COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES
November 29, 2022

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 a.m. on November 29, 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; Curtis Koch, Clerk/Auditor; and Michael Kendall 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

The meeting convened at 10:04 a.m. and Clearfield City Mayor Mark Sheperd led the Pledge of Allegiance.

PUBLIC COMMENTS

The public was invited to make comments to the Commission.

No comment was made.

BUSINESS/ ACTION

Attorney

#2022-678

1. Resolution requesting the recertification of the Davis County Justice Court — *Presented by Deputy Civil Attorney Michael Kendall*

It was explained that every four years the Administrative Office of the Courts engages in analysis and requests to certify that Davis County is compliant with the statutory provisions of State Code in the operation of the Davis County Justice Court.

#9-2022

2. Ordinance amending Special Ordinance 2008-04 of the Davis County Code relating to the electric utility franchise and general utility easement to Rocky Mountain Power — *Presented by Deputy Civil Attorney Michael Kendall*

Kirk Nigro and Logan Taggart from Rocky Mountain Power were introduced. It was explained that this proposed amendment is for a three-year extension to the Franchise Agreement and covers any Rocky Mountain Power assets located in Davis County. The agreement period is 12/06/2022 to 07/06/2026.

Com. Stevenson moved to approve items 1-2. Com. Kamalu seconded. All present voted aye.

Commission

3. Reappointment of Michael D. Mayfield as a member of the Bountiful Irrigation District Board of Trustees — *Presented by Commissioner Elliott*

The agreement period is 01/31/2023 to 01/31/2027.

Com. Kamalu moved to approve. Com. Stevenson seconded. All present voted aye.

CED

#2022-679

4. Summary List of 8 low-dollar RV Agreements — *Presented by Community and Economic Development Director Kent Andersen*

The agreement period is 10/14/2022 to 11/13/2022. The receivable amount is $555.95.

#2022-680

5. Summary List of 19 low-dollar Agreements — *Presented by Community and Economic Development Director Kent Andersen*

The agreement period is 10/24/2022 to 03/11/2023. The receivable amount is $13,204.45.

Tabled

6. Davis County 3rd Quarter Grant priority list — *Presented by Community and Economic Development Director Kent Andersen*

A Work Session was held prior to this Commission Meeting where the projects on this priority list were reviewed, however, they were unable to complete a review of the Layton City projects. Items 2 and 6 on the list were requested to be tabled in order for a second Work Session to be held between the Commission and Layton City.

#2022-649-A

7. Real Estate Purchase Agreement dated October 21, 2022, for Surplus Real Property known as Tax ID No. 09-052-0046, also known as BAFCO Road. Funds in the amount of $1,470.00 have been received and a Quitclaim Deed is presented for approval and execution — *Presented by Community and Economic Development Director Kent Andersen*

This item was presented without further discussion.

#2022-681

8. Consent to Vacate 100 East Street in Centerville, Utah. Davis County is the owner of a parcel of real property that is part of Smith Park; also known as Tax ID 02-099-0002 and it will not be affected by the proposed vacation — *Presented by Community and Economic Development Director Kent Andersen*

The CED Director explained that the property owners on 100 East would like Centerville City to reduce the size of the right-of-way on that road. This will only affect those properties and does not affect Davis County's property, which is a part of Smith Park. It was noted that Smith Park is located just north of Centerville City Hall.

#2022-682

9. Letter of Support to Wasatch Front Regional Council regarding Davis County's Active Transportation Plan Grant Application — *Presented by Community and Economic Development Director Kent Andersen*

It was explained that a $25,000 match from Davis County is being requested. Kent stated that numerous cities and regions in the community have Transportation Plans and that one of the goals of bringing a Transportation Planner on board with Davis County was to lead the effort toward a county-wide Transportation Plan to use as a tool to be strategic in transportation investments to make connections county-wide.
Commissioner Kamalu stated how fantastic this plan will be and noted that she was involved in the Kaysville/Farmington Transportation Plan some years ago, which was very successful.
Kent stated that this plan will consolidate the existing plans of the communities and find the gaps to tackle those projects strategically that make sense from a regional perspective. It was explained that there will be a significant public engagement process with an Advisory Group. Kent further detailed that Davis County hosts a Transportation Committee which is separate from the Planning Commission. He noted that this group will be used to help facilitate these region-wide conversations.
Commissioner Kamalu asked if the members of the Transportation Committee were appointed.
Kent Andersen stated he does not believe they are appointed and believes it is more of an ad hoc committee to help make recommendations to the planning staff.

Com. Kamalu moved to approve items 7, 8, and 9, and to table numbers 2 and 6 of the 3rd Quarter Grant Priortiy List. Com. Stevenson seconded. All present voted aye.

Health

#2019-145-F

10. Amendment with the Utah Department of Health & Human Services updating language to reflect the merger with DAAS and changing the amount the State pays to the UPHL (Utah Public Health Lab) — *Presented by Health Director Brian Hatch*

It was explained that DAAS stands for the Division of Adult and Aging Services. The agreement period is 10/01/2022 to 12/31/2022.

Com. Kamalu moved to approve. Com. Stevenson seconded. All present voted aye.

HR

#2022-683

11. Workers Compensation Insurance Renewal for 2023 — *Presented by Human Resources Director Chris Bone*

The agreement period is 01/01/2023 to 12/31/2023. The payable amount is $460,414.
Chris Bone took the opportunity to thank the Davis County Risk Administrator, Terri Devries, who worked hard throughout the year with the Davis County Safety Committee providing training and resources to the employees in order to keep them as safe as possible. He stated that Davis County received a significant benefit from her efforts this year with a smaller renewal cost for the Worker's Compensation Fund Insurance.
Commissioner Kamalu noted not all counties are as successful as Davis County in putting safety measures in place nor so organized. She, too, thanked Terri Devries for her hard work.

Com. Kamalu moved to approve. Com. Stevenson seconded. All present voted aye.

Sheriff

#2022-684 - 2022-688

12. 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 Arnold Butcher*

2022-684 ● Participant 1
2022-685 ● Participant 2
2022-686 ● Participant 3
2022-687 ● Participant 4
2022-688 ● Participant 5

The Release of Liability, Waiver of Rights, and Participation Agreement for each participant begins upon final signature and runs until the participant is no longer under court order to participate in the program. The receivable amount varies based on tests used and monitoring fees.
Commissioner Kamalu commented on the steady flow of the participants that come before the Commission for this program and asked if the program is solely for alcohol.
Chief Butcher answered in the affirmative and added that the courts have found a great use for this program in numerous ways. It was noted that the device these participants wear is very expensive and detects any alcohol emitted from their bodies.

#2021-551-A

13. Memorandum of Understanding with the Defense Logistics Agency amending the existing State Plan of Operation implementing requirements found within the Presidential Executive Order (EO) 14074 (Section 12), signed on May 25, 2022 — *Presented by Sheriff's Office Chief Deputy Arnold Butcher*

It was explained that the Federal Government surpluses equipment through a program run by the State to take advantage of that equipment.
Commissioner Elliott asked if that is how the Sheriff's Office received the BearCat. Chief Butcher stated it was not.
Clerk/Auditor Curtis Koch stated that this is the 1033 program and historically, Davis County has received items such as bomb suits, M16s, etc.

Chief Butcher stated the Presidential Order clarified what items are available and the restrictions on those items. The agreement period begins 01/01/2023.

#2022-689

14. Software Service Agreement with Envisage Technologies, LLC to assist with training, tracking of training, and reporting to the Utah Peace Officer's Standards and Training — *Presented by Sheriff's Office Chief Deputy Arnold Butcher*

The agreement period is 01/26/2023 to 01/25/2024. The payable amount is $13,425.

#2022-690

15. Cost Reimbursement Agreement with the Federal Bureau of Investigation, Department of Justice for DCSO deputies participating in the Wasatch Metro Gang and Drug Task Force — *Presented by Sheriff's Office Chief Deputy Arnold Butcher*

The agreement period begins 10/25/2022.

Com. Kamalu moved to approve items 12-15. Com. Stevenson seconded. All present voted aye.

CONSENT ITEMS

Commission Meeting Minute

Meeting Minutes

Meeting Minutes for November 1, 2022, and November 8, 2022, and Work Session Minutes for November 1, 2022, and November 3, 2022, were presented for approval.

Com. Kamalu moved to approve. Com. Stevenson seconded. All present voted 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 Curtis Koch, Clerk/Auditor, as follows:

Auditor Adjustments:
Appeals:
- Various Approved Appeals, totaling $114,760

Abatements:
- Various Late Abatements recommended for approval, totaling $9,798.08

Corrections:
- One Veteran Exemption Tax Abatement for the year 2021 for $327.18

Assessor Adjustments:
Corrections:
- Various Corrections, totaling $611,390

Com. Kamalu moved to approve. Com. Stevenson seconded. All present voted aye.

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

APPROVED

COMMISSION COMMENTS

Commissioner Elliott invited comments from the dais.

Commissioner Kamalu discussed the importance of the tradition of the Thanksgiving Holiday started by President Lincoln. She said she feels like Thanksgiving should be continued every day for the 365 days ahead. She added that she hopes everyone had a beautiful holiday and stated she is thankful for the snow. Commissioner Kamalu commented on the opening of the new fire station in Layton and stated she attended their grand opening last Tuesday, November 22, 2022. She commented on the impressive gathering and the accomplishment for Layton City. The risk of fires in the foothills of Layton and the new station's strategic location in the foothills was noted.

Commissioner Elliott commented on the attendance of a few Centerville City residents due to the agenda item regarding the Consent to Vacate 100 East in Centerville and thanked them for coming. Commissioner Elliott discussed attending the Interfaith Christmas Concert held in Layton and stated that it was one of the best concerts he has ever been to. The Commissioner encouraged people to attend that concert and advised that Layton puts it on every year and has for the last six years. He expressed his gratitude for the recent snow and asked that people pray for more.

MEETING ADJOURNED

Commission meeting was adjourned at 10:26 a.m.

Minutes prepared by:
Rian-Paige Santoro
Deputy Clerk/Auditor

Minutes approved on: 12/13/2022

/s/ Curtis Koch
Curtis Koch
Clerk/Auditor

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