

COMMISSION MEETING MINUTES
March 21, 2017

The Board of Davis County Commissioners met on March 21, 2017, 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, Chief Civil Deputy County Attorney Neal Geddes 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, Room 303, Farmington, Utah, commencing at 10 am on March 21, 2017.

OPENING

Pledge of Allegiance – by invitation

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

BUSINESS/ACTION

Commissioner Smith presenting:

Resolution of the Board of County Commissioners of Davis County Providing Notice of Davis County's Intent Not to Impose a Local Sales Tax to Fund Cultural and/or Recreational Facilities (City of North Salt Lake)

Tony Zambrana, Davis County Grant Coordinator, presenting:

Agreement with U S Dept. of Housing & Urban Development (HUD) – approval of 2016-2017 Annual Community Planning & Development Plan (CPD) to implement the Community Development Block Grant (CDBG) program (receivable)

Mike Moake, Davis County Legacy Events Center Marketing Coordinator, presenting:

Agreement with Porsche Club of America – motorized sports events at Legacy Events Center (receivable)

Brooks Burr, Davis County Fair Coordinator, presenting:

Agreement with TBN Investments LLC dba Chick-fil-A of Layton – sponsor of 2017 Davis County Fair (receivable)
Agreement with Live a Little Productions – rental space at Legacy Events Center for monster truck show during 2017 Davis County Fair (receivable)
Agreement with Logo Concepts LLC – design/printing of 2017 Davis County Fair brochure (payable)

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

Summary list of low dollar contracts with the Legacy Events Center (receivable)

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

Notice of Award to Robert D. Anderson, DDS, PC – dental services for jail inmates (n/a)
Notice of Award to TouchPay LLC – payment processing for commissary, bail & other fees (payable)
Agreement with TruGreen – lawn fertilization, weed & grub control for Davis County Justice Complex (payable)
Donation agreement with Kent & Tamara Peterson – receive donation of 2010 John Deer Gater XUV, ATV (n/a)

Mack McDonald, Davis County Facilities Director, presenting:

Agreement with Brett Miller Landscaping LLC – landscape services (payable)
Agreement with VODA Landscape + Planning – landscape master plans for Centerville & Layton Central Library Branches (payable)

Clint Thacker, Davis County Animal Care & Control, presenting:

Amendment with Boyer Hill Military Housing – provide animal control services (receivable)
Resolution approving the interlocal cooperation amendments no. 1 to the interlocal cooperation agreements between Davis County and the following cities located within Davis County for animal services: 1) Bountiful; 2) Centerville; 3) Clearfield; 4) Clinton; 5) Farmington; 6) Fruit Heights; 7) Kaysville; 8) Layton; 9) North Salt Lake; 10) South Weber; 11) Sunset; 12) Syracuse; 13) West Bountiful; 14) West Point; and 15) Woods Cross

MUNICIPAL BUILDING AUTHORITY

Request approval to authorize Zions Bank, trustee, to redeem in full the Lease Revenue Bonds, Series 2001, for the Wasatch Front Regional Council building project

BOARD OF EQUALIZATION

Request for Approval of the Property Tax Register

CONSENT ITEMS

Check Registers

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

CLOSED SESSION: Personal Property Tax Appeal Hearing (UCA Title 59, Part 4)

Pledge of Allegiance

Tony Zambrana, Davis County Grants Auditor, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Commissioner Smith welcomed Janet Hanson back from her recent knee surgery.

Resolution #2017-90 of DC intent not to impose a local sales tax to fund cultural and/or recreational facility (NSL)

Commissioner Smith presented Resolution #2017-90 of the Board of County Commissioners of Davis County Providing Notice of Davis County's Intent Not to Impose a Local Sales Tax to Fund Cultural and/or Recreational Facilities. He explained that this is so that the City of North Salt Lake can move forward with their recreational sales tax.

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.

Amendment #2016-280A US Dept of HUD approval of Community Planning & Development Plan

Tony Zambrana, Davis County Grant Coordinator, presented agreement (amendment) #2016-280A with the U S Department of Housing & Urban Development (HUD) (noting that Ben Carson, the former presidential candidate, is the new director of HUD) giving approval of Davis County's 2016-2017 Annual Community Planning & Development Plan (CPD) to implement the Community Development Block Grant (CDBG) program. Commissioner Millburn confirmed that it was not anticipated that any changes would be made to the CDBG Program due to the new administration. Curtis Koch commended Tony for the painstaking work the past year and a half to bring this program into compliance. The period of contract is July 1, 2016 through June 30, 2017. Receivable contract amount is \$819,678.00.

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 #2017-91 Porsche Club for event in LEC parking lot

Mike Moake, Davis County Legacy Events Center Marketing Coordinator, presented agreement #2017-91 with the Porsche Club of America to hold 3 motorized sporting events in their parking lot. Period of the contract is April 9, May 7 and September 10, 2017. Receivable contract amount is \$2,700.00.

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.

LEC to coordinate events with Station Park

Brooks Burr, Davis County Fair Coordinator, indicated that he had been approached by Station Park asking to coordinate events (karate tournament & car racing) with them due to their receiving increased business from events at the Legacy Events Center.

Brooks Burr presented the following:

Agreement #2017-92 Chick-fil-A of Layton to sponsor the 2017 Fair

Agreement #2017-92 with TBN Investments LLC dba Chick-fil-A of Layton as a sponsor of the 2017 Davis County Fair. With this sponsorship, they will have reserved vendor location and they provide meals to the Fair volunteers. Period of the contract is April through August 2017. Receivable contract amount is \$1,200.00.

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's Office.

Agreement #2017-93 Live a Little Productions Monster truck show 2 nights during the 2017 Fair

Agreement #2017-93 with Live a Little Productions for rental space at the Legacy Events Center for an indoor monster truck show two nights during the 2017 Davis County Fair. Brooks explained that this attraction will be in place of the demolition derby which will be less liability and is a ticketed event. They will rent the arena for the first night of the Fair at a reduced rate because of the entertainment option they are adding to the Fair. Period of the contract is August 16-17, 2017. The receivable amount is \$500.00.

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's Office.

Agreement #2017-94 Logo Concepts Design & printing of the 2017 Fair brochure

Agreement #2017-94 with Logo Concepts LLC for the design and printing of the 2017 Davis County Fair brochure. Commissioner Millburn confirmed with Brooks that bids for the project were obtained. Contract period is April through August 2017. Payable contract amount is \$1,795.00.

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.

Summary list #2017-95 for LEC rentals

Dave Hansen, Davis County Legacy Events Center Director, presented summary list #2017-95 of low dollar rental agreements (13) with the Legacy Events Center.

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 Deputy Kevin Fielding, Davis County Sheriff's Office, presented the following:

Notice of Award #2017-96 Robert D. Anderson DDC, PC for dental services for jail inmates.

Notice of Award #2017-96 to Robert D. Anderson, DDS, PC for dental services for jail inmates per the selection committee's recommendation.

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.

Notice of Award #2017-97 TouchPay LLC Payment processing for commissary, bail & other fees

Notice of Award #2017-97 to TouchPay LLC for payment processing for commissary, bail and other fees per the selection committee's recommendation.

Commissioner Millburn 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 #2017-98 TruGreen for lawn fertilization, weed & grub control at the Justice Complex

Agreement #2017-98 with TruGreen for lawn fertilization, weed and grub control at the Justice Complex. The period of contract is 2017. The payable amount is \$3,549.00.

Commissioner Elliott made a motion to approve. Commissioner Millburn seconded the motion. Commissioner Millburn confirmed the Chief Deputy Fielding that the area to be serviced is Davis County's portion of the Complex (the State of Utah owns a portion) and that it is contracted for the licensed handling of the chemicals. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Donation agreement #2017-99 Kent & Tamara Peterson to receive their 2010 John Deer Gater XUV, ATV

Donation agreement #2017-99 with Kent and Tamara Peterson to receive their 2010 John Deer Gater XUV, ATV. This donation was made by the Peterson's after they attended a 4-wheeler safety preparedness class given by Search and Rescue. Sadly, Mrs. Peterson has been paralyzed in an accident and they can no longer utilize this ATV. It is a one-time donation. The ATV is valued at approximately \$5,800.00.

Curtis Koch expressed his appreciation of the Peterson's generosity. He did say that this ATV was not discovered having been donated until during an asset audit last September. He asked that Search and Rescue be given notice to follow procedure. In the future, it is better to get assets on the books before they are received.

Commissioner Elliott made a motion to approve. Commissioner Millburn seconded the motion and asked for discussion. Commissioner Millburn also expressed his frustration because this was not the first time it had happened. He asked Chief Fielding to take back a message, "This type of thing has got to stop. There are policies and procedures in place for a reason." He too is grateful for great citizens who support the Sheriff's Office, Search and Rescue and any other entity or department within the County. It also benefits those who donate that things are done in a proper manner, i.e. tax benefit. He asked if the ATV was already being used by Search and Rescue or by the County and if it had been insured. Curtis indicated Search and Rescue equipment is the property of the County and is insured and maintained by the County. If it is being used in operations, he would hate for a volunteer to have an incident with the machine and it not be insured. This is not so much about the machine, but the individuals in the machine. It is formally an asset today.

Curtis indicated that it is not to be used until the process is finalized. Commissioner Millburn also inquired how many ATVs are necessary and would like to understand the plan. Commissioner Smith indicated that he has had a discussion with the Sheriff in this regard and that everything that has been brought up was relevant.

Commissioner Smith asked for a vote to receive the donation as presented. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Mack McDonald, Davis County Facilities Director, presented the following:

Agreement
#2017-100
Brett Miller
Landscaping
LLC for services
to 18 facilities

Agreement #2017-100 with Brett Miller Landscaping LLC for landscaping services (mowing, fertilizer, aeration and fall clean up) for the 18 Davis County facilities. The period of contract April 12, 2017 through October 14, 2017. The payable amount is \$35,154.00.

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.

Agreement
#2017-53
VODA
Landscape &
Planning for
master plans at
the Centerville &
Layton Central
Library Branches

Agreement #2017-53 with VODA Landscape & Planning to prepare landscape master plans for the Centerville and Layton Central Library branches. Mack indicated that it will help to have all library facilities on the same type of systems, i.e. sprinkler and valve systems and conservation plantings. Commissioner Smith inquired why this was going through Facilities and not the Library. Mack explained that it is allocated through the Library's Capital Fund and administered by Facilities. It went through the RFP process (9/27/16). The period of contract is February 2017 through June 2017. The payable amount is \$20,772.00.

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.

Amendments for
Animal Care &
Control services
fees explained

Clint Thacker, Davis County Animal Care and Control Director, explained that the following are annual amendments to five-year contracts to provide Animal Care & Control services. The receivable amounts are broken down into three fee categories: 1) Animal Care & Control Fee (AC&C); 2) Wildlife (flat fee per pickup); and 3) Capital Project Fee (CPF) which was incorporated last year to meet the improvement needs of the AC&C facility.

Clint presented the following:

Amendment
#2016-323A
Boyer Hill
Military Housing
L.C. - AC&C
services

Amendment #2016-323A with Boyer Hill Military Housing L.C. Boyer Hill is located on Hill Air Force Base and not a municipality, therefore, they do not have an interlocal agreement. The period of contract is January 1, 2017 through December 31, 2017. The receivable amounts are: AC&C \$10,278.62; Wildlife \$103.00; and CPF \$726.10 for a total receivable amount of \$11,107.72.

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.

Amendment
#2016-229A
Bountiful City -
AC&C services

Amendment #2016-229A with Bountiful City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$ 74,539.90; Wildlife \$4,686.50; and CPF \$5,265.66 for a total receivable amount of \$84,492.06.

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.

Amendment
#2016-230A
Centerville City
- AC&C services

Amendment #2016-230A with Centerville City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$26,222.42; Wildlife \$2,626.50; and CPF \$1,852.41 for a total receivable amount of \$30,701.33.

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.

Amendment
#2016-284A

Amendment #2016-284A with Clearfield City. The period of contract is January 1, 2017 through

Clearfield City -
AC&C services

December 31, 2017. Receivable amounts are: AC&C \$95,623.01; Wildlife \$1,905.50; and CPF \$6,755.02 for a total receivable amount of \$104,283.53.

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.

Amendment
#2016-231A
Clinton City -
AC&C services

Amendment #2016-231A with Clinton City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$67,974.95; Wildlife \$849.75; and CPF \$4,801.90 for a total receivable amount of \$73,626.60.

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.

Amendment
#2016-232A
Farmington City
- AC&C services

Amendment #2016-232A with Farmington City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$45,766.92; Wildlife \$5,768.00; and CPF \$3,233.07 for a total receivable amount of \$54,767.99.

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.

Amendment
#2016-233A
Fruit Heights
City - AC&C
services

Amendment #2016-233A with Fruit Heights City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$10,728.91; Wildlife \$1,210.25; and CPF \$757.91 for a total receivable amount of \$12,697.07.

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.

Amendment
#2016-246A
Kaysville City -
AC&C services

Amendment #2016-246A with Kaysville City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$45,766.92; Wildlife \$6,180.00 and CPF \$3,352.33 for a total receivable amount of \$55,299.25.

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.

Amendment
#2016-234A
Layton City -
AC&C services

Amendment #2016-234A with Layton City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$215,555.12; Wildlife \$7,235.75; and CPF \$15,227.28 for a total receivable amount of \$238,018.15.

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.

Amendment
#2016-255A City
of North Salt
Lake - AC&C
services

Amendment #2016-255A with the City of North Salt Lake. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$38,189.22; Wildlife \$978.00; and CPF \$2,697.77 for a total receivable amount of \$41,864.99.

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.

Amendment
#2016-324A
South Weber
City - AC&C
services

Amendment #2016-324A with South Weber City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$15,155.40; Wildlife \$927.00; and CPF \$1,070.61 for a total receivable amount of \$17,153.01.

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.

Amendment
#2016-235A
Sunset City -
AC&C services

Amendment ##2016-235A with Sunset City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$24,834.17; Wildlife \$128.75; and CPF \$1,754.34 for a total receivable amount of \$26,717.26.

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.

Amendment
#2016-247A
Syracuse City -
AC&C services

Amendment #2016-247A with Syracuse City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$58,522.12; Wildlife \$2,111.50; and CPF \$4,134.13 for a total receivable amount of \$64,767.75.

Commissioner Elliott modified his motion to approve the corrected amount of \$64,767.75. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment
#2016-256A
West Bountiful
City – AC&C
services

Amendment #2016-256A with West Bountiful City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$9,153.70; Wildlife \$1,184.50; and CPF \$646.64 for a total receivable amount of \$10,984.84.

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.

Amendment
#2016-236A with
West Point City –
AC&C services

Amendment #2016-236A with West Point City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$32,074.55; Wildlife \$1,107.25; and CPF \$2,265.82 for a total receivable amount of \$35,447.62.

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.

Amendment
#2016-237A
Woods Cross
City AC&C
services

Amendment #2016-237A with Woods Cross City. The period of contract is January 1, 2017 through December 31, 2017. Receivable amounts are: AC&C \$25,584.38; Wildlife \$669.50; and CPF \$1,807.34 for a total receivable amount of \$28,061.22.

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.

Resolution
#2017-101
approving the 1st
amendments to
interlocal
cooperation
agreements
between DC &
cities for AC&C
services

Commissioner Smith read the following:

Resolution (#2017-101) approving amendment No. 1 to the interlocal cooperation agreements between Davis County and the following cities located within Davis County for Animal Services:

1) Bountiful; 2) Centerville; 3) Clearfield; 4) Clinton; 5) Farmington; 6) Fruit Heights; 7) Kaysville; 8) Layton; 9) North Salt Lake; 10) South Weber; 11) Sunset; 12) Syracuse; 13) West Bountiful; 14) West Point; and 15) Woods Cross.

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's Office.

MBA

Commissioner Millburn made a motion to convene as the Municipal Building Authority. Commissioner Elliott seconded the motion. All voted aye.

Request
#2017-58A
Authorize Zions
Bank to redeem
Lease Revenue
Bonds for WFRC
building project

Curtis Koch presented request (letter) #2017-58A is to authorize Zions Bank, trustee, to redeem in full the Lease Revenue Bonds, Series 2001, for the Wasatch Front Regional Council (WFRC) building project.

He explained that the Municipal Building Authority (MBA) owns a building in Salt Lake County which houses the WFRC. When the lease is fulfilled the property transfers to WFRC. WFRC is in a position where they can pay off the remaining balance of the bonds. This letter is on behalf of the WFRC, but more particular, the MBA who owns the building and the obligation with the bonds to have our trustee, Zions Bank, to give notice to those that hold our bonds that we are calling our bonds. At that time, once the bonds are called, they have 30 days, and WFRC will provide funding to pay off the bonds at which time the transfer of ownership can be made from the MBA to WFRC. WFRC intends to sell the building and relocate.

Commissioner Millburn indicated that he was familiar with this situation and that this is one less thing Davis County will have to worry about in the future.

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

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: under Auditor adjustments a request for tax-exempt status by Intermountain Health Care Health Services, Inc. (Layton Hospital) with a recommendation to approve; corrections for 2 veteran abatements; Treasurers small dollar write-off in the amount of \$10.84; Assessor's adjustments there are personal property corrections on 2 veteran exemptions and an escapement on a property for two years.

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

Check registers approved

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

Commissioner comments

Commissioner comments:

Commissioner Millburn indicated that he had participated in KSL's Live Town Hall meeting last night. It was held in the historic capital building in Fillmore, Utah. KSL television and radio is doing a series called "Road to Understanding" over the next couple of weeks. The series will explore the challenges/issues of the different areas of the state, i.e. education, air quality and growth. KSL will be going out into different parts of the State and specific communities. He encouraged all to tune in to have a better understanding of the challenges that are faced throughout the state. Here on the urban side of things (Wasatch Front), we are not quite as in-tune to what our rural brothers and sisters are facing, and vice versa. It is a great opportunity to learn what our state is facing as a whole.

Commissioner Smith heard on this morning's radio about Piute County which has a population of 1,500 compared to Davis County's population of 336,000, noting that "you can see how no one size fits all." He thanked Commissioner Millburn for representing Davis County.

Commissioner Elliott also thanked Commissioner Millburn. He indicated that he and Commissioner Smith represented Davis County last night at the Clinton City Council. Discussions included transportation issues with Wasatch Front Regional Council, and getting ideas by meeting with community leaders on establishing corridor preservation, TRAX, light rail and bus routes. It was an opportunity to establish that dialog within the community.

No public comment

Personal property tax appeal hearing

Commissioner Smith indicated there was a need to adjourn to a closed session for personal property tax appeal hearing under UCA 59 Part 4.

In consultation with legal counsel, Commissioner Millburn said he understood that they needed to recess to Board of Equalization. Secondly, the appellant has a choice of having a closed hearing or could be

heard in open session.

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

Request for closed session Commissioner Smith asked Mr. Castleberry, in the audience, if he would prefer to meet in a closed or open meeting. Mr. Castleberry requested a closed session.

Closed session Commissioner Millburn made a motion to move to a closed session for a personal property tax appeal hearing. It was not clear if the appropriate section of the code was listed on the agenda. That will be corrected. Commissioner Elliott seconded the motion. All voted aye.

Motion withdrawn Commissioner Millburn made a motion to withdraw the motion to move to a closed session under the Board of Equalization. Commissioner Elliott seconded the motion. All voted aye.

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

Closed session Commissioner Millburn made a motion to move to a closed session under the Board of Commissioners for a personal property tax appeal hearing. Commissioner Elliott seconded the motion. All voted aye.

Open session Commissioner Millburn indicated the closed session referred to Land Serial No. 06-152-0155. Pursuant to State Code, he made a motion wherein in the judgment of the County Legislative Body, the best human interest and the interest of the State and the County are served, he made a motion that the penalty and interest accrued from 2012 through 2015 or present be abated. The remaining portion of taxes due would then follow the outlined statutory process by May 17, 2017. This information will be drawn up in a letter to Mr. Castleberry in regards to this property that if it is paid off sooner, some additional charges, i.e. advertisement of the property, title search and things of that nature would not be incurred.

Neal Geddes said the motion was clear enough with the understanding that this motion will be put down in writing.

Commissioner Elliott seconded the motion. All voted aye.

Adjourned Meeting adjourned.

Clerk/Auditor

Chair