

COMMISSION MEETING MINUTES

February 27, 2018

The Board of Davis County Commissioners met on February 27, 2018 at 10:00 AM in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Members present were: Commissioner James E. Smith - Chair, Commissioner P. Bret Millburn, Commissioner Randy B. Elliott, Clerk/Auditor Curtis Koch, Deputy County Attorney Michael Kendall and Deputy Clerk/Auditor Janet Hanson.

Agenda as posted

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PUBLIC NOTICE is hereby given that the Board of Davis County Commissioners, Farmington, Utah, will hold a Commission Meeting at the Davis County Administration Building, 61 South Main Street, Suite 303, Farmington, Utah, commencing at **10:00 AM on Tuesday, February 27, 2018.**

OPENING:

Pledge of Allegiance – By Invitation

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS:

- RFP opening – Mill Creek Sediment Basin Concrete Floor Project
- Notice of cancelation of the March 6, 2018 Board of Davis County Commissioners Meeting

BUSINESS/ACTION:

Mark Altom, Davis County, presenting:

Amendment with Wells Fargo Bank – replacing Exhibit E updating services (payable)

Brian Hatch, Davis County Health Department Director, presenting:

Agreement with Live Life Alarms, LLC – provide for direct purchase of needed in-home services (payable)

Chief Deputy Kevin Fielding, Davis County Sheriff’s Office, presenting:

Written Motion delegating authority to certain Sheriff’s Office Patrol employees to execute specific documents regarding the Paramedic Internship Program and Ride-Along Program (n/a)

Curtis Koch, Davis County Clerk/ Auditor, presenting:

Agreement with Zion Public Finance, Inc. – provide financial advisor services (payable)

Commissioner Smith presenting:

Resolution to appoint Nate Pugsley to the South Davis Recreation District Administrative Control Board

BOARD OF EQUALIZATION:

Property Tax Register

CONSENT ITEMS:

- Check Registers
- Meeting Minutes:
 - February 6 & 13, 2018
 - Amended January 12, 2018 Work Session

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

Pledge of Allegiance

Dax Teuscher, Davis County Purchasing Manager, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

RFP opening for Millcreek Sediment Basin Concrete Floor Project

Curtis Koch opened the following RFP’s (4) for the Millcreek Sediment Basin Concrete Floor Project:

Project: Millcreek Sediment Basin Concrete Floor Project RFP

February 27, 2018

BIDDER	
1.	Stapp Construction
2.	Gerber Construction, Inc.
3.	England Construction
4.	ACME Construction

The RFPs will be turned over to the Purchasing Manager who will keep a clean copy for the County’s retention, get them to the department for review and award a bid.

Mike Kendall in attendance

Commissioner Smith recognized and welcomed Mike Kendall who is in attendance for Neal Geddes (Attorney’s Office).

Notice of March 6, 2018 cancellation of Commission Meeting

Commissioner Smith gave notice of the cancelation of the Board of Davis County Commissioners Meeting next week, March 6, 2018. Two of the 3 commission members will be attending the National Association of Counties (NACo) Conference representing Davis County.

Amendment #2017-508A Wells Fargo Bank – replace Exhibit E updating services

Mark Altom, Davis County Treasurer, presented amendment #2017-508A with Wells Fargo Bank to replace Exhibit E updating services. He explained that there had been an oversight when negotiating having randomly picked a month, March 2017, to review what services were rendered. It was realized that the November 2017 services included a lockbox service. That service is utilized for the tax notice payments (30% of the tax payments are done this way) that go directly to the bank through their commercial lockbox service for processing. They have now reviewed and repriced each month to verify that all of the services are now listed in the contract. Period of contract is January 1, 2018 through July 15, 2020. The payable contract amount is based upon Exhibit E activity.

Commissioner Elliott made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2018-84 Live Life Alarms LLC – in-home services

Kristy Cottrell, Davis County Health Department Senior Services, presented agreement #2018-84 with Live Life Alarms, LLC for specialty medical equipment. They are a new provider in the area for in-home services programs, particularly the alternatives and care-givers programs. The period of contract is July 1, 2017 through June 30, 2019. The payable contract amount is based upon services provided.

Commissioner Elliott made a motion to approve. Commissioner Millburn seconded the motion. All vote aye. The document is on file in the office of the Davis County Clerk/Auditor.

Written Motion #2018-85 delegating authority to SO Patrol to execute Paramedic Intern Program & Ride-Along Program

Chief Deputy Kevin Fielding, Davis County Sheriff's Office, presented written motion #2018-85 delegating authority to certain Sheriff's Office Patrol employees to execute specific documents (indemnifications) regarding the Paramedic Internship Program and Ride-Along Program. He gave a reminder that a contract was signed a couple of weeks ago with the university (for the paramedic program). Commissioner Smith recognized our attorney's attention on this and felt it was a good way to close what was a potential loop-hole. The contract period is February 27, 2018 and beyond.

Commissioner Elliott made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Chief Fielding indicated that this situation came up through their Risk Management Committee. He said that Neal Geddes worked with Risk Management from the State and found out that the State carries some type of liability for these kinds of programs (higher education). Mike Kendall added that there are 2 unique contracts associated with this motion, although similar. The Ride-Along Program is associated with civil observers only. Whereas, the Paramedic Internship Program are students that are engaged in the paramedic program, performing internship services (clinical hours) to gain experience.

Agreement #2018-86 Zions Public Finance, Inc. – financial advisor services

Curtis Koch, Davis County Clerk/Auditor, presented agreement #2018-86 with Zion Public Finance, Inc. He explained that for several years they have acted as our financial advisor. There was an RFP opening a couple of weeks ago. After going through that process they had 2 firms submit: Zions and LYRB (Lewis Young Robertson & Burningham). After going through the process, the committee has recommended Zions Public Finance and have come to terms for negotiated prices for when we do issue debt and engage in activities that would require their services such as rating, presentations, etc. It is fee based dependent on services we utilized. Commissioner Smith felt that we have had a wonderful relationship with Zions Public Finance. He agreed with Curtis that it was good to have very well qualified agencies competing to do business and represent us in this way. "Zions is the one we would like to continue with." The period of contract is February 27, 2018 through February 28, 2023. The payable amount is fee based per services utilized.

Commissioner Millburn made a motion to approve. Commissioner Elliott seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Resolution #2018-87 Appoint Nate Pugsley to SDRD Admin Control Bd

Commissioner Smith presented resolution #2018-87 to appoint Nate Pugsley to the South Davis Recreation District Administrative Control Board. Commissioner Millburn reminded us that this was mentioned this a couple of months ago when the public was asked for interested parties to fill this slot. He explained that Davis County, as part of the South Davis Recreation District Administrative Control Board, has 3 seats on the Board. There are specific requirements to serve in that capacity. In years past there have been multiple elected offices that lived within the boundaries of the District. Currently, Commission Millburn, is the only elected official. There is a process by which to fill the other 2 seats. The basic requirement is to live within the boundaries of the special district. Mel Miles' term ended, which opened a seat and we accepted applications through a duly noticed processed. The applications were reviewed and interviews were conducted. Mr. Pugsley fits the bill of what would be helpful in that arena. He has good financial insight. He and his

family are users of the facility. He has a strong interest in sports, and in making our community better. Commissioner Smith indicated that there had been 5 applicants.

Commissioner Millburn made a motion to approve. Commissioner Elliott seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

BOE

Commissioner Millburn made a motion to recess to Board of Equalization. Commissioner Elliott seconded the motion. All voted aye.

Property Tax Register approved

Curtis Koch presented the Property Tax Register which reflected:

- Year-End Report Totals for 2017. Total abatements for the year is \$6,704,470.15
- 3 veteran exemption abated taxes for 2017
- Assessor's Adjustments:
 - Personal Property penalty waivers (various) totaling \$50.00

Commissioner Millburn inquired if the year-end total report indicated how many individual parcels it was comprised of. Curtis indicated it was 9,989 total, which range from:

- Active Duty Armed Forces Exemption
- Disabled Veterans & Surviving Spouse
- Legally Blind (& Surviving Spouse)
- Circuit Breaker
- Circuit Breaker 2
- Circuit Breaker Indigent
- Indigent

Commissioner Millburn noted that because of the large amount being spread out over various types of those that qualify, or things that are put in place within statute, it is important to address how we come up with that number. Curtis indicated that the bulk of the almost 10,000, roughly 7,000 of those and \$5.5 million are related to disabled veterans and surviving spouse tied to real property and personal property. Commissioner Smith felt they are a very deserving group.

Commissioner Millburn made a motion to approve. Commissioner Elliott seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Reconvened

Commissioner Elliott made a motion to reconvene Commission Meeting. Commissioner Millburn seconded the motion. All voted aye.

Check register approved

Check registers as prepared by the Davis County Clerk/Auditor were approved with a motion by Commissioner Elliott. Commissioner Millburn seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Meeting minutes approved

Commissioner Elliott made a motion to approve the Commission Meeting minutes for February 6 & 13, 2018. Commissioner Millburn seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Amended Work Session minutes approved

Commissioner Elliott made a motion to approve the Amended January 12, 2018 Work Session minutes. Commissioner Millburn seconded the motion. All voted aye.

Commissioner comments

Commissioner comments:

Commissioner Millburn noticed earlier in the meeting, the cancelation of next week's Commission Meeting due to NACo being held. He wasn't sure if that was good or bad, or a combination of both. "It depends on how you look at it at any given moment. It is bad in the sense they couldn't pick a worse time to hold a conference given that it is the waning days of our legislative session. The flip side, maybe it's a good time to be away because, with a week and a half left, this is when crazy really starts. There are all kinds of things happening. This is when you hold on to your children and try to be safe." They'll be back to catch the last day and a half.

Curtis Koch said, in regards to Commissioner Millburn's comments, "Heaven help us all." Commissioner Millburn gave a big "amen."

Mike Kendall said it was a pleasure to be here.

Public comments

Public comment:

Lorene Kamalu, Kaysville City Planning Commissioner and candidate for Seat B (Davis County Commission). Regarding the Republican Party announcements, she asked if it impacted the County elections. Curtis indicated they are waiting for guidance from the Lt. Governor's Office. There is a lot of hearsay and rumor. There is a weekly meeting of all of the clerks in the State during the legislative session. They will be

meeting with staff of the Lt. Governor's Office this coming Thursday morning. He anticipates they will receive some guidance. Until then, it is not appropriate to comment. They are watching media reports which are fluctuating. Once they receive counsel, they will look to the County's Civil Division (Attorney's Office). They are monitoring it and have an interest, as a lot of people do. Their job is to administer a fair and equitable election according to State Statute. At the end of the day it doesn't matter what letter is behind a Clerk's name. They will look to the Attorney General and to our legal counsel. Lorene asked that when there is direction, if the County candidates will receive an email. Curtis indicated that they will do their best to communicate with everybody, noting that there is a nuance in the law, that while candidates have declared for signature gathering, they are still not officially candidates. There are no official candidates for the position at this point. They will work with the Lt. Governor's Office on that as well. Until the filing, which will ensure immediately after the legislative session, they will have the one week of filing. There are no official candidates. There are those that have declared their intent, which is a piece of election legislation that needs to be cleared up in the future, where everyone is on the same level playing field. But as witnessed this year in election law, modifications and legislative issues, that is a battle for another day. They will do their best to communicate clearly with those that they know, and the general public, and do it in an equitable manner. There may be those that have not disclosed that they are running. It puts them in an interesting position. He recommended watching for direct quotes or press releases from the Lt. Governor's Office which will be the first signal that it is coming down to how they will be administering the election. Lorene expressed her appreciation for the explanation. Commissioner Smith said, "We are greatly blessed to have Curtis and Brian McKenzie. They are both recognized state-wide for the professionalism of which they handle elections. We take them very, very seriously. Very much appreciate their work."

Meeting adjourned.

Clerk/Auditor

Chair