

COMMISSION MEETING MINUTES

December 12, 2017

The Board of Davis County Commissioners met at 10 AM on December 12, 2017 in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Members present were Commissioner Jim Smith - Chair, Commissioner Bret Millburn, Commissioner Randy Elliott, Clerk/Auditor Curtis Koch, Chief Deputy Civil County Attorney Neal Geddes and Deputy Clerk/Auditor Shauna Brady.

Agenda as posted:

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, December 12, 2017.**

OPENING

Pledge of Allegiance – By Invitation

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

RFP Opening – Mill Creek Sediment Basin Project

BUSINESS/ACTION

PUBLIC HEARING REGARDING ADDITIONAL 2017 BUDGET APPROPRIATION REQUESTS

Curtis Koch, Davis County Clerk/Auditor, presenting:

Consideration of approval by resolution for additional 2017 budget appropriation requests. Budget increases will be funded by new revenues and/or monies unspent in the prior year

Resolution of Davis County, Utah Adopting the Operating and Capital Budgets of Davis County for the 2018 Budget Year

Dave Hansen, Davis County Legacy Events Center Director, presenting:

Summary of low-dollar event contracts (17) at the Legacy Events Center (receivable)

Mark Altom, Davis County Treasurer, presenting:

Agreement with Wells Fargo Bank, NA – provide commercial banking services to Davis County (payable)

Brian Hatch, Davis County Health Director, presenting:

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

Commissioner Millburn presenting:

Resolution approving and authorizing the execution of a seventh amended interlocal cooperation agreement with other members of Utah Counties Indemnity Pool, relating to the establishment, funding and operation of Utah Counties Indemnity Pool

Inter-local cooperation agreement with Utah Counties Indemnity Pool (UCIP) – execution of seventh amended interlocal cooperation agreement relating to the establishment, funding & operation of (UCIP) to assist members in reducing/preventing liabilities (n/a)

Agreement with Utah Governor's Office of Economic Development – funding as directed by the Utah State Legislature for Davis County Web.com golf tournament (receivable)

Commissioner Smith presenting:

Request for approval of 2017 Commissioners' Cup grant awards (15) (payable)

Application from Star Video/Richard Cowley – consideration of adjustment or deferral of 2017 property taxes on Tax ID 12-856-0001 (1954 West 2250 South, Syracuse) under UCA 59-2-1347 (n/a)

Notice of cancelation of the Board of Davis County Commissioners Meeting on December 26, 2017

Resolution of Davis County, Utah, approving the reappointment of P. Bret Millburn to the South Davis Recreation District Administrative Control Board (n/a)

BOARD OF EQUALIZATION

Request approval of the Property Tax Register

CONSENT ITEMS

Indigent Hardship Register

Check Register

Meeting Minutes – November 7 & 14, 2017

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

CLOSED SESSION: UCA 52-4-205(1)e strategy session to discuss the sale of real property

Action Taken Regarding Matters Discussed in Closed Session

Commissioner Randy Elliott led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Adam Wright, Davis County Public Works Director, explained the Mill Creek Sediment Basin Project will be relocating a basin at Mill Creek and 500 South in Bountiful to County property on 1100 West. This RFP is to channelize the concrete work of the existing basin and construct the new basin. Aside from the concrete, Public Works has done most of the work. Commissioner Millburn noted that the existing basin has

Agenda as posted

RFP Opening
Mill Creek
Sediment
Basin Project

already been filled in and asked Adam if there were any concerns there. Adam explained there is a diversion for any sediment that collects now and the project will be completed in time for the spring run-off. Curtis said after opening the bids, they will be turned over to the Purchasing division and a copy forwarded to Public Works for the selection process. Curtis then opened the following bids:

**Project: Davis County Mill Creek Sediment Basin Project RFP
December 12, 2017**

	BIDDER	
1.	Vancom, Inc.	
2.	Bowen Construction Co.	
3.	Acme Construction	
4.	Jordan Valley Construction, Inc.	
5.	Perco Rock Co	

Regarding the RFP process, Neal Geddes explained that at this point all that is necessary to publish in Commission Meetings are the names of those who submit a timely proposal. Policy does not require the dollar amounts of the bids be read in the meeting, nor is it good practice. He shared an example of an RFP that had to be pulled back after the dollar amounts had been made public, which interrupted the process to re-issue the RFP. Commissioner Millburn suggested that a notice is given with an RFP when it is sent out that only the name of the bidder will be read in a public meeting, not the dollar amount. He asked if there is a need for the bids to be opened in Commission Meeting. Curtis explained the current County policy is to open RFP bids in a public meeting in order to receive them on an official public record. However, the policy could be revised if necessary.

Commissioner Millburn made a motion to open the Public Hearing for the purpose of consideration of approval for additional budget appropriation requests. Commissioner Elliott seconded the motion. All voted aye.

Curtis Koch, Davis County Clerk/Auditor, presented the following:

Curtis invited Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor, to present Resolution #2017-505 for consideration of approval of additional budget appropriation requests. Heidi explained that as part of the budget process, we regularly review, open and amend the budget to make changes to items that were not anticipated at the time the original budget was approved. She said, "We have tightened contingencies that sit in individual departments which makes the process necessary and important and gets us closer to budget actual. This should be the final budget opening for the 2017 budget. One of the things we looked at early on is how payroll is falling. Projections are entered at the beginning of the year. Sometimes un-anticipated retirements, terminations, transfers happen. As much as we can, we cover those costs from attrition savings." Heidi presented the following changes:

December 12, 2017 Resolution & Budget Opening Items						
Fund/Dept.	Rev/Exp	Account #	Account Name	Increase	Decrease	Reason
FUND 10 GENERAL FUND						
Non-Departmental	E	10-4150-910	Transfer Out	\$ 1,700,000		Move 2016 Unanticipated revenues to Capital Fund
Non-Departmental	E	10-4150-110	Payroll		\$ 59,000	Move General Fund Payroll Contingency to short Depts
Drug Court	E	10-4124-110	Payroll	\$ 15,000		Budget Correction
Legal Defender	E	10-4128-110	Payroll	\$ 7,000		Budget Correction
Treasurer	E	10-4143-110	Payroll	\$ 7,000		Budget Correction
CJC	E	10-4149-110	Payroll	\$ 5,000		Budget Correction
Animal Control	E	10-4253-110	Payroll	\$ 25,000		Departmental Payroll short due to unanticipated termination
			Net Increase of Expenses	\$ 1,700,000		
			Net Increase of Revenue	\$ -		
FUND 15 HEALTH						
Seniors	R	15-3325-000	Contract Revenue	\$ 8,909		Division of Aging Services increase in funding - Contract 2015-
Seniors	E	15-4325-620	Misc Services	\$ 8,909		Division of Aging Services increase in funding - Contract 2015-
			Net Increase of Expenses	\$ 8,909		
			Net Increase of Revenue	\$ 8,909		
FUND 18 TOURISM						
Tourism	E	18-4192-274	Contributions-Interlocal	\$ 24,196		Adjust for 2016 Ski Bus Pmt made in 2017
Tourism	E	18-4192-540	Donations	\$ 25,000		Additional budget needed for \$50,000 contribution to Sea Quest
Tourism	E	18-4192-110	Payroll	\$ 15,000		Departmental Payroll short due to mid-year hire
			Net Increase of Expenses	\$ 64,196		
			Net Increase of Revenue	\$ -		

Open Public Hearing

Resolution #2017-505 for additional budget appropriation requests (budget opening)

FUND 22		PROP 1 TRANSPORTATION				
Prop 1	R	22-3370-000	Local Option Transportation F	\$	4,000,000	Additional Pass-through revenues received over budget
Prop 1	E	22-4435-293	UTA Pass Through	\$	2,000,000	Additional Pass-through revenues received over budget
Prop 1	E	22-4435-296	City Pass Through	\$	2,000,000	Additional Pass-through revenues received over budget
			Net Increase of Expenses	\$	4,000,000	
			Net Increase of Revenue	\$	4,000,000	
FUND 26		CORRIDOR PRESERVATION				
Corridor Preservation	E	26-4430-292	Corridor Preservation	\$	5,700,000	Anticipated UDOT spend through Dec 31, 2017
			Net Increase of Expenses	\$	5,700,000	
			Net Increase of Revenue	\$	-	
FUND 32		MUNICIPAL BUILDING AUTHORITY				
Municipal Bldg Authority	E	32-4915-810	Principal	\$	38,000	Final Payment on WFRC building
			Net Increase of Expenses	\$	38,000	
			Net Increase of Revenue	\$	-	
FUND 45		CAPITAL PROJECTS				
Capital Projects	R	45-3820-000	Transfer In	\$	1,700,000	Move 2016 Unanticipated revenues to Capital Fund
			Net Increase of Expenses	\$	-	
			Net Increase of Revenue	\$	1,700,000	
FUND 61		INSURANCE				
Insurance	E	61-4440-110	Payroll	\$	6,000	Budget Correction
			Net Increase of Expenses	\$	6,000	
			Net Increase of Revenue	\$	-	
FUND 63		MAINTENANCE				
Buildings West	E	63-4162-110	Payroll	\$	35,000	Departmental Payroll short due to unanticipated retirement
			Net Increase of Expenses	\$	35,000	
			Net Increase of Revenue	\$	-	
NET (USE OF) / CONTRIBUTION TO FUND BALANCE						
			Total Increase of Expenses	\$	11,552,105	
			Total Increase of Revenue*	\$	5,708,909	
						USE OF FUND BALANCE
					\$ 5,700,000	Fund 26
					\$ 38,000	Fund 32
					\$ 64,196	Fund 18
					\$ 6,000	Fund 61
					\$ 35,000	Fund 63
			Net Effect on Total Fund Bal.	\$	(5,843,196)	
					\$ 5,843,196	

Commissioner Smith invited public comment in regard to the budget changes. Seeing none, Commissioner Millburn made a motion to close the public hearing. Commissioner Elliott seconded the motion. All voted aye.

Commissioner Millburn made a motion to approve the 2017 Budget Appropriation Request as presented. Commissioner Elliott seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Curtis Koch presented Resolution #2017-506 of Davis County, Utah, Adopting the Operating and Capital Budgets of Davis County for the 2018 Budget Year. The public hearing for this was held Tuesday, December 5, 2017. Two public comments were received - one during and one after the meeting.

Commissioner Smith read the following Resolution:

RESOLUTION 2017-506

A RESOLUTION OF DAVIS COUNTY, UTAH, ADOPTING THE OPERATING AND CAPITAL BUDGETS OF DAVIS COUNTY FOR THE 2018 CALENDAR YEAR

WHEREAS, the Board of County Commissioners is mandated by the Uniform Fiscal Procedures Act for Counties to generate a budget each year for the operations of Davis County, including its elected offices and department heads; and

WHEREAS, in cooperation with other elected officials and department heads the Commission has prepared a budget for the 2018 calendar year; and

WHEREAS, the Commission has previously adopted a tentative budget and held a public hearing relating thereto for the purpose of receiving input from all interested parties in regard to the proposed 2018 budget;

WHEREAS, after receiving said input, the Commission has made adjustments to the tentative budget that it deems appropriate and necessary, and has prepared the budget for final approval;

NOW, THEREFORE, the Board of County Commissioners of Davis County resolves that pursuant to § 17-36-15 of Utah Code Annotated, the attached budget for Davis County is hereby approved and adopted for the 2018 budget year. The County budget officer is hereby directed to certify the budget and file a copy with the State Auditor no later than 30 days after adoption of this resolution.

Commissioner Millburn said this resolution comes at the conclusion of a very long and thorough process by a lot of people, from the budget committee to department heads and all employees. “Curtis to you and your team, thank you for putting together a solid budget for 2018, which also helps set the course for years beyond.”

Commissioner Millburn made a motion to approve the 2018 budget as has been presented. Commissioner Elliott seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Smith said he has been anticipating since beginning the budget process in July the day we can finalize this budget. He sincerely appreciates Curtis for the changes that he has made in the way we handle the budget. It is much more open and includes all the people involved. He appreciates Heidi for the

Resolution
#2017-506
Adopting
Capital Budget

excellent job in providing the data.

Summary List #2017-507 of (15) low-dollar LEC contracts

Dave Hansen, Davis County Legacy Events Center Director, presented Summary List #2017-507 of low-dollar, low-risk event contracts (17) at the Legacy Events Center. The receivable contract amounts vary. The contract periods vary.

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

Agreement #2017-508 with Wells Fargo Bank to provide commercial banking services

Mark Altom, Davis County Treasurer, presented agreement #2017-508 with Wells Fargo Bank, NA, to provide commercial banking services to Davis County. Mark indicated this contract will reduce the current analyzed cost that we have under the previous agreement with Wells Fargo Bank. We have been with Wells Fargo since they purchased First Security Bank in the 1990s. The payable contract amounts are service based. The contract period is January 1, 2018 through July 15, 2020.

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

Agreement #2017-509 with Live Life Alarms LLC for in-home services

Brian Hatch, Davis County Health Director, presented agreement #2017-509 with Live Life Alarms LLC to provide direct purchase of needed in-home services for clients of Davis County. The payable contract amounts are per fee schedule. The contract period is December 5, 2017 through June 30, 2019.

Commissioner Elliott made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor's Office.

Commissioner Millburn presented the following:

Resolution #2003-227F re amended ICA with UCIP

Resolution #2003-227F approving and authorizing the execution of a seventh amended inter-local cooperation agreement with other members of the Utah Counties Indemnity Pool (UCIP) relating to the establishment, funding and operation of the Utah Counties Indemnity Pool. UCIP provides certain claims and risk management services related to the liabilities so funded to assist members in reducing and preventing such liabilities. Commissioner Millburn explained this amendment changes the term "trustee" to "director" throughout the document. The other change is when the trust was first established, it had within its governing documents that if a member left, they would forfeit their equity within the pool, and more importantly, if they had pending items that were cases before the pool, they would also be forfeited. This has been changed to allow members that left the pool to continue to submit claims against the pool. The contract period is December 12, 2017 through December 12, 2067.

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

Interlocal cooperation agreement #2003-327F re amendment with UCIP

Inter-local cooperation agreement #2003-327F with the Utah Counties Indemnity Pool (UCIP) executing the seventh amended interlocal cooperation agreement relating to the establishment, funding and operation of UCIP to assist members in reducing/preventing liabilities.

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

Agreement #2017-510 with Utah GOED to fund Web.com golf tournament

Agreement #2017-510 with the Utah Governor's Office of Economic Development for funding as directed by the Utah State Legislature (2016) for the Davis County Web.com golf tournament. The receivable contract amount is \$125,000.000.00 to be paid in 2 semi-annual installments: 75% to be received by December 31, 2017 and 25% to be received by June 30, 2018. However, Commissioner Millburn explained Davis County has paid out the full \$125,000.00 for the golf tournament and is hoping to be reimbursed in full rather than in two payments.

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

Commissioner Smith presented the following:

Request #2017-511 for approval of Commissioner Cup Grant Awards

Request for approval #2017-511 of the 2017 Commissioners' Cup Golf Tournament grant awards as follows:

\$1,200	Best Buddies
\$2,200	Boys & Girls Clubs Of Weber-Davis Counties
\$2,000	Davis Arts Council
\$700	Davis Dreamers
\$5,000	Davis Education Foundation
\$500	Davis Head Start/Early Head Start
\$1,600	Davis Technical College Foundation
\$2,200	Family Connection Center
\$1,500	Great Salt Lake Bird Festival
\$900	Joy Foundation

\$1,000	Miss Davis County Scholarship
\$500	NAMI – Davis Affiliate
\$2,000	NUHOPE Suicide Prevention
\$1,000	RAD Women Of Utah
\$600	Woods Cross Summer Literacy
<u>\$22,900</u>	<u>TOTAL</u>

Commissioner Elliott made a motion to approve. Commissioner Millburn seconded the motion. He commented that these funds are derived from our annual Commissioners' Cup Golf Tournament. We appreciate the opportunity we have to host the tournament and appreciate the staff that puts it together and especially those in the community who come out and support us. Following the tournament, notices are sent to various groups inviting them to apply for the funds. The applications are then reviewed by the commissioners. Of course, the "asks" are far greater than the dollars available to expend. All vote aye.

Application #2017-512 from Star Video/Richard Cowley re deferral of 2017 property taxes

Application #2017-512 from Star Video/Richard Cowley for consideration of adjustment or deferral of 2017 property taxes on Tax ID 12-856-0001 located at 1954 West 2250 South in Syracuse. Under Utah Code Annotated 59-2-1347. Commissioner Smith explained that Mr. Cowley encountered very severe health problems shortly after January 1, 2017 and has been in and out of the hospital since then. He closed his business in January and is requesting that we consider waiving \$325.20/tax, \$32.52/late filing penalty and \$12.29/interest totaling \$370.01. The commissioners have reviewed his request and wish him their best.

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

Public notice of cancelation of Commission Meeting

Public notice of cancelation of the Board of Davis County Commissioners Meeting scheduled for December 26, 2017 was given.

Commissioner Elliott made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Resolution #2017-513 reappointed Com Millburn to SDRDACB

Resolution #2017-513 reappointing Commissioner P. Bret Millburn to the South Davis Recreation District Administrative Control Board for a four-year term from January 1, 2018 through December 31, 2021.

Commissioner Elliott made a motion to approve. Commissioner Millburn recused himself from the vote. Commissioner Smith seconded the motion. All voted aye.

Commissioner Millburn commented that the County has three seats on the board. It is preferable to appoint County officials that reside in the confines of the boundaries of the South Davis Recreation Center. However, Commissioner Millburn is the only County official that qualifies. Former Davis County Personnel Director Mel Miles is currently on the board, but has requested that he not be re-appointed. For those who live in unincorporated South Davis County, Centerville, West Bountiful, Bountiful, Woods Cross or North Salt Lake and are interested in this appointment, please send your letter of interest to the Commission office by January 15, 2018.

BOE

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

Property Tax Register Approved

Curtis Koch presented the Property Tax Register which reflected:

- Auditor:
- various 2017 appeals
 - one appeal for Jerry Preece from the 2016 (granted a hearing for 2016)
 - various abatements per attached spreadsheet
 - 1 correction for veteran exemption
 - 1 property sold by tax exempt entity

- Treasurer:
- various December small-dollar write offs totaling \$7.62 [actual \$7.64]

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

Reconvene Commission Meeting

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

Indigent Abatement Register

Commissioner Elliott made separate motions to approve indigent hardship abatements for:

- Christopher Ratcliffe
- David M. Pearson

Commissioner Millburn seconded the motions. All voted aye.

Check registers 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 November 7 and 14, 2017. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Comments

Commissioner Smith commented that the process to approve the budget is more challenging and more rewarding than anyone could understand - until it's your turn to go through it. He expressed appreciation for our Clerk/Auditor [Curtis Koch] and the direction he has taken our county in a much more open and participatory process where each department head has the chance to get engaged. It has been a challenging and rewarding experience. He appreciates Curtis and his team and the members of the Budget Committee.

Public Comments

No public comments.

Closed Session

Commissioner Millburn made a motion to recess to closed session per UCA 52-4-205(1)(e) for a strategy session to discuss the sale of real property. Commissioner Elliott seconded the motion. All voted aye.

Reconvened

Commission Meeting reconvened. Commissioner Millburn stated that pursuant to our discussions in closed session regarding the current status of property Tax ID 11-111-0072 that was auctioned last week, he recommends and instructs staff to reach out to the second highest bidder to offer acceptance of that bid.

Meeting Adjourned

Meeting adjourned.

Clerk/Auditor

Chair