COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES
Tuesday, May 23, 2023

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 AM on Tuesday, May 23, 2023, in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Required legal notice of this meeting was given.

All documents from this meeting are on file in the Davis County Clerk's Office. The agenda for this meeting is incorporated into the minutes as item headers.

PRESENT ON THE DAIS
Chair Lorene Miner Kamalu
Commissioner Randy B. Elliott
County Clerk Brian McKenzie
County Auditor Curtis Koch
Chief Deputy Civil Attorney Neal Geddes

EXCUSED
Vice-Chair Bob J Stevenson

OPENING
The meeting convened at 10:05 AM and Mark Langston led the Pledge of Allegiance.

ANIMAL CARE

1. ORD #6/2023. **An ordinance to create Section 6.28.080 of the Davis County Code (Sale of Animals) — *presented by Ashleigh Young, Director***

Ashleigh Young presented a proposed ordinance that would prohibit the sale of animals on public properties and the display of certain animals in pet shops. The ordinance had been discussed in a recent work session. Commissioner Elliott asked if this ordinance would also affect the sale or adoption of animals in safe exchange zones. Director Young indicated that this would only affect commercial properties and not sales from private owners.

Financial Information: N/A

Terms: N/A

2. #392/2023. **Adoption Agreements with Animal Care for April 2023 — *presented by Ashleigh Young, Director***

It was noted that there were 93 total adoptions including: 1 bird, 44 cats, 40 dogs, and 8 rabbits. Commissioner Kamalu asked for an update on the number of dogs that have come through Animal Care in April 2023. The county has seen over 200 dogs enter the facility comprised of strays, owner surrenders, and protective custodies. There has been a large increase over the last two years which has been concerning as the department has limited space and staff to properly care for these dogs.

Financial Information:
- Type: Receivable
- Amount: N/A
- GL Account #: 1320253-452021
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:
- Beginning Date: 04/01/2023
- Ending Date: 04/30/2023

VOTING
Motion to approve items 1 and 2: Randy B. Elliott. **Second:** Lorene Miner Kamalu. All present voted aye.

AUDITOR'S OFFICE

3. #398/2023. **Davis County Auditor's 2023 Delinquent Property Tax Sale — *presented by Curtis Koch, County Auditor***

It was noted that the county started with 27 homes, 27 parcels of land, and nine of the parcels are commercial properties. Only three were sold as a tax sale while all others were redeemed. The traditional bidding process was used and the parcels were sold as whole. The commission was asked to ratify the sale results, minutes, and to sign off on the tax deeds.

VOTING
Motion to approve item 3: Randy B. Elliott. **Second:** Lorene Miner Kamalu. All present voted aye.

4. #408/2023. **Register Report for Davis Park Golf Course Irrigation RFP — *presented by Curtis Koch, County Auditor***

Auditor Curtis Koch noted that there are two proposals to the RFP from United GLI Inc. and Wagner Golf Works LLC being reviewed by a selection committee. Once they have been reviewed, a recommendation for the commission will be made.

Project: Davis Park Golf Course

End Date: 5/17/2023

	VENDOR	
1.	**United GLI, Inc.**	
2.	**Wagner Golf Works, LLC**	

COMMUNITY & ECONOMIC DEVELOPMENT

5. #RES 260/2023. **A Resolution of Davis County with West Bountiful City Approving an Interlocal Cooperation Transportation Project Reimbursement Agreement Using 2022 Third Quarter Local Option Sales Tax Transportation Funds — *presented by Jeff Oyler, Planning Manager***

It was noted that the funds from this agreement will go toward improving the street on 1100 West in West Bountiful.

Financial Information:

- Type: Payable
- Amount: $368,380.00
- GL Account #: 2815445-540274
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:

- Beginning Date: 05/23/2023
- Ending Date: 05/23/2025

6. #356/2023. **Interlocal Agreement with Bountiful City to Conduct the Community Development Block Grant (CDBG) from 2024-2026 Federal Fiscal Years — *presented by Ryan Steinbeigle, Grants Administrator***

Financial Information: N/A

Terms:

- Beginning Date: 07/01/2024
- Ending Date: 06/30/2027

7. #359/2023. **Contract with MetaSports FC for spring soccer at the Legacy Events Center — *presented by Ryan Steinbeigle, Grants Administrator***

Financial Information:

- Type: Receivable
- Amount: $4,491.38
- GL Account #: 1810172-455000
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:

- Beginning Date: 05/08/2023
- Ending Date: 06/02/2023

8. #361/2023. **Interlocal Agreement with West Point City to Conduct the Community Development Block Grant (CDBG) for 2024-2026 Federal Fiscal Years** — ***presented by Ryan Steinbeigle, Grants Administrator***

Financial Information: N/A

Terms:
- Beginning Date: 07/01/2024
- Ending Date: 06/30/2027

9. #373/2023. **Interlocal Agreement with Clinton City to Conduct the Community Development Block Grant (CDBG) for 2024-2026 Federal Fiscal Years.** — ***presented by Ryan Steinbeigle, Grants Administrator***

Financial Information: N/A

Terms:
- Beginning Date: 07/01/2024
- Ending Date: 06/30/2027

10. #376/2023. **Interlocal Agreement with Sunset City to Conduct the Community Development Block Grant (CDBG) for 2024-2026 Federal Fiscal Years** — ***presented by Ryan Steinbeigle, Grants Administrator***

Financial Information: N/A

Terms:
- Beginning Date: 07/01/2024
- Ending Date: 06/30/2027

11. #385/2023. **Renewal Amendment with Layton City for Midtown Trolley Bus Service** — ***presented by Jeff Oyler, Planning Manager***

It was stated the amendment is for a two year contract which will cover all of 2023 until the end of 2024.

Financial Information:
- Type: Payable
- Amount: $120,000.00
- GL Account #: 2215435-540274
- Davis County Match Required: No
- Additional Financial Information: $120,000 in equal quarterly payments over two years.

Terms:
- Beginning Date: 01/01/2023
- Ending Date: 12/31/2024

12. #394/2023. **Sponsorship Agreement with Centerpoint Legacy Theatre for 2023 programs** — ***presented by Ryan Steinbeigle, Grants Administrator***

Financial Information:
- Type: Payable
- Amount: $20,000.00
- GL Account #: 1810170-540540
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:
- Beginning Date: 01/01/2023
- Ending Date: 01/30/2024

13. #395/2023. **Contract with KSL.com/Deseret Digital Media for 2023 Advertising Placements** — ***presented by Ryan Steinbeigle, Grants Administrator***

Financial Information:
- Type: Payable
- Amount: $8700.00
- GL Account #: 1810170-540227
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:
- Beginning Date: 05/15/2023
- Ending Date: 12/31/2023

14. #396/2023. **CDBG Subrecipient Agreement with Woods Cross City to Conduct a Community Development Project — *presented by Ryan Steinbeigle, Grants Administrator***

Financial Information:
- Type: Payable
- Amount: $125,000.00
- GL Account #: 2910290-540274
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:
- Beginning Date: 1/1/2023
- Ending Date: 12/31/2023

15. #397/2023. **Contract with Utah Avalanche to use the athletic fields for the spring soccer league — *presented by Ryan Steinbeigle, Grants Administrator***

Item 15 has not been approved by the department yet and was tabled.

16. #404/2023. **Acceptance of Special Warranty Deed from IGOG L.L.C, for real property known as TIDs 10-366-0302, 10-366-0303, 10-366-0304 — *presented by Tony Thompson, Property Manager***

It was acknowledged that CDA, Tourism, the Attorney's office, the Auditor's Office, Clerk's Office, Records, Surveyor's, Treasurer's, and the Commissioner's Office have been involved with making items 16-19 possible and gathering signatures for the properties involved. There are four lots in the Layton Marketplace that have been under contract for two years. The special warranty deed conveys the title to the county.

Financial Information: N/A

Terms: N/A

17. #403/2023. **Settlement Statement and other closing documents from Stewart Title for the purchase from IGOG L.L.C, real property known as TIDs 10-366-0302, 10-366-0303, 10-366-0304 — *presented by Tony Thompson, Property Manager***

A request was made to ratify the settlement statement, which was signed by the commissioners on Friday May 19, 2023.

Financial Information:
- Type: N/A
- Amount: N/A
- GL Account #: N/A
- Davis County Match Required: N/A
- Additional Financial Information: See Davis County Contract 2020-654-A

Terms: N/A

18. #405/2023. **Declaration of Restrictive Covenant for real property known as TIDs 10-366-0302, 10-366-0303, 10-366-0304 — *presented by Tony Thompson, Property Manager***

The covenant has been amended to allow the county to have the use of the conference center and convention center activities as well as release some of the more restrictive easements that are on the whole Marketplace area.

Financial Information: N/A

Terms: N/A

19. #406/2023. **Fire Hydrant and Light Pole Relocation Agreement for real property known as TIDs 10-366-0302, 10-366-0303 — *presented by Tony Thompson, Property Manager***

This would allow the relocation of a fire hydrant and light pole which as currently located, would encumber any trucks attempting to turn in the middle of an easement. Both buyer and seller would share the cost of their relocation.

Financial Information: N/A

Terms: N/A

VOTING

Motion to approve items 3-19 while tabling item 15: Randy B. Elliott. **Second:** Lorene Miner Kamalu. All present voted aye.

FACILITIES

20. #386/2023. **Contract with Watertronics, LLC. for retrofitting the irrigation pump controller at the Event Center — *presented by Lane Rose, Director***

It was stated that this contract is to retrofit the irrigation pump that had been intended to be replaced, but the pump controller failed prematurely; as a result, Facilities has been manually watering at the Event Center. The funding will be covered out of the capital account.

Financial Information:
- Type: Payable
- Amount: $21,923.00
- GL Account #: 4210248-600702
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
Beginning Date: 05/23/2023
Ending Date: 08/31/2023

21. #387/2023. **Contract Amendment with the State of Utah for grant funding EV chargers installation location change — *presented by Lane Rose, Director***

This amendment to contract #2022-314 will allow Facilities to move the two EV chargers to the Health Department campus for their fleet.

Financial Information:
- Type: Pass-Through
- Amount: N/A
- GL Account #: N/A
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
- Beginning Date: 05/23/2023
- Ending Date: 07/28/2024

VOTING
Motion to approve items 20 and 21: Randy B. Elliott. **Second:** Lorene Miner Kamalu. All present voted aye.

HEALTH

22. #368/2023. **Recommendation for reappointment of Dr. Gary Alexander to the Davis County Board of Health — *presented by Brian Hatch, Director***

Dr. Alexander has served for an extended period of time. His occupation as a pulmonologist has been helpful with the work he has done to control tuberculosis in the county, as well as with the state, as a consultant.

Financial Information: N/A

Terms:
- Beginning Date: 07/01/2023
- Ending Date: 06/30/2026

23. #370/2023. **Contract DCHD Environmental Health 2023 with Utah Department of Health & Human Services, to provide funding for environmental health services — *presented by Brian Hatch, Director***

It was stated that this funding is for swimming pools, food inspections, etc.

Financial Information:
- Type: Receivable
- Amount: $57,690.00 for 5 years, current fiscal year $11,538.00
- GL Account #: 1530311-474304
- Davis County Match Required: No
- Additional Financial Information: No

Terms:
- Beginning Date: 07/01/2023
- Ending Date: 06/30/2024

24. #377/2023. **Area Agency on Aging Four Year Plan 2024 through 2027 with the Utah Dept. of Health & Human Resources, Year One — *presented by Rachelle Blackham, Deputy Director Over Senior Services***

It was stated that Davis County is the Area Agency on Aging through the Health Department. The Older American Act requires Davis County to submit an ongoing strategic plan which must be updated every four years. Because this is the first year with the plan in place, the first priority is strengthening the Older Americans core programs. Under this priority some goals included are: reduce hunger and food insecurity, address malnutrition, and educate about mental disorders. The second priority (COVID Efforts) focuses on mental health screenings and assessments as well as spending Federal American Rescue Plan Act (ARPA) funds on innovative practices that came about during the pandemic. The third priority is equity efforts identifying social determinants of health. It includes supporting differing cultural experiences, arts, and activities across all programs. The fourth priority is expanding access to home and community-based services to help individuals maintain independence at home for longer periods of time. The fifth priority involves caregiving efforts and supporting the workforce. The sixth priority is Elder Justice where the Coalition for Abuse Prevention of the Elderly comes together to detect and report healthcare fraud, error, or abuse amongst the elderly.

Financial Information: N/A

Terms:
- Beginning Date: 07/01/2023
- Ending Date: 06/30/2027

25. #380/2023. **Amendment to Contract 2023-031 HIV Prevention 2023 with Utah Dept. of Health & Human Services, increasing the contract amount — *presented by Brian Hatch, Director***

Financial Information:
- Type: Receivable
- Amount: $17,625.00 increase
- GL Account #: 1530311-474206
- Davis County Match Required: N/A
- Additional Financial Information: Federal Award ID #93.940

Terms:
- Beginning Date: 05/01/2023
- Ending Date: 12/31/2023

26. #382/2023. **Amendment to Contract 2020-458 Tobacco with Utah Dept. of Health & Human Services, adding funding — *presented by Brian Hatch, Director***

Amendment to Contract 2020-458, for tobacco control, with Utah Dept. of Health & Human Services, adding funding.

Financial Information:
- Type: Receivable
- Amount: $7,681.14 increase
- GL Account #: 1530311-474504
- Davis County Match Required: N/A
- Additional Financial Information: Federal Award ID #93.387

Terms:
- Beginning Date: 04/29/2023
- Ending Date: 06/30/2023

27. #389/2023. **Amendment to Contract #2020-074 with Summit Food Service increasing the meal price — *presented by Brian Hatch, Director***

It was stated this is for the Meals on Wheels program and will increase meal prices by five percent.

Financial Information:
- Type: Payable
- Amount: 5% increase to the price per meal
- GL Account #: 1510325-540246
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
- Beginning Date: 01/10/2023
- Ending Date: N/A

28. #390/2023. **Transfer of Title of Truck to Utah Fire Marshal's Office to be utilized as needed** — ***presented by Brian Hatch, Director***

It was stated that the ambulance was purchased under the Northern Utah Coalition for Preparedness and the county received it to use for our response. The county no longer uses it and has been instructed to transfer it to the Utah Fire Marshal's Office. It was previously utilized for Environmental Health.

Financial Information:
- Type: N/A
- Amount: N/A
- GL Account #: N/A
- Davis County Match Required: N/A
- Additional Financial Information: Capital Asset No. 34832

Terms:
- Beginning Date: Signature Date
- Ending Date: N/A

29. #391/2023. **Contract with Utah Dept. of Health & Human Services for Utah Indoor Clean Air Act 2023** — ***presented by Brian Hatch, Director***

Financial Information:
- Type: Receivable
- Amount: $1,825.00
- GL Account #: 1530311-474307
- Davis County Match Required: No
- Additional Financial Information: No

Terms:
- Beginning Date: 07/01/2023
- Ending Date: 06/30/2024

VOTING
Motion to approve items 22-29: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

INFORMATION SYSTEMS

30. #354/2023. **Contract with MSAB Inc for Attorney's Office XRY phone forensic software package** — ***presented by Mark Langston, Director***

Financial Information:
- Type: Payable
- Amount: $17,985.00
- GL Account #: 1010136-540691
- Davis County Match Required: N/A
- Additional Financial Information: Initial price: $9,785.00. Second and third year renewal: $4,100.00 each.

Terms:
- Beginning Date: 05/23/2023
- Ending Date: 05/23/2026

VOTING
Motion to approve item 30: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

LIBRARY

31. #353/2023. **A Grant Agreement with Arts Midwest for National Endowment for the Arts Big Read — *presented by Josh Johnson, Director***

The grant was introduced by Director Josh Johnson who then invited Kim Valeika, Library Outreach Manager, to explain its purpose of the grant. The book chosen for the program is "The Bear" by Andrew Krivak, and with the coordination of book clubs, the school district, and hopefully the Arts Advisory Council, they will be able to get as many people to read the book as possible. They are hoping to get the author to visit either virtually or in person and have him talk about his book. Part of the grant money will be used to purchase more physical and digital copies of the book to give out and increase the Library's collections. Preparations will begin around September and run through June of 2024.

Financial Information:

- Type: Receivable
- Amount: $5,000.00
- GL Account #: 2310580 472600
- Davis County Match Required: Yes
- Additional Financial Information: Award must be matched by the Library on 1-to-1 basis with nonfederal funds.

Terms:

- Beginning Date: 04/26/2023
- Ending Date: 06/30/2024

VOTING
Motion to approve item 31: Randy B. Elliott. **Second:** Lorene Miner Kamalu. All present voted aye.

SHERIFF'S OFFICE

32-41. Release of Liability, Waiver of Rights, and Participation Agreement for the Secure Continuous Remote Alcohol Monitoring (SCRAM) program — *presented by Arnold Butcher, Chief Deputy*

- #357/2023, Participant 1
- #363/2023, Participant 2
- #364/2023, Participant 3
- #365/2023, Participant 4
- #366/2023, Participant 5
- #378/2023, Participant 6
- #381/2023, Participant 7
- #384/2023, Participant 8
- #399/2023, Participant 9
- #400/2023, Participant 10

Financial Information:

- Type: Receivable
- Amount: See Additional Financial Information
- GL Account #: 1020230-472000
- Davis County Match Required: N/A
- Additional Financial Information: $30.00 enrollment fee, $10.00 per day continuous alcohol monitoring fee, $2.00 per intoxilyzer test, and $6.00 per liquid drug screen test.

Terms:

- Beginning Date: Upon Final Signature
- Ending Date: Upon completion of court order to participate in the program.

42. #355/2023. **A contract for engineering services with Aqua Engineering of Utah, LLC for the sewer lift station — *presented by Arnold Butcher, Chief Deputy***

It was stated that this is for the sewer lift station that will be housed at the Criminal Justice Complex. This is a state-level fiscal recovery project.

Financial Information:

- Type: Payable
- Amount: $182,305.00
- GL Account #: 8010862-600701
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:

- Beginning Date: 05/16/2023
- Ending Date: 12/31/2024

43. #379/2023. **Training agreement between Deputy Bronson Russell Babasa and the Sheriff's Office** — ***presented by Arnold Butcher, Chief Deputy***

There was some confusion over whether the dates in the terms of this agreement were correct. After review from the Clerk, they were found to be accurate.

Financial Information:
- Type: Receivable
- Amount: $27,720.00
- GL Account #: 1020610
- Davis County Match Required: N/A
- Additional Financial Information: N/A

Terms:
- Beginning Date: 11/14/2022
- Ending Date: 11/14/2024

44. #393/2023. **FY23 SCAAP Grant - State Criminal Alien Assistance Program needs Commissioner Kamalu's signature** — ***presented by Arnold Butcher, Chief Deputy***

Due to a Federal Government deadline of May 22, 2023, Commissioner Kamalu had already given her signature and the document needed to be ratified instead.

Financial Information:
- Type: Receivable
- Amount: $75,000.00
- GL Account #: 1020230-472110
- Davis County Match Required: No
- Additional Financial Information: N/A

Terms:
- Beginning Date: 07/01/2021
- Ending Date: 06/30/2022

45. #367/2023. **Training Agreement with Eric Michael Pectol for Special Function Officer (SFO) – Basic Corrections Officer (BCO) certification** — ***presented by Arnold Butcher, Chief Deputy***

Financial Information:
- Type: Payable
- Amount: $15240.00
- GL Account #: 1020230-495200
- Davis County Match Required: N/A
- Additional Financial Information: This contract begins on the day that he is sworn in as a Deputy Sheriff and runs for two years from that date. This becomes a receivable if at any time he defaults on the contract.

Terms: N/A

VOTING
Motion to approve items 32-45: Randy B. Elliott. **Second:** Lorene Miner Kamalu. All present voted aye.

CONSENT ITEMS

46. #374/2023. **Approval of the April 25, 2023, Work Session Minutes** — ***presented by Commissioner Kamalu***

47. #375/2023. **Approval of the April 25, 2023, Regular Commission Meeting Minutes** — ***presented by Commissioner Kamalu***

VOTING
Motion to approve items 46 and 47: Randy B. Elliott. **Second:** Lorene Miner Kamalu. All present voted aye.

48. #401/2023. **Abatement Register** — ***presented by Curtis Koch, County Auditor***

The Indigent Hardship Abatement Register was tabled for further review.

VOTING
Motion to table item 48: Randy B. Elliott. **Second:** Lorene Miner Kamalu. All present voted aye.

BOARD OF EQUALIZATION

49. Recess to Board of Equalization — Motion: Randy B. Elliott. **Second:** Lorene Miner Kamalu. All present voted aye.

50. #402/2023. **Property Tax Register / Board of Equalization —** ***presented by Curtis Koch, County Auditor***

Auditor's Adjustments

Tax Exempt Requests:

- Two recommended approvals from IHC Health Services Inc.
- Community Options Inc., recommended for denial

Appeals:

- A report with various appeals recommended for approval

Abatements:

- A report with three recommended for denial

Corrections:

- An amount on a parcel from April 11, 2023, was not reported correctly
- 13 Veteran Exemption tax abatements for 2022
- 6 different property tax charges related to one parcel that was struck to the county

VOTING

Motion for approval: Lorene Miner Kamalu. **Second:** Randy B. Elliott. All present voted aye.

51. Reconvene Commission Meeting — Motion: Lorene Miner Kamalu**. Second:** Randy B. Elliott**.** All present voted aye.

Reconvene Commission Meeting

CLOSING REMARKS

Commissioner Kamalu stated that this was the first week creating the agenda on the new system and recognized the hard work of the Clerk and his staff. Kamalu said the rollout went as smooth as possible. Commissioner Kamalu mentioned that Commissioner Elliott recently did a conservation speech that was mentioned in the Deseret News.

Commissioner Elliott talked about how the Nature Conservancy opened some wet land areas to clean out drainage coming from the Freeport Center. This water should flush out the wetlands and the water should look quite blue after it has been flushed. Commissioner Elliott had been asked to speak on the partnership between the Nature Conservancy and Davis County. The nature conservancy takes care of the lakefront from North Salt Lake to West Point and preserves the space for future generations. Commissioner Elliott has also been cleaning up the waters that go into the retention basins and other collection areas. One thing that was found in the water was an Elmo doll, which was given to Commissioner Elliott. It was thought to have been flushed down through the sewer system.

Clerk Brian McKenzie thanked the Commissioners for recognizing his staff on the rollout of the Provox system. He mentioned that there have been a few bumps along the way and that he appreciates everyone's patience. He provided clarification on why there was confusion on item 43, it had been an amendment to a previous training agreement which explains why the length of time differs from its usual length.

Commissioner Kamalu stated that the Commissioners recently had a conference with the Western Interstate Region of the National Association of Counties. It was good to train and learn from their counterparts across the region and also from the federal government. Commissioner Kamalu was able to tour the Best Friends Animal Sanctuary in Kane County who have also been seeing a surge of dogs in their shelter. Best Friends works across the country and is recognized for their hard work. Commissioner Kamalu also mentioned a presentation by a fire professional who spoke on wild fires and how forest management and the amount of water can make a difference in those types of situations. Another presentation at this conference was from Border Patrol and shared the work they are doing along each of the US borders.

COMMISSIONERS' MINUTES – DAVIS COUNTY

MEETING ADJOURNED

Commission meeting was adjourned at 10:52 AM

Minutes Prepared:

Patrick Black
Deputy Clerk

Minutes Approved on: 6/13/2023

Brian McKenzie
Davis County Clerk

~~Lorene Miner Kamalu.~~ BoB J Stevenson
Commission ~~Chair~~ vice chair.