shop, and came to the Sheriff's Office to receive benefits and retirement, twenty years later the Sheriff's Office still has him and the County is so lucky. Ron started his career in property and organized it for an inventory system that is still used today. Ron then became a Corporal and soon after that, became a Sergeant and moved over to the Work Center. As soon as Ron got there, the COVID Pandemic hit and new programs had to be started. The Work Center was closed down and the AMP, the ankle monitoring system was started. Ron wrote the policies for that program, began running it, and then, Chief Butcher requested a 24/7 program which Ron started and both of the programs are up and running smoothly. Agencies in both Salt Lake and Weber Counties have begun utilizing that program. Ron loves the Sheriff's Office and is more dedicated than anyone there. Ron never complains when given a task or assignment, he just takes it and runs with it. Lt Jensen addressed Ron and stated that it is a privilege to recognize him and expressed his appreciation for his twenty years of service.

· **Garland Fahrner** – *Presented by Chief Deputy Arnold Butcher*. Thirty Years with Davis County. Chief Butcher began by stating what a privilege it is to introduce and talk about Garland and what he has done for Davis County. Garland started in public service in 1985 with the Clearfield Fire Department. In 1992, he was hired on part-time with the ambulance service in Davis County and has endlessly dedicated himself to Emergency Medical Service (EMS), public safety and to firefighting. Garland retired in 2022 from the fire department and eventually became a full-time employee with Davis County Ambulance and was one of the few full-time employees on the ambulance service. When the ambulance went out of service and the fire departments began doing that, Garland moved over to the Corrections Division as a Booking Clerk. He has also worked as a Jail Operations Specialist and is currently one of the jail's Training Directors. Chief Butcher advised that Garland also worked in Emergency Services as an EMS Training Officer at Emergency Management, which is a national institute and he serves as a member of their board. Garland instructs Homeland Security and FEMA. He is certified as a POST instructor, an EMS instructor, and an EMS Training Officer. Chief Butcher stated that he has personally been on critical scenes with Garland as an EMT and Paramedic and watched him save lives. He stated that when you would respond to a critical incident and see Garland there, you knew everything was going to be ok and that Garland would take care of it. Garland has saved lives and has impacted lives tremendously and his love for that continues. Chief Butcher spoke about Garland's family life and hobbies. Chief Butcher then expressed his gratitude to Garland for his 30 years of service.

Treasurer – *Presented by Commissioner Lorene Kamalu*

· **Mark Altom**: Thirty Years with Davis County. Commissioner Kamalu read a tribute as well as a poem written by Mark's Collegues which described his hobbies, traits, and contributions to Davis County.

The Holmes Creek Fairfield Road Culvert Replacement Project RFP Register — *Presented by Chief Deputy Clerk/Auditor Brian McKenzie*

Brian explained that the vendors who submitted RFP responses include:
- Acme Construction
- Bowen Construction
- Lyndon Jones Construction Inc.

The Notice of Intent to Engage in contract negotiations for the Holmes Creek Fairfield Road Culvert RFP — *Presented by Chief Deputy Clerk/Auditor Brian McKenzie*

Brian presented the Notice of Intent to Engage in contract negotiations with Bowen Construction.

PUBLIC COMMENTS

The public was invited to make comments to the Commission.

No Public Comment was made.

BUSINESS/ ACTION

Attorney

#2022-337 Engagement Letter with Strong & Hanni Law Firm/Kristin VanOrman to serve as outside counsel for litigation

1. Engagement Letter with Strong & Hanni Law Firm/Kristin VanOrman to serve as outside counsel for litigation — *Presented by Chief Deputy Civil Attorney Neal Geddes*

It was explained that this is for legal representation in a contract dispute that has, unfortunately, moved toward litigation and because it is a contract issue, Davis County is not covered by the Utah Counties Indemnity Pool (UCIP) in this case. It was advised that Kristin VanOrman is one of the county's UCIP attorneys who has represented the county very well on a number of occasions and has agreed to assist in getting this matter resolved.
The agreement period begins 04/01/2022. The payable amount is $200 an hour for VanOrman plus $100-$185 an hour for staff.

#2022-338 Resolution to authorize the filing of cross-appeals for centrally assessed property

2. Resolution to authorize the filing of cross-appeals for centrally assessed property — *Presented by Chief Deputy Civil Attorney Neal Geddes*

It was explained that every year the State Property Tax Division assesses certain utilities and other entities. When those entities appeal, Davis County has an opportunity to join the State Property Tax and other affected counties in cross appealing. It was noted that this is a legal requirement that authorizes Davis County to join in those cross-appeals.
The agreement period is 01/01/2022 to 12/31/2022.

Motion to Approve Items 1-2: Com. Stevenson
Seconded: Com. Kamalu
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

Commission

Appointment of Jenna Nelson as a member of the Davis Community Housing Authority Board of Commissioners

3. Appointment of Jenna Nelson as a member of the Davis Community Housing Authority Board of Commissioners — *Presented by Commissioner Elliott*

The period of appointment is 06/21/2022 to 09/30/2026.

Motion to Approve: Com. Kamalu
Seconded: Com. Stevenson
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

#2022-339 Ratification of the Five-Year Davis County Mental Health and Substance Abuse Authority State Match Revenue Agreement with Davis Behavioral Health

4. Ratification of the Five-Year Davis County Mental Health and Substance Abuse Authority State Match Revenue Agreement with Davis Behavioral Health — *Presented by Brandon Hatch with Davis Behavioral Health*

It was noted that every five years the state requires a contract with Davis County to pay the Medicaid match. The state general fund pays Davis County to turn around and pay them back for the match. Davis County has never gone over the $40,000, in fact, the county has not even hit $30,000 in the five-year time frame. The agreement period is 07/01/2022 to 06/30/2027. The pass-through amount is $40,372,170. Commissioner Kamalu took the opportunity to thank Brandon and the terrific team at Davis Behavioral Health for the very important work throughout Davis County through the many programs they have to help those people in need of services for mental health or substance abuse treatments. She stated it is an honor to work with everyone at Davis Behavioral Health.

Motion to Approve: Com. Kamalu
Seconded: Com. Stevenson
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

#2019-221-A Amendment to the contract for Indigent Capital Defense Counsel Service with the Utah Division of Finance

5. Amendment to the contract for Indigent Capital Defense Counsel Service with the Utah Division of Finance — *Presented by Chief Deputy Civil Attorney Neal Geddes*

It was explained that the Indigent Defense Boards statutory provisions allow attorneys to be given to folks who are indigent. This is an aggravated murder case and the Judge recently requested new counsel. The rate is $200.00 an hour for the attorney who is qualified under Rule 8. The second Chair or others who may assist that attorney rate is $160.00 an hour. The agreement period begins 07/05/2022.

Motion to Approve Items: Com. Stevenson
Seconded: Com. Kamalu
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

CED

2022-340 Incentive Agreement with USA Wrestling to host the USA National Wrestling Championship

6. Incentive Agreement with USA Wrestling to host the USA National Wrestling Championship at the Legacy Events Center in June 2022 — *Presented by Community and Economic Development Director Kent Andersen*

It was noted that part of this agreement's requirement is that USA Wrestling will recognize the county as the sponsor of the event and book at least 500 rooms within the county, with an estimated economic impact of 1.5 million.

Kent advised the Commission that the Legacy Event Center's construction date has now been pushed back to likely March 2023, so some groups are anxious to get in there and keep using that facility. The agreement period is 06/28/2022 to 07/08/2022. The payable amount is $8,000.

#2022-0341 Contract with Simple Treasures for the fall craft boutique show at the Legacy Events Center

7. Contract with Simple Treasures for the fall craft boutique show at the Legacy Events Center — *Presented by Community and Economic Development Director Kent Andersen*

The agreement period is 09/11/2022 to 09/17/2022. The receivable amount is $7,550.

#2022-342 Contract with Simple Treasures for the winter craft boutique trade show at the Legacy Events Center

8. Contract with Simple Treasures for the winter craft boutique trade show at the Legacy Events Center — *Presented by Community and Economic Development Director Kent Andersen*

The agreement period is 11/06/2022 to 11/12/2022. The receivable amount is $7,550.

#2022-343 Contract with the Snowbasin Sports Education Foundation for the annual Snowbasin Ski Swap

9. Contract with the Snowbasin Sports Education Foundation for the annual Snowbasin Ski Swap — *Presented by Community and Economic Development Director Kent Andersen*

The agreement period is 10/27/2022 to 10/29/2022. The receivable amount is $3,144.38.

#2022-344 Contract with Vegas Productions Inc. For the Jordan World Circus

10. Contract with Vegas Productions Inc. For the Jordan World Circus — *Presented by Community and Economic Development Director Kent Andersen*

The agreement period is 01/24/2023 to 01/26/2023. The receivable amount is $2,616.20.

#2021-0397-A Easement Encroachment Agreement with the Bureau of Reclamation via Horrocks Engineers

11. Easement Encroachment Agreement with the Bureau of Reclamation via Horrocks Engineers for Davis County facilities within the US-89 Gordon Avenue segment — *Presented by Community and Economic Development Director Kent Andersen*

It was noted that this allows the county access to divert the Snow Creek water to Valley View.

Motion to Approve Items 6-11: Com. Kamalu
Seconded: Com. Stevenson
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

Facilities

#2022-345 Standard Design Professional Services Contract with Silver Peak Engineering, Inc

12. Standard Design Professional Services Contract with Silver Peak Engineering, Inc for a Civil Engineering Feasibility study for the property south of the Health Department for the expansion of the parking lot — *Presented by Facilities Director Lane Rose*

It was advised that the demolition is complete and there are no longer houses at this location.
The agreement period is 07/05/2022 to 12/31/2022. The payable amount is $11,100.

Motion to Approve: Com. Stevenson

Seconded: Com. Kamalu
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

Health

#2021-355-A Integrated Viral Hepatitis Surveillance and Prevention Amendment

13. Integrated Viral Hepatitis Surveillance and Prevention Amendment with the Utah Department of Health — *Presented by Health Senior Services Director Rachelle Blackham*

The agreement period is 05/01/2022 to 04/30/2023. The receivable amount is $6,059.

#2022-346 Veterans Care Agreement with the Department of Veteran Affairs

14. Veterans Care Agreement with the Department of Veteran Affairs for medically necessary hospital care, medical services, and/or extended care services — *Presented by Health Senior Services Director Rachelle Blackham*

The agreement period is 05/01/2022 to 05/20/2025. The receivable amount is service-dependent.

Motion to Approve Items 13-14: Com. Kamalu
Seconded: Com. Stevenson
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

Public Works

#2022-347 Easement Encroachment Agreement with the U.S. Bureau of Reclamation

15. Easement Encroachment Agreement with the U.S. Bureau of Reclamation for the Weber Basin Project West Bountiful A-1 Drain — *Presented by Public Works Director Adam Wright*

This item was presented without further discussion.

#2022-348 Federal Excise Tax Ultimate Purchaser Certificate with Purcell Tire

16. Federal Excise Tax Ultimate Purchaser Certificate with Purcell Tire 2022-348 — *Presented by Public Works Director Adam Wright*

The agreement period begins 07/05/2022.

Motion to Approve Items 15-16: Com. Stevenson
Seconded: Com. Kamalu
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

Sheriff

#2022-349 Donation Agreement with Davis County Sheriff's Honorary Colonels for the Donation of cash for training

17. Donation Agreement with Davis County Sheriff's Honorary Colonels for the Donation of cash for training — *Presented by Sheriff's Office Chief Deputy Susan Poulsen*

This is for the purchase of Calibre Press Trainings for De-escalation, Duty to Intervene, and Legally Justified but was it Avoidable, which will be great trainings for the Davis County Sheriff's Office Deputies.
Commissioner Kamalu asked Chief Poulsen about the Honorary Colonels group. Chief Poulsen explained that it is a volunteer group of community businesses and professionals whose focus is towards Law Enforcement, their efforts are in helping with equipment, training, and whatever else they can help with. She stated she believes they have been around for about ten years and commented on the great group they are.
The agreement period begins 06/15/2022. The pass-through amount is $6,510.

#2020-487-D Change order for the Davis County Medical Observation Unit with Hogan & Associates Construction

18. Change order for the Davis County Medical Observation Unit with Hogan & Associates Construction, Inc. — *Presented by Sheriff'S Office Chief Deputy Susan Poulsen*

The agreement ends 06/30/2022. The receivable amount is $44,626.48 as it is a reduction in the original amount.

#2020-487-E Certificate of Substantial Completion for the Medical Observation Unit

19. Certificate of Substantial Completion for the Medical Observation Unit of the Davis County Jail with Hogan & Associates Construction, Inc. and Archiplex Group — *Presented by Sheriff's Office Chief Deputy Susan Poulsen*

The agreement period is 06/16/2022 to 08/03/2022.

#2022-350 Grant Award with the Office of Justice Programs (OJP) for the State Criminal Alien Assistance Program

20. Grant Award with the Office of Justice Programs (OJP) for the State Criminal Alien Assistance Program — *Presented by Sheriff's Office Chief Deputy Susan Poulsen*

The contract period was through the incarceration of the individuals in this program, 07/01/2018 to 06/30/2019. The receivable amount is $71,998.

#2022-0351 Board-up Services Rotation Contract with The Disaster Company

21. Board-up Services Rotation Contract with The Disaster Company — *Presented by Sheriff's Office Chief Deputy Susan Poulsen*

The agreement period is 06/21/2022 to 06/21/2027.

#2022-352 -2022-358 Release of Liability, Waiver of Rights, and Participation Agreement for the Secure Continuous Remote Alcohol Monitoring (SCRAM) program

22. Release of Liability, Waiver of Rights, and Participation Agreement for the Secure Continuous Remote Alcohol Monitoring (SCRAM) program — *Presented by Sheriff's Office Chief Deputy Susan Poulsen*

- Participant 1: #2022-352
- Participant 2: #2022-353
- Participant 3: #2022-354
- Participant 4: #2022-355
- Participant 5: #2022-356
- Participant 6: #2022-357
- Participant 7: #2022-358

The receivable is a varied amount based on tests used and monitoring fees. The contract period goes until the participant is no longer under court order to participate.

#2022-0359 Interlocal Cooperation Agreement for Dispatch Services with Syracuse City

23. Interlocal Cooperation Agreement for Dispatch Services with Syracuse City — *Presented by Sheriff's Office Chief Deputy Susan Poulsen*

The agreement period is 07/01/2022 to 06/30/2023. The receivable amount is $101,679.39.

#2022-360 -2022-364 Summary List for the following tow companies to be placed on the tow rotation through the Davis County Dispatch Center

24. Summary List for the following tow companies to be placed on the tow rotation through the Davis County Dispatch Center — *Presented by Sheriff's Office Chief Deputy Susan Poulsen*

- Aaron's Towing LLC: #2022-360
- Aaron's Towing and Recovery LLC: #2022-361
- Emergency Roadside Service LLC: #2022-362
- Multicar Towing LLC: #2022-363
- Utah Towing LLC: 2022-364

The agreement period is 07/01/2022 to 06/30/2023.

Commissioner Kamalu took the opportunity to thank Chief Poulsen for singing the National Anthem so beautifully at the Memorial Courthouse Open House.

Motion to Approve Items 17-24: Com. Stevenson
Seconded: Com. Kamalu
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

CONSENT ITEMS

Indigent Hardship Abatement Register

Indigent Hardship Register

Commissioner Kamalu moved to deny the two names on the Indigent Hardship Register and hold a hearing.

Seconded: Com. Stevenson
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

Commission Meeting Minute

Meeting Minutes

Meeting Minutes for May 24, 2022, May 31, 2022, and June 7, 2022, were presented for approval.

Motion to Approve: Com. Kamalu
Seconded: Com. Stevenson
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

Commissioner Kamalu 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 Brian McKenzie, Davis County Chief Deputy Clerk/Auditor, as follows:

Auditor's Adjustments:
Abatements:
- 12 abatements recommended for denial

Assessor Adjustments:
Corrections:
- Nine Veteran Exemption Tax Abatements

Motion to Approve: Com. Kamalu
Seconded: Com. Stevenson
Com. Kamalu: Aye
Com. Stevenson: Aye
Com. Elliott: Aye

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

COMMISSION COMMENTS

Commissioner Elliott invited other comments from the dais.

Commissioner Kamalu commented on the opening of the new medical wing at the Davis County Jail. She offered many congratulations to the Sheriff, Kelly Sparks and to his entire team. She also congratulated the Justice Complex Maintenance Manager, Mitch Matern, on all of his work over the last few years. Despite supply delays, the project was completed in a timely manner and under budget. She continued by stating what a tremendous help the new medical wing will be to the jail staff as well as the inmates who have challenging addictions, mental health situations, and not to mention the pandemic. She explained that during the COVID-19 Pandemic, folks had to be separated and it was challenging to treat people with negative air conditions.
Commissioner Kamalu commented on July being a very special time for our nation and our state. She announced that there was a tragic accident during the Kaysville City Parade, which she was attending, and she expressed her thoughts and prayers to those impacted. She thanked those who were there to respond and recognized their help. She stated that it is easy to take those responders for granted until a response is needed. She also recognized all the thoughts and prayers being offered to the family and those involved by the community.

Commissioner Elliott provided an update on the Centerville fire. He advised that fireworks are what set it off. He stated he spoke to the Utah Department of Wildlife Resources and was advised a Hotshot Crew was coming in to mop up the remaining hot spots but the fire is contained.
Commissioner Elliott urged people to be careful and aware and not to light fireworks in the upper hills. He stated that despite all of the signage asking people to not light fireworks in those locations, boxes of fireworks were located. He stated that Davis County had a wet spring and the grass is tender and starting to dry out. He also said that there are a lot of beetle kill areas up on the mountains.

He asked that the citizens be careful and to be mindful of the laws and regulations that are in place for these situations.

MEETING ADJOURNED

The Commission meeting was adjourned at 10:50 a.m.

Minutes prepared by:
Rian Paige Santoro
Deputy Clerk/Auditor

Minutes approved on: 8/2/2022

/s/ Curtis Koch
Curtis Koch
Clerk/Auditor

/s/ Randy B. Elliott
Randy B. Elliott
Commission Chair