COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES
December 13, 2022

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 a.m. on December 13, 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; Curtis Koch, Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

Excused: Commissioner Bob J Stevenson

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 10:05 a.m. and Chief Deputy County Attorney Craig Webb led the Pledge of Allegiance.

Recognitions, Presentations & Informational Items

Cancellation of the December 27, 2022, Commission Meeting — *Presented by Clerk/Auditor Curtis Koch*

The agenda item approval deadline, for the January 3, 2023, Commission Meeting, has been shortened by one day due to the New Year holiday — *Presented by Clerk/Auditor Curtis Koch*

PUBLIC COMMENTS

The public was invited to make comments to the Commission.

No public comment was made.

PUBLIC HEARING

Clerk/Auditor

1. Opening

Com. Elliott made a motion to open the Public Hearing. Com. Kamalu seconded. All voted aye

2. A Public Hearing for consideration of additional 2022 budget appropriation requests — *Presented by Clerk Auditor Curtis Koch*

The Clerk/Auditor presented the Budget Amendment with various budget items related to the year-end. The Budget Amendment was shared on screen at the meeting and Mr. Koch went through each line item of the Amendment. It was noted that last year, Attrition Savings were calculated based on historical averages; however, Davis County did not experience that projected turnover in several departments, therefore those Attrition Savings are being reversed out. It was noted that the last two items are due to Davis County not having the staff to manage the SLFRF program. Due to that, our consultants have taken on a large part of that. He stated an offer was extended to an individual who begins work on January 5, 2023, and will manage SLFRF and contracts. He added that this is projected to decrease next year as the consultants are used more in their initial capacities. The Clerk/Auditor stated that the November 8, 2022, Budget Amendment had an incorrect account number for the Health Department – Capital Account. It was reported with an account number ending in 610730 it should have been 630730. The intent of the budget change was clear, therefore the expenditures were made in order for projects to move forward and it is being clarified and noted today for the record. ***See Attachment A - December 13, 2022, Budget Appropriation Requests***

3. Public Comments

Commissioner Elliott invited members of the public to make comments about the additional budget appropriations requests.

No comments were made.

4. Closing

Com. Kamalu made a motion to close the Public Hearing. Com. Elliott seconded. All voted aye.

PUBLIC HEARING ACTION ITEM

Additional 2022 budget appropriation requests and adjustments to revenues

#2022-705

Com. Kamalu made a motion to approve the additional 2022 budget appropriation requests. Com. Elliott seconded. All present voted aye.

BUSINESS/ ACTION

Health

#2022-706

1. Approval of the November 2022 Adoption Contracts — *Presented by Animal Care Director Ashleigh Young*

The Animal Care Director announced that November was a record-breaking month for adoptions with a total of 211 adoptions; 138 cats, 62 dogs, and 11 other species, which included rabbits and cockatiels. **Commissioner Kamalu** commented on the fantastic promotion she saw for the Friendly Finders Adoption Program and Ashleigh advised that they have seen great success with the program. Commissioner Kamalu thanked Ashleigh and her team for all their great work.
The agreement period is 11/01/2022 to 11/30/2022.

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

Attorney

#2022-707

2. Letter of Commitment with Thermo Fisher for secondary testing or urinalysis confirmation testing — *Presented by Attorney's Office Chief Deputy Attorney Craig Webb*

It was explained that the Letter of Commitment outlines the pricing for secondary urinalysis testing. Davis County currently has a contract with Thermo Fisher for urinalysis testing in the jail and the specialty courts. Specialty courts require secondary/confirmation testing. Adding secondary testing to the jail will give the participants a right to challenge the test if they do not agree with the outcome. It was noted this is not a commitment to use Thermo Fisher. The agreement period is 11/14/2022 to 12/31/2023. The payable amount is $20 per sample.

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

CED

#2022-708

3. Interlocal Cooperation Agreement between Davis County and Fruit Heights City providing for maintenance and uses of the city-owned Storm Water Detention Basin adjacent to the Davis Park Golf Course — *Presented by Property Manager Tony Thompson*

It was explained that UDOT is requesting property located near the Davis Park Driving Range due to the widening of Highway 89 throughout that area. Because of this, there will be an Interlocal Agreement for Davis County to continue the driving range operation after the acquisition of the property by UDOT for these projects. It was noted that the agreement lays out the end result of the driving range functions and the ability to access the retention basin.

#2021-314-B

4. Real Estate Purchase Contract and related documents as part of a negotiated sale to the Utah Department of Transportation for surplus real property known as part of Tax ID 07-080-0129 and being

part of the Davis Park Golf Course Driving Range for part of the US HWY 89; Farmington to I-84 project — *Presented by Property Manager Tony Thompson*

The Property Manager explained that there are two Deeds included in the Purchase Contract, a Quit Claim Deed for the frontage road, vesting in UDOT for Nichols Road and a Deed from Davis County to Fruit Heights City for the retention basin and easement where stormwater will be stored. It was explained that title documents will be forthcoming and presented to the Commission for signatures to move the transaction forward. It was noted that there are also costs in the agreement that cover fencing, reconfiguration of the irrigation system, and a new Tee Box.
Commissioner Kamalu asked Tony to explain the difference between a Quit Claim Deed and a regular Deed. Tony answered by stating there are no warranties or guarantees with a Quit Claim Deed and it is conveying the interest as of record. He explained a Warranty Deed has warranties associated with it.
The receivable amount is $1,441,200.

#2017-351-G

5. Centerville City Improvements Agreement Bond Reduction Request No. 2, ending the applicable warranty period for improvements on the Deuel Creek Place Subdivision — *Presented by Property Manager Tony Thompson*

Tony explained that this requests the remaining 10 percent of the Improvement Bond for the subdivision development. This will relieve the County of any warranties on those improvements.
Commissioner Elliott asked Tony if there were homes on those lots yet. Tony stated that the last time he drove by, construction had started. The receivable amount is $5,450.

#2022-709

6. Resolution and Interlocal Cooperation Agreement with Farmington City for the North Station Digital and Commerce Drive Multi-Year Project — *Presented by Community and Economic Development Director Kent Andersen*

The CED Director took the opportunity to thank Tony Thompson for all of his work on the agreements he presented to the Commission and stated that the contracts have been a long time coming and explained that there could be a lot of nuances in timing on these agreements.
Kent explained that there has been a commitment made every year for the last three years of $4,000,000 for this project and it was completed on November 22, 2022, when portions of the Priority List were approved by the Commission. Kent stated that this is the actual agreement with Farmington City for that development in North Farmington Station.
The agreement period is 12/13/2022 to 12/13/2024. The payable amount is $12,000,000.

#2022-710-A

7. Davis County Council of Governments Third Quarter Transportation Grant 2022 Priority List — *Presented by Community and Economic Development Director Kent Andersen*

It was explained that this is specific to items 2 and 6 on the Priority List which were tabled during the November 22, 2022, Commission Meeting. Kent stated a Work Session was held between the Commission and Layton City where the projects were discussed. The specific changes relate to numbers 2 and 6 on the second page of the priority list. It was noted staff is recommending that the Layton Station pedestrian overpass not exceed $2,000,000 for item 2. For item 6, Hillfield Road, 3200 West widening, Layton City will reimburse Davis County proportionately if development payback fees are collected.
The agreement period is 12/13/2022 to 12/31/2025. The payable amount is $13,031,598.

Com. Kamalu moved to approve Items 3-7. Com. Elliott seconded. All present voted aye.

Facilities

#2022-711

8. Standard Professional Services Contract with Kone, Inc. for elevator maintenance and inspection services for the Clearfield Branch Library, Memorial Courthouse, Health Department, Event Center, and Bountiful Branch Library facilities — *Presented by Commissioner Lorene Miner Kamalu*

The agreement period is 11/01/2022 to 11/01/2027. The amount is $14,393.04.

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

Golf Course

#2022-712

9. Pro Shop Profit-Sharing Contract with Caiden Jones — *Presented by Golf Course Chief Deputy Zachary Johnson*

The Golf Director introduced Caiden Jones to the Commission and advised he is the newest Assistant Professional at the golf courses and has been working in accounting for the last five and a half years. He said that Caiden is a valued addition to the golf course and has gone through all the prerequisites to qualify for the 7% profit-sharing contract. It was noted that the Pro Shop sales and revenues are a large part of the business and it is aided by the programs and six leagues they have throughout the year.
Golf courses are busy places during the golf season, which is March – October, and the employees work long days and long hours as a lot goes into operating and maintaining the golf course, making profit-sharing something that is very well earned. Dustin clarified that this contract goes until 2023.
Commissioner Kamalu congratulated Caiden and thanked him for his work. She added how beloved the two golf courses in Davis County are by the residents and beyond.
Commissioner Elliott asked if the new Davis Park Driving Range will be operable during the winter. Dustin said it would be. He told the Commission that due to weather, construction, and supply chain issues, the completion date on the driving range has been pushed back until mid-May.
The agreement period is 01/01/2022 to 12/31/2023. The payable amount is 7% of the net profits.

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

Health

#2022-713

10. Standard Professional Services Contract with Dr. David Cope, MD — *Presented by Health Director Brian Hatch*

The agreement period is 12/13/2022 to 12/31/2027. The payable amount is $15,600.

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

Sheriff

#2022-714 - 2022-716

11. 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*

2022-714 ● Participant 1
2022-715 ● Participant 2
2022-716 ● Participant 3

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.

#2021-320-B

12. Amendment with Dr. Isaac Garrett extending the contract period for dental services to inmates in the Davis County Jail — *Presented by Sheriff's Office Chief Deputy Susan Poulsen*

The agreement period is 12/13/2022 to 12/31/2023. The payable amount is $625.00 per week or $125.00 per hour.

Com. Kamalu moved to approve Items 11-12. Com. Elliott seconded. All present voted aye.

CONSENT ITEMS

Indigent Hardship

Indigent Hardship Register

Abatement Register

Com. Kamalu moved to deny the name on the register and hold a hearing. Com. Elliott Seconded. All present voted aye.

Commission Meeting Minute

Meeting Minutes

Meeting Minutes for November 29, 2022, were presented for approval. Commissioner Elliott noted that a slight change was made to these minutes and that change was submitted to the Commission for review and approval.

Com. Kamlalu moved to approve. Com. Elliott seconded. All present voted aye.

Commissioner Kamalu moved to recess to the Board of Equalization. Commissioner Elliott 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:

Auditor's Adjustments:
Appeals:
- Report with various Appeals recommended for approval, totaling $186,581
- Report with various parcels recommended for no change in value
- Hearing Findings Report with a zero-dollar recommendation
- Withdrawn Report with a zero-dollar recommendation

Abatements:
- Various Late Abatements, totaling $9,845.68

Corrections:
- One Veteran Abatement Tax Abatement for 2021
- Two Exempt Entity Purchases

Assessor's Adjustments:
Corrections:
- Report with Various Corrections, totaling -$806,731

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

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

COMMISSION COMMENTS

Commissioner Elliott invited comments from the dais.

The Clerk/Auditor and Commissioner Kamalu both commented on the fresh snowfall.
Commissioner Kamalu announced that the Wasatch Integrated Waste Management District was the recipient of a National Safety Award and stated how proud she is to be a part of that district, noting she and the two other Commissioners are on the board as well as most of the 15 cities within Davis County.
She explained that she recently attended the Waste Management Conference, and the Covid-19 Resiliency Award was presented to Executive Director Nathan Rich. She said that Nathan Rice spoke at the conference on the things he did to continue services during the pandemic and noted that the Davis County Health Director, Brian Hatch, did all of those same kinds of things in order to help all of the Davis County entities to continue their services and their important work throughout the pandemic.

Commissioner Kamalu said that there are both challenges and opportunities in waste every year and spoke about The Davis Journal requesting resolutions and predictions for 2023. She said her prediction is to look for Davis County, and all of the cities on the board, to raise awareness on recycling and how to do it right.

The Commissioner commented on the good job our waste district does but said there is still an opportunity for improvement. She went on to explain what a Circular Economy is, where producers and packagers have the end of their product in mind from the beginning. She explained that food waste was a big topic at the conference and that the amount that ends up in landfills is shocking. and Food waste is not only from households but also consists of food prep waste from restaurants. She noted that there are entities across America that have figured out how to get waste from its source and turn it into compost to go to local farms. There are opportunities for Davis County and its cities.

MEETING ADJOURNED

Commission meeting was adjourned at 10:40 a.m.

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

A. December 13, 2022, Budget Appropriation Request

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

Minutes approved on: 1/3/2023

/s/ Curtis Koch
Curtis Koch
Clerk/Auditor

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