

COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES

May 7, 2019

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 a.m. on May 7, 2019, in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Proper legal notice of this meeting was given.

Present on the dais were: Commissioner Randy B. Elliott, Chair; Commissioner Lorene Miner Kamalu; Curtis Koch, Davis County Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

Commissioner Bob J Stevenson was excused because he was attending another meeting. [Commission Meeting ended before his anticipated late arrival.]

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 a.m., and Clearfield City Mayor Mark Shepherd led the Pledge of Allegiance.

Recognitions, Presentations & Informational Items

Notice of Cancellation of the May 14, 2019 Meeting of the Board of Davis County Commissioners —
Presented by Commissioner Elliott

A reminder was given of the cancellation of the May 14, 2019, Commission Meeting. Commissioners will be attending a regional conference.

Commissioner Elliott invited public comment.

PUBLIC COMMENTS

Travis Campbell, from Congressman Rob Bishop's office, reported that Congressman Bishop would be in Utah for celebrations related to the Transcontinental Railroad Sesquicentennial Anniversary.

PUBLIC HEARING AND COMMENT PERIODS

Public Hearing and Comment Period for an amendment to the 2018 Consolidated/Annual Action Plan of the Community Development Block Grant (CDBG) Program — *Presented by Stephen Lyon, Grants Administrator*

An amendment is being made to the 2018 Consolidated/Annual Action Plan of the Community Development Block Grant (CDBG) Program, under CFR [Code of Federal Regulations] 24 Part 91, to align the plan with changes made by the County.

Com. Elliott made a motion to open a Public Hearing and Comment Period. Com. Kamalu seconded the motion. All voted Aye.

No public comment regarding the amendment was offered.

Com. Elliott made a motion to close the Public Hearing and Comment Period. Com. Kamalu seconded the motion. All voted Aye.

Public Hearing and Comment Period #2019-242 for FY19 Consolidated/Annual Action Plan for the Community Development Block Grant (CDBG) Program — *Presented by Stephen Lyon, Grants Administrator*

Stephen Lyon explained that the 2019 Consolidated/Action plan is the projects the County will be doing in the coming year for FY19. The contract period is 07/01/2019 to 06/30/2020.

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Com. Elliott made a motion to open a Public Hearing and Comment Period. Com. Kamalu seconded the motion. All voted Aye.

No public comment regarding the 2019 Consolidated/Action Plan for the Community Development Block Grant (CDBG) Program was made.

Com. Elliott made a motion to close the Public Hearing and Comment Period. Com. Kamalu seconded the motion. All voted Aye.

BUSINESS/ ACTION

Resolution #2019-243 to approve the Interlocal Cooperation Agreement between the Clearfield Community Development and Renewal Agency (CDRA) and Davis County

Resolution #2019-243 to approve the Interlocal Cooperation Agreement between the Clearfield Community Development and Renewal Agency and Davis County — Presented by Kent Andersen, Davis County Community & Economic Development Director

A resolution to approve the interlocal cooperation agreement between the Clearfield Community Development and Renewal Agency and Davis County was presented.

The interlocal agreement is for a Community Reinvestment Area (CRA) project for Lifetime Products to build a warehouse expansion approximately 650,000 square feet in size. The warehouse will sit on 37 acres and has a private investment of approximately \$60 million with an estimated \$30 million new assessed value. The project will create around 150 new jobs. The request from Clearfield is 15 years at 75 percent participation. The project area will trigger no later than 2021. There's a cap of approximately \$4.22 million on the project area with the base year of 2017.

The cost of land in Davis County is particularly high in comparison to other locations, specifically out of state, that Lifetime Products could consider. If not for the County's participation, they would not bring this project to Clearfield. After review of the County's CRA guiding policy, an associated valuation matrix supports the request of 15 years at 75 percent, and staff supports approval of this resolution and interlocal cooperation agreement.

Commissioners thanked Mayor Shepherd and the Economic Development team for their work. Lifetime Products is a hometown company that started in Davis County and Commissioners would like the company to stay here. Gratitude was expressed for having a policy and matrix to make these decisions objectively.

Motion to Approve: Com. Elliott
Seconded: Com. Kamalu
All voted Aye

Interlocal Agreement #2019-243 between the Clearfield CDRA and Davis County for Lifetime Products Community Reinvestment Project Area

Interlocal Agreement #2019-243 between the Clearfield Community Development and Renewal Agency and Davis County for tax increment participation for the Lifetime Products Community Reinvestment Project Area — Presented by Kent Andersen, Davis County Community & Economic Development Director

Details of the Interlocal Cooperation Agreement between the Clearfield Community Development and Renewal Agency and Davis County for tax increment participation for the Lifetime Products Community Reinvestment Project Area were shared during the related Resolution presentation. [The contract period is 05/07/2019 to 12/31/2035.]

Motion to Approve: Com. Elliott
Seconded: Com. Kamalu
All voted Aye

Approval #2019-244 of the Area Agency on Aging Four-Year

Approval #2019-244 of the Area Agency on Aging Four-Year Plan FY 2020-2023 to the Utah Dept. of Human Services, Division of Aging and Adult Services — Presented by Kristy Cottrell, Davis County Health Deputy Director

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Plan
FY 2020-2023
to the Utah
Dept. of Human
Services,
Division of
Aging and Adult
Services

The Area Agency on Aging Area Plan for FY 2020-2023 was presented. This presentation is for the first year of the plan. The goals and objectives of the plan were decided after surveying community older adults and caregivers. In terms of future issues, the top concern is money – 77 percent are concerned about the cost of healthcare and the cost of medicine, and 59 percent are worried about the cost of housing. It's important to help them keep their money and be healthy as long as possible so they have enough money to age in place in the community. Of those surveyed, 61 percent are concerned with being lonely and isolated, losing independence, and having something meaningful to do. These things are addressed within the Area Agency on Aging and community partnerships.

Top priorities for Senior Services are senior centers, healthy aging classes and activities, information, support, and health, which includes in-home services. Those were identified as priorities for funding. Favored senior center activities are meals, exercise, dance, socializing, games, learning, and art. Older adults thrive when they keep active and involved and meet other people.

Data and information from Davis4Health priorities, the Community Health Assessment and the Community Health Improvement Plan all help form the basis of decisions as do Human Services priorities such as adverse childhood experiences, access to behavioral health, opioids prevention, suicide, stability, health, and safety, all of which touch older adults and caregivers.

Goals and objectives of the plan include:

- Integrating health and social services for access to behavioral health services to increase the prevalence of good mental health days for older adults and caregivers.
- Empowering health, safety, and independence by continuing home-delivered meals. In assessing outcomes, the goal is that recipients feel less lonely because someone stops by their house and meals help them eat healthier so they're more secure at home.
- Increasing the ability of older adults to access the programs and services they need. Older adults who get transportation to senior centers and key health appointments will report it helps increase social ties or perceived social support.
- Elder justice. The goal is that 75 percent of area older adults will know where to seek help and information to prevent elder abuse or financial exploitation. This is an ongoing goal as an assessment of the previous four years showed that only 42 percent knew where to seek help and know the signs of elder abuse; 18 percent are not sure where to seek help or report abuse.

Service priorities are senior centers, transportation, volunteer opportunities, nutrition services, caregiver support, elder justice, and health and wellness programs.

The contract period is 07/01/2019 to 06/30/2020.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Agreement
#2019-245 with
Eastern
Kentucky
University for
cooperative
student
internship

Agreement #2019-245 with Eastern Kentucky University for a cooperative student internship — Presented by Brian Hatch, Davis County Health Director

An intern master agreement with Eastern Kentucky University was presented. The Health Department applied for an intern through the National Environmental Health Association and will have a student come to help with assessments related to a new State cosmetology rule as well as real-time air quality monitoring.

Commissioners asked that the intern report about their efforts in a future Work Session or Commission Meeting. The contract period begins 05/06/2019 with no ending date noted.

Motion to Approve: Com. Elliott
Seconded: Com. Kamalu
All voted Aye

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Agreement #2019-246 with Davis Park Cafe LLC for food and beverage services at the golf course

Agreement #2019-246 with Davis Park Cafe LLC for food and beverage services at the golf course — Presented by Brad Stone, Davis Park Golf Professional

An agreement with Davis Park Café LLC was presented for food and beverage services at Davis Park Golf Course during the 2019 season. In response to a question, Commissioners were informed that there had not been any issues with this vendor in the past. The contract period is 04/01/2019 to 12/31/2019. The receivable amount is \$7,800.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Agreement #2019-247 with Mountainland Supply Company LLC for sponsorship of the Mountainland Valley View Open

Agreement #2019-247 with Mountainland Supply Company LLC for sponsorship of the Mountainland Valley View Open — Presented by Dustin Volk, Valley View Golf Professional

Mountainland Supply Company LLC will sponsor the Mountainland Valley View Open golf tournament. It is the third year of the Mountainland Valley View Open, held the first Friday and Saturday of August in conjunction with the company's large corporate event. The best professional and amateur golfers in the State are invited to compete in a two-day tournament providing good recognition for the course. The contract period is 08/01/2019 to 08/03/2019. The receivable amount is \$7,000 for the prize purse.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Agreement #2019-248 with Utopia for a public WiFi connection for County buildings

Agreement #2019-248 with Utopia for a public WiFi connection for County buildings — Presented by Mark Langston, Davis County Information Systems Director

An agreement for internet services with Utopia, for a public WiFi connection for County buildings, was presented. The contract period is 05/07/2019 to 05/10/2022. The payable amount is three equal payments of approximately \$5,000 [\$5,070, \$5,070, \$5,070]. The \$3,000 installation fee was waived.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Agreement #2019-249 with Hometown Media Inc. for marketing/advertising for 2019 Davis County Fair

Agreement #2019-249 with Hometown Media Inc. for marketing/advertising for the 2019 Davis County Fair — Presented by Stephanie Medlin, Davis County Legacy Events Center Event Coordinator

An advertising contract with Hometown Media Inc. was presented. The County will be using Hometown Media Inc. to promote the 2019 Davis County Fair through a marketing mix of social media, billboard placements, and the company's magazine that goes out to Davis County households. The contract period is 05/01/2019 to 08/17/2019. The payable amount is \$8,500.

Agreement #2019-250 with Nerveless Nocks, Inc. for a Superhero Stunt Show performance at 2019 Fair

Agreement #2019-250 with Nerveless Nocks, Inc. for a Superhero Stunt Show performance at the 2019 Davis County Fair — Presented by Stephanie Medlin, Davis County Legacy Events Center Event Coordinator

Nerveless Nocks, Inc. will provide a Superhero Stunt Show at the 2019 Davis County Fair. The group has appeared on the "America's Got Talent" television show. Their last performance at the Fair had a pirate theme; this year's show will feature the "Wheel of Danger," "Extreme Swing," and "Globe of Fear." The contract period is 08/11/2019 to 08/19/2019. The payable amount is \$12,000.

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Motion to Approve Items: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Agreement
#2019-251 with
Juan Mariano
for space rental
for a
Boxing/MMA
event

Agreement #2019-251 with Juan Mariano for space rental for a Boxing/MMA event — Presented by Mike Moake, Davis County Legacy Events Center Marketing & Events Coordinator

Juan Mariano will be using the Legacy Events Center's exhibit buildings for a boxing/MMA [mixed martial arts] event in conjunction with the Utah Sports Association. The contract period is 05/18/2019 to 05/18/2019. The receivable amount is \$1,350.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Amendment
#2018-527-A
with the Utah
Sports
Commission to
change the date
for the use of
parking lots for
the Web.com
Golf Tournament

Amendment #2018-527-A with the Utah Sports Commission to change the date for the use of parking lots for the Web.com Golf Tournament - Presented by Dave Hansen, Davis County Legacy Events Center Director

An amendment to a contract with the Utah Sports Commissioner was presented. The amendment changes the date Legacy Events Center parking lots will be used for the Web.com Golf Tournament. The contract period is 06/01/2019 to 07/03/2019.

Agreement
2019-252 with
Utah State
University
Extension to
allow use of LEC
bleachers for
Baby Animal
Days

Agreement #2019-252 with Utah State University Extension to allow the use of Legacy Events Center bleachers for Baby Animal Days — Presented by Dave Hansen, Davis County Legacy Events Center Director

Utah State University Extension will use the Legacy Events Center's small bleachers for a Baby Animal Days event. The contract period is 05/08/2019 to 05/13/2019. There is no dollar amount associated with this agreement.

Summary List
#2019-253 of
April low-dollar
agreements
with the Legacy
Events Center

Summary List #2019-253 of April low-dollar agreements with the Legacy Events Center — Presented by Dave Hansen, Davis County Legacy Events Center Director

A summary list of low-dollar agreements with the Legacy Events Center, for the month of April, was presented. The 12 agreements included in the list are for RV space rentals related to dog shows. The contract period is 03/22/2019 to 06/09/2019. The receivable amount is \$1,085.

Summary List
#2019-254 of
May low-dollar
agreements
with Legacy
Events Center

Summary List #2019-254 of May low-dollar agreements with Legacy Events Center — Presented by Dave Hansen, Davis County Legacy Events Center Director

A summary list of low-dollar agreements with the Legacy Events Center, for the month of May, was presented. The seven agreements included in the list are for RV space rentals related to dog shows. The contract period is 05/09/2019 to 06/10/2019. The receivable amount is \$735.

Motion to Approve Items: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

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Request
Approval
#2019-255 of
2019
Delinquent
Property Tax
Sale traditional
bidding process
on parcels to be
sold as a whole

Request Approval #2019-255 of 2019 Delinquent Property Tax Sale traditional bidding process on parcels to be sold as a whole (not broken down into smaller pieces) for sale to be conducted at 10 a.m. on May 15, 2019 — Presented by Curtis Koch, Davis County Clerk/Auditor

Davis County Clerk/Auditor Curtis Koch read a prepared statement regarding the 2019 May Delinquent Property Tax Sale and requested approval of the traditional bidding process and sale of parcels as a whole. The sale is held annually, in May, by the Clerk/Auditor. This year's sale will be in held at 10 a.m. on May 15, 2019, in Room 131 of Davis County's Administration Building. Parcels of properties that are delinquent in taxes for five years will be auctioned. There were originally 69 parcels to be sold: 39 homes, 25 parcels of land, and five commercial properties. Several properties have been redeemed, so the list is now down to seven homes and 12 parcels of land to be sold (no commercial properties).

This year's sale advertisement shows "Preferred Sales." Preferred sales, without competitive bidding, will be offered to persons or entities owning property that abuts the parcels for sale. Preferred sales are made when properties are not economically viable units or when non-preferential sales would create a nuisance or cloud upon a current interest in the property and could unreasonably diminish the value of that interest. If not purchased initially through a preferential sale, the County may offer these properties for sale to registered bidders at the annual real property delinquent tax sale.

The Clerk/Auditor noted that he had gone through the list, and his staff worked hard to notify owners of the seven residential properties that this sale is going to happen. Certified mail was sent, lienholders were contacted, and Sheriff's staff was sent to post notices on their doors. It is hoped the issue can be remedied by taxes being paid.

Motion to Approve: Com. Elliott
Seconded: Com. Kamalu
All voted Aye

Ratification of
grant
application
#2019-256 with
the State of
Utah Indigent
Defense
Commission -
Legal Defense

Ratification of grant application #2019-256 with the State of Utah Indigent Defense Commission - Legal Defense — Presented by Commissioner Elliott

Commissioners considered the ratification of a grant application with the State of Utah Indigent Defense Commission. The County is acting as a pass-through for a grant [to the Indigent Defense Funds Board] because they can't go for a grant themselves. There is no obligation to the County. The contract period is 01/01/2020 to 12/31/2020. The pass-through amount is \$500,000.

Motion to Approve: Com. Kamalu
Seconded [Commissioner Elliott implied second and called for a vote]: Com. Elliott
All voted Aye

Commissioner Kamalu moved to recess to 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:

Under Auditor's Adjustments, under Corrections, Commissioners were asked to consider one veteran tax exemption for 2018, and under Treasurer's Adjustments a small balance write-off of \$1.70.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

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

CONSENT ITEMS

Check Registers

Check Registers

Check Registers were presented for approval.

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Indigent
Hardship
Abatement
Register

Indigent Hardship Abatement Register

The Indigent Abatement applications for the following names were presented for approval:

- Anthony Essex
- Mark and Susan Hellewell
- Margaret Osmond
- Kendall and Yaira Spencer

Motion to Approve: Com. Kamalu
Seconded: Com. Elliott
All voted Aye

Meeting
Minutes

Meeting Minutes

Meeting Minutes for April 15, 2019, were presented for approval.

Motion to Approve: Com. Elliott
Seconded: Com. Kamalu
All voted Aye

Commissioner Elliott opened a public comment period to accommodate late arrivals to the meeting.

PUBLIC COMMENTS

Rhonda Perks, a representative for Congressman Chris Stewart, apologized for her late arrival due to attending a meeting about the U.S. Census. She reported that plans for the coming census seem to be organized, and it should be easy for people to participate. She asked that everyone spread the word about the importance of participating in the census. Ms. Perks also reported that Congressman Stewart introduced a bill to raise tobacco sales to age 21 in the United States; he feels it could decrease the use of tobacco products by high school students. This bill had bi-partisan support and will have a companion bill in the Senate sponsored by Sen. Mitt Romney. In addition, the congressman recently visited California's southern border where he watched people climbing fences to enter the U.S., including one with a baby in her arms. It can take up to seven years to get an asylum hearing and then most cases are not found to be

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within the realm of asylum Ms. Perks said, adding that about half of the people coming now are from Africa or the Middle East. Congressman Stewart wants Congress to make the immigration process better so drug cartels won't have so much power and people who want to come to the U.S. legally, or who need asylum, can work through the system.

COMMISSION COMMENTS

Commissioner Elliott said Commissioners met yesterday with the architects for the Memorial Courthouse project and had the opportunity to give direction on programming.

Last week, Commissioner Elliott attended catastrophic wildfire preparedness meetings for the Wasatch Front. He warned that the County has to be prepared because the wet spring may cause an increase in the growth of cheatgrass and other plants, and because beetles have killed many pine trees on the back side of the mountains and will be moving over the mountains, and these conditions could make the area a tinderbox. The County will be working with Forest Services partners about how best to clear timber.

Commissioner Kamalu said Farmington City and the Farmington Historical Society are grateful to be involved in the Memorial Courthouse remodel process.

She recently toured the Farmington pump house, one of the systems of water in Davis County, and reported that all locations for water treatment look very clean and well-kept and employees are up on how to follow procedures. She thanked the County Health Department for inviting her to tour the pump house, and also expressed appreciation for Davis 4 Health's focus on prevention. She stressed that an ounce of prevention is worth a pound of cure and said the County is striving to do all it can to prevent health challenges.

Pretrial Services recently presented at a subcommittee meeting at the Matheson Building in Salt Lake City. Commissioner Kamalu explained that they are a new County department, working through Human Resources, and did a great job.

Commissioner Kamalu noted that she and Commissioner Elliott attended a continuing education meeting for attorneys about research and a matrix for judges to use when considering those who have been accused of sex offenses. It was interesting to hear about Davis County's effort to give research-based judgement that can help these individuals and help to keep the County safe.

MEETING ADJOURNED

The Commission Meeting was adjourned at 10:49 a.m.

Minutes prepared by:

Becky R. Wright

Deputy Clerk/Auditor

Minutes approved on: 05/28/2019

Curtis Koch
Clerk/Auditor

Randy B. Elliott
Commission Chair