

COMMISSION MEETING MINUTES

May 15, 2018

The Board of Davis County Commissioners met for their regularly scheduled meeting on May 15, 2018 at 10:00 a.m. in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Notice of this meeting was given in accordance with the requirements of UCA 52-4-202.

Present on the dais were: Commissioner P. Bret Millburn, Vice-Chair; Commissioner Randy B. Elliott; Curtis Koch, Davis County Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

Excused: Commissioner James E. Smith, Chair.

All documents presented in this meeting are on file in the Davis County (DC) Clerk/Auditor office.

OPENING

The meeting convened at 10:02 a.m. and Capt. Jen Daley was invited to lead the Pledge of Allegiance.

Capt. Daley was asked to lead the Pledge in recognition of today being National Peace Officers Memorial Day, which is part of National Police Week. Throughout the community are many "Salute the Blue" signs and blue ribbons. The Commission expressed its gratitude for what law enforcement officers do.

See Attachment B as presented.

Commissioner Millburn excused Commissioner Smith who is attending the Utah Elder Abuse Conference in Richfield.

Recognitions, Presentations & Informational Items

Davis County's Delinquent Property Tax Sale – May 16, 2018 at 10 a.m., 61 S Main Street, Room 131, Farmington

This is also known as the "May Tax Sale." It is the yearly sale of property for which taxes have not been paid for five years.

20th Annual Great Salt Lake Bird Festival – May 17-21, 2018

The Bird Festival begins this week. It is a remarkable event for the "birders" and draws people from across the state, country and even internationally.

BUSINESS/ ACTION

Amendment #2015-327-Q with Utah Dept. of Human Services, Division of Substance Abuse & Mental Health

Amendment #2015-327-Q with Utah Department of Human Services, Division of Substance Abuse & Mental Health, to increase funding allocation for SFY2018 Substance Abuse for the Drug Offender Reform Act (DORA) (pass through to Davis Behavioral Health) – Presented by Kristen Reisig, Davis Behavioral Health Clinical Director

This amendment is for additional funding for the DORA program. There are around 100 people receiving treatment through this program. The people come through the court system and have access to the full services to aid in addiction recovery including outpatient therapy, counseling, group therapy and day treatment. The contract period is from July 1, 2017 to June 30, 2018. The contract's receivable amount is \$126,000.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Area Plan #2018-202, DBH's Substance Abuse & Mental Health Area Plan FY2019

Area Plan #2018-202, Davis Behavioral Health's (DBH) Substance Abuse & Mental Health Area Plan FY2019 – Presented by Kristen Reising, Davis Behavioral Health Clinical Director

This plan is required by statute; it is mostly the same as last year with some exceptions. Notable changes include discontinuing the day treatment program for those in the work center and replacing it with a 16-bed women's residential treatment program and extending the intensive outpatient (IOP) treatment to a work center IOP program. These changes should help to decrease the number of relapses. To expand access to psychiatric help, DBH will partner with Midtown who will provide the basic health needs and psychiatric help once the patient is stable. Lastly, DBH is now the program administrator for the Northern Region to do stabilization and mobile response services for children. The opioid crisis is still being addressed through more staff training in handling trauma. The contract period is from July 1, 2018 to June 30, 2019. This contract is neither payable nor receivable.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

It was mentioned that over 7,500 people were helped last year and about 2,000 of them did not have funding. Serving these people in the community would not have been possible without the County support.

Amendment #2015-34-D provide continued funding for tuberculosis prevention and control activities

Amendment #2015-34-D with Utah Department of Health to provide continued funding for tuberculosis prevention and control activities – Presented by Brian Hatch, Davis County Health Director

This amendment is to provide additional funding for TB prevention and control activities. The contract period is from April 1, 2018 to Dec. 31, 2018. The contract's receivable amount is \$1,395.75.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Request re-appointments to DC Board of Health

Request for the re-appointments of Mr. Brian Cook, Dr. Ryan Stewart, Dr. Colleen Taylor and Mr. Scott Zigich to the Davis County Board of Health – Presented by Brian Hatch, Davis County Health Director

In last week's Board of Health meeting, four board members were approved for reappointment for an additional term. Brian was authorized to request approval of these reappointments. Dr. Taylor is a dentist, as required by ordinance; Dr. Stewart is a medical physician; Mr. Zigich is the school district appointment, as required by ordinance; and Mr. Cook is a member at large. The contract period is from July 1, 2018 to June 30, 2020 for a three year term. This contract is neither payable nor receivable.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Resolution #2018-203 for administration of PTIF accounts

Resolution #2018-203 to Utah State Treasurer to certify authorization of users to access and/or transact with the Administration of Public Treasurers' Investment Fund (PTIF) accounts – Presented by Mark Altom, Davis County Treasurer

This resolution is to give Jonathan Lee, Chief Deputy Treasurer, and Mark Altom, County Treasurer, permission to sign on behalf of the County for PTIF accounts. Previously authorizations were handwritten, but it has now been changed to an online portal. The contract period is from [July 1, 2018] to Dec. 31, 2020. This contract is neither payable nor receivable.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Agreement
#2018-204 with
KSL Radio

Agreement #2018-204 with KSL Radio for radio advertising of the 2018 Davis County Fair – Presented by Stephanie Davis, Davis County Event Coordinator – Legacy Events Center

This agreement is with KSL radio to provide radio advertising for the County Fair both in the morning and evening. These announcements have proven successful in the past. The contract period is from July 1, 2018 to Aug. 19, 2018. The contract's payable amount is \$3,000.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Agreement
#2018-205 with
my529

Agreement #2018-205 with my529, Utah's 529 College Savings Plan, to sponsor the 2018 Davis County Fair – Presented by Stephanie Davis, Davis County Event Coordinator – Legacy Events Center

This sponsorship agreement is with my529. They will be sponsoring the Kid Zone area. It is their first year as a sponsor of the Davis County Fair. The contract period is from May 21, 2018 to Aug. 19, 2018. The receivable amount is \$1,000.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Agreement
#2018-206 with
Orrigami
Entertainment

Agreement #2018-206 with Orrigami Entertainment to provide performer Madilyn Paige as opening act for BYU Vocal Point Concert at 2018 Davis County Fair – Presented by Stephanie Davis, Davis County Event Coordinator – Legacy Events Center

Orrigami Entertainment will be providing local celebrity Madilyn Paige, who was a finalist on The Voice, to be the opening act for the BYU Vocal Point concert. This will help bring in a younger crowd as well as Madilyn's existing fan base, to the Davis County Fair. The contract period is from May 31, 2018 to Aug. 20, 2018. The contract's receivable amount is \$1,500.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Agreement
#2018-207 with
Canyonlands
Canine

Agreement #2018-207 with Canyonlands Canine for rental space at Legacy Events Center for regional dog show – Presented by Mike Moake, Davis County Marketing Coordinator – Legacy Events Center

Canyonland Canines will be renting the Legacy Event Center, due to no other county buildings being available. They were also given a discounted rate because the Event Center's North parking lot has been reserved for a different event. This is a regional dog show with about 200 dogs competing. The contract period is from June 22, 2018 to June 24, 2018. The contract's receivable amount is \$675.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Agreement
#2018-208 with
Scrape Fest

Agreement #2018-208 with Scrape Fest for rental space at Legacy Events Center for car show – Presented by Mike Moake, Davis County Marketing Coordinator – Legacy Events Center

The Scrape Fest fall car show is one of the largest events at the Legacy Event Center drawing participants from as far as California. The event is so large that a campus rate had to be created; this is the first event using that rate. The contract period is from Sept. 19, 2018 to Sept. 23, 2018. The contract's receivable amount is \$3,640.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Summary List #2018-209 of low-dollar, low-risk contracts for rental space at Legacy Events Center

Summary List #2018-209 of low-dollar, low-risk contracts for rental space at Legacy Events Center – Presented by Dave Hansen, Davis County Legacy Events Center Director

There are [17] rentals on the summary list. They are mostly soccer, dog shows and Ultimate Frisbee events. The disc events have become a recent sweet spot with a good turnout. The contracts range from March 21, 2018 to Feb. 23, 2019. The contracts' aggregate receivable amount is \$10,925.75.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Final Plat Approval #2018-210 for Henry Smith Subdivision

Final Plat Approval #2018-210 for Henry Smith Subdivision (approx. 2425 North 4800 West, Hooper) – Presented by Jeff Oyler, Davis County Planning Manager

This is for a three lot subdivision spanning 19 acres. It has been zoned A1; the lots are all over five acres to take advantage of Greenbelt status. This subdivision will require upgrading the water line for adequate fire protection and to pipe a ditch along 2425 North. The lots will be sold individually and are on a septic system. This has been approved by the Planning Commission and Public Works; the Health Department sent an approval letter last year. There was no mention of a contract period. This contract is neither payable nor receivable.

See Attachment C as presented.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Improvements Agreement and Grant of Lien #2018-210-A to Clifton H. Smith Family Revocable Trust and others

Improvements Agreement and Grant of Lien #2018-210-A to Clifton H. Smith Family Revocable Trust, Annette Harris, Wayne R. Graham, Rena G. Stallings, Lee H. Graham, Nelda G. Price and Norene G. Doxey for postponement of curb, gutter and sidewalk improvements – Presented by Jeff Oyler, Davis County Planning Manager

Currently there are no curb, gutter and sidewalk improvements made in this area. County policy states that if the county chooses to put in curb, gutter and sidewalk improvements then the developer(s) will pay for their proportionate share across their frontage. This agreement will transfer with the land title. There was no mention of the contract period. This contract is neither payable nor receivable.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Escrow Agreement #2018-210-B with Michelle Harding

Escrow Agreement #2018-210-B with Michelle Harding for escrow deposit for public improvements related to Henry Smith Subdivision (approx. 2425 North 4800 West, Hooper) – Presented by Jeff Oyler, Davis County Planning Manager

This agreement will be used to pay for the upgrades to the water line and to pipe the ditch. It is standard practice of the County to enter into this agreement between the developer, a bank and the County. The bank is America First Credit Union and Michelle Harding will be providing the money for the developer under the name of the Henry Smith Subdivision. The money is required up front, and as the work is accomplished the developer is paid out of the escrow funds. There was no mention of the contract's period. The contract's escrow receivable amount is \$91,029.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Resolution #2018-211 to approve Interlocal Agreement with South Weber City

Resolution #2018-211 to approve Interlocal Agreement for dispatch services between South Weber City and Davis County – Presented by Captain Jennifer Daley, Davis County Sheriff's Office, in place of Under Sheriff Brent Peters, Davis County Sheriff's Office

This resolution was created by Mike Kendall, Davis County Attorney, to approve the interlocal agreement for dispatch services with South Weber City Fire Department and Davis County. There is no contract period. This contract is neither payable nor receivable.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Interlocal Agreement #2018-211 with South Weber City to provide dispatch services

Interlocal Agreement #2018-211 with South Weber City to provide dispatch services – Presented by Captain Jennifer Daley, Davis County Sheriff's Office, in place of Under Sheriff Brent Peters, Davis County Sheriff's Office

This is the interlocal agreement with South Weber City. The contract amount was determined based on the average number of calls over a five year span; 239 calls were made costing \$29.71 each. The contract's period is from July 1, 2018 to June 30, 2019. The contract's receivable amount is \$7,070.98.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Grant Application #2018-212 with U.S. Dept. of Justice for Bulletproof Vest Partnership Grant

Grant Application #2018-212 with U.S. Department of Justice for Bulletproof Vest Partnership Grant – Presented by Captain Jennifer Daley, Davis County Sheriff's Office, in place of Under Sheriff Brent Peters, Davis County Sheriff's Office

This grant application is for bulletproof vests. As part of the grant, the County must match the \$13,000 provided by U.S. Department of Justice. In total, the grant would be for \$26,000. The average vest costs between \$770 and \$1,000; the grant will be used to purchase approximately 40 vests. The contract period is from April 1, 2018 to March 31, 2019. The contract's receivable amount is \$13,000 with an equal match from Davis County.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Settlement Agreement #2018-213 with Acme Construction, Inc.

Settlement Agreement #2018-213 with Acme Construction, Inc., related to PacifiCorp dba Rocky Mountain Power v. Acme Construction, Inc., et al. – Presented by Neal Geddes, Davis County Chief Deputy Civil Attorney

This relates to the lawsuit filed by Rocky Mountain Power. As part of the lawsuit, the County filed a cross-claim against the contractor Acme. As part of reaching the resolution, the County has released claims with the contractor. This is a mutual release and a dismissal with prejudice but no admission of fault or payment. This will close the case. There is no contract period. This contract is neither payable nor receivable.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Request Approval of 2018 Delinquent Property Tax Sale bidding process and parcels

Request Approval of 2018 Delinquent Property Tax Sale traditional bidding process and parcels to be sold as a whole (not broken down into smaller pieces), May 16, 2018 at 10 a.m., 61 S. Main Street, Room 131, in Farmington – Presented by Curtis Koch, Davis County Clerk/Auditor

This request is to approve the bidding procedures for the tax sale; there are only a few parcels on the auction. The following letter from the Tax Administration Office was then read by Curtis:

"Tomorrow May 16, 2018 @ 10:00a.m., we will be holding the 2018 Delinquent Property Tax Sale. That is held every year by our Clerk/Auditor Curtis Koch. It will be held here at the Davis County Administration Building down in room 131.

"This Tax Sale is where Parcels of property that are delinquent in taxes for 5 years will be auctioned. Just to give you some background on the Delinquent parcels for this year. When we first received the list we started with 102 parcels, of those 102 parcels we had: 46 homes, 21 parcels of land and 10 commercial properties.

"I [Tax Administration] gave you [Curtis] a list of the Parcels, these are the parcels that were advertised. As you can see all the ones in red have been redeemed This year on the advertisement it shows "Preferred Sales".

"The definition of Preferred Sales is: These are properties that meet one or more of the following criteria: 1) the county has determined that the property is not an economically viable unit of property to possible bidders with a unique interest in the property due to property characteristics such as size, shape, access, zoning or other factors that may affect the economic value and use of the property; or 2) a non-preferential sale of the property would create a nuisance and/or cloud upon an existing interest in the property and could unreasonably diminish the value of such an interest. These properties will initially be offered without competitive bidding to persons or entities who own property that abuts the identified property, or other persons or entities who have a unique interest in the identified property. If these properties are not purchased initially through a preferential sale, the County may offer these properties for sale to the registered bidders at this annual real property delinquent tax sale.

"Note: some properties may have been withdrawn from the sale. The reasons for withdrawal may be that the proper notice has not been given or erroneous legal descriptions, duplicate assessments, litigation, bankruptcy, have been discovered or deferrals or settlements have been granted by the Davis County Commission.

"And as of this morning we have: 1 Home, 3 parcels of land and 0 Commercial property.

"We [Tax Administration] are requesting approval on the Traditional bidding process and parcels will be sold as a whole and not broken down into smaller pieces."

Motion to Approve: Com. Elliott

Seconded: Com. Millburn

Vote: All Aye

Diane Law, Cheri Mayer and Kelly Tue were all recognized for the work they have done. They are the Tax Administration staff who have given the owners every opportunity possible to redeem the delinquent property. Also special thanks were given to Heidi Voordeckers who oversees the Tax Administration office at the request of Curtis, and the legal team who assists. With any luck there will be no homes available for sale by the morning.

Commissioner Elliott moved to begin a Public Hearing. Commissioner Millburn seconded the motion. All voted aye.

PUBLIC HEARING

Consideration of approval by resolution for additional budget appropriation requests. Budget increases will be funded by new revenues and/or monies unspent in the prior year – Presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor

See attachment D and E as presented.

Pre-Trial Services

From the general fund, some non-departmental funds need to be moved to a departmental fund as the new Pre-Trial Services department is created. There were "placeholder" funds put into place in the last approved budget since it was unclear when the department would officially be created. The funds will be used for salaries, wages, computer equipment and office supplies. Total request is a net increase of expenses to \$600 for office supplies; the totals transferred are \$158,337 for wages, \$102,243 for benefits and \$10,915 for computer equipment.

Animal Control

When the kennels were removed, as part of the kennel remodel, plumbing issues were discovered. Facilities has requested an additional \$37,500 to take care of the plumbing.

Commissioner Millburn invited public comments. No public comments were made. Commissioner Millburn closed the public hearing portion.

Resolution #2018-214

Resolution #2018-214 for May 15, 2018 Resolution and Budget Opening Items: additional budget appropriation requests

Motion to Approve: Com. Elliott

Seconded: Com. Millburn

Vote: All Aye

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

BOARD OF EQUALIZATION

Board of Equalization matters were presented by Curtis Koch, Davis County Clerk/Auditor, as follows:

Two veteran tax exemption abatements for the year 2017.

Motion to Approve: Com. Elliott

Seconded: Com. Millburn

Vote: All Aye

Commissioner Elliott moved to reconvene Commission meeting. Commissioner Millburn seconded the motion. All voted aye.

CONSENT ITEMS

Check Registers

Check Registers

Check Registers were presented for approval.

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Indigent
Abatement
Register

Indigent Abatement Register

The Indigent Abatement Register for the following names were presented for approval.

Mark J. Anderson

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

John Carpenter

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Anthony Essex

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Christopher Ratcliffe

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Kristy Smith

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

Ann Yasenko

Motion to Approve: Com. Elliott
Seconded: Com. Millburn
Vote: All Aye

**COMMISSION
COMMENTS**

No Commissioner comments.

Commissioner Millburn invited other comments from the dais.

Clerk/Auditor

Curtis wished everyone a happy spring. Commissioner Millburn complimented the Clerk and Auditing teams for their hard work and Curtis on his leadership. Curtis said thank you and the recognition belongs to his staff.

**PUBLIC
COMMENTS**

No comments.

APPROVED

**CLOSED
SESSION**

Commissioner Millburn motioned to adjourn to a closed session for reasons permitted under UCA 52-4-205. Commissioner Elliott seconded the motion. All voted aye.

The closed session began at 10:46 a.m.

Returned from closed session May 15, 2018 at 11:10 a.m. No business or actions were taken at this time.

**MEETING
ADJOURNED**

Open meeting was adjourned at 11:11 a.m.

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

- A1-A2. Agenda
- B. National Peace Officers Memorial Day
- C. Henry Smith Subdivision Final Plat
- D. Notice of Public Hearing
- E. May 15, 2018 Resolution & Budget Opening Items

Minutes prepared by:
Jessica Swift
Deputy Clerk/Auditor

Minutes approved on: _____

Curtis Koch
Davis County Clerk/Auditor

James E. Smith
Commission Chair