

COMMISSIONERS' MINUTES – DAVIS COUNTY

Work Session Minutes

November 7, 2018

The Board of Davis County Commissioners met for a work session on November 7, 2018 at 12:30 p.m. in room 306 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.

In attendance were: Commissioner Randy B. Elliott, Chair; Jeff Oyler, Davis County Community and Economic Development (CED); Neal Geddes, Chief Civil Deputy County Attorney; Mike Kendall, Civil Deputy County Attorney; Debbie Alexander, Davis County Human Resource Director; Curtis Koch, Davis County Clerk/Auditor; Shairise Bills, Deputy Clerk/Auditor; Shawn Beus, Davis County Economic Development; Megan Christensen, Davis County Economic Development; Abby Osborne, citizen; and Commissioner James E. Smith.

Excused: Commissioner P. Bret Millburn.

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

OPENING

The meeting convened at 12:37 p.m.

AGENDA

Discussion of proposed collaboration with Weber County for economic development.
(*See Attachment A as presented.*)

INTRODUCTION

Commissioner Smith introduced Abby as part of the County's "lobbying team." She is involved heavily with economic development through the Salt Lake Chamber of Commerce and has been a great legislative liaison for economic development in Northern Utah. He explained the purpose of this discussion and said the legislature was going to dedicate some money for economic development growth in Northern Utah. After some discussion and meeting with Representative Ann Millner, the Commissioners decided it was in the best interest of Davis County to collaborate with Weber County and possibly other counties. Commissioner Smith explained by doing so the county has a bigger voice economically and legislatively. There is some sense of urgency in moving this initiative forward, but in an intelligent way, as there are questions that still need to be answered. Commissioner Smith summarized his goal as identifying a method of expressing the County's decision to move forward in economic development without focusing too much on the granular details at this point.

WORK SESSION DISCUSSION

Commissioner Smith explained Chris Dallin, a local citizen who is involved with the chamber and is employed by Intermountain Health Care, was asked by several of the legislators to develop a collaboration between public and private entities and begin the creation of what is now being called the Northern Utah Economic Partnership (NUEP). The vision is to collaborate with northern counties and hire a Regional Director to represent them all. For the purpose of this discussion, it was assumed that the director would be an employee of EDC Utah, not employed by any of the participating counties —the caveat being the counties would have input on the director's performance evaluations. The director would steer projects that come into EDC Utah to Davis and Weber Counties for economic development. This would necessitate a reorganization of the current organization for both counties. The hierarchical organizational chart was shown and explained (*see Attachment B as presented*).

The legislature has dedicated \$300,000 to this "regional collaboration," or the NUEP, as it is being referred to in this case. This money is not the impetus for deciding to collaborate, but it is a bonus. Currently, as a member of EDC Utah, Davis County pays \$35,000 annually for its membership as does Weber County, which allows both counties access to some of its benefits. Commissioner Smith said that \$100,000 was included in the Community and Economic Development budget next year in support of this "regional collaboration."

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Abby drafted a proposed sample Interlocal Agreement. Commissioner Smith said instead of an Interlocal Agreement right now it may be best to draw up a Memorandum of Understanding or a Letter of Intent stating the County's intent to move forward in economic development activities with its sister counties. With the help of the County's Attorneys, this would then be approved in Commission meeting, and only later would the specific structure be created.

Abby added the impetus to the Interlocal Agreement is to get the County on the right foot, and because of the Interlocal Agreement the Request for Proposal (RFP) could be made together with Weber County. She said the details were not as important in the Interlocal Agreement as they are in the RFP. Her advice to Weber and Davis is to start with the Interlocal Agreement unless legally it does not need to happen. She said by doing this, would show the legislature that the County is serious about collaboration; otherwise, the money may be pulled back from this legislative session. Neal asked if a Letter of Intent is sufficient to show progress, or if it has to be an Interlocal Agreement. There were questions about what would be appropriate to show progress and how best to minimize the risk without intending to derail the progress. There was no clear answer of what would be most effective. Abby strongly suggested to do a RFP.

Shawn said this will help economic development in the County and the primary focuses are workforce development and housing affordability. He would like Davis County's Economic Development Department to be included in the process moving forward.

Commissioner Smith said the partnership would create more unification and make the county stronger as a whole. Shawn said it makes sense to do this since the counties are joined regionally in other areas. There were numerous questions about how the County is going to contract an organization and how this goes into an Interlocal Agreement while maintaining civility and still being collaborative.

Abby pointed out that pages three and four of the handout were only a vision that created more bureaucracy led by the private sector. Curtis asked why the County doesn't just contribute financially instead of "trying to serve two masters." Deb was initially told the director would be a County employee. She explained the challenge is going to be hiring someone who is non-competing between the counties. Curtis said if you really want collaboration, have one regional economic organization. Neal asked if the fundamental need is to collaborate, or the need for the expertise. He said failure comes when there is no agreed-upon negotiating method of the scope then how to mitigate any challenges that may arise. Conceptualization is key to making this collaboration work. Abby said the fundamental needs are for both collaboration and expertise.

Deb said there will always be competing interests and that's where the problems will come. Neal gave input on why the structure of the agreement is so important. When Neal talked to Weber County's attorney and raised these issues with them about collaboration, they indicated they had not even thought of that. He added that if you don't know what the end goal is you can't craft an agreement that will lead to success. Mike asked how the regional director would assist in the process beyond what the counties can already do for themselves. He talked about the power of one, with no competing interests. It was suggested that the real solution is not a regional director but an agreement to not withhold any contacts from one another.

Shawn suggested three solutions to consider: an Interlocal Collaboration Agreement; a consultant; or a stand-up organization that does the economic development. Mike gave examples of other structural concepts to consider. He asked what really is on the table for discussion. Curtis suggested a United Association of Counties (UAC) model. Commissioner Smith said what he visualizes is a somewhat loosely organized collaborative effort with firm leadership.

Commissioner Smith said with the help of the attorneys there are multiple ways to draft a proposal. Curtis went on record to say he does not like the Convention and Visitors Bureau (CVB) model. Shawn took to the white board and listed the suggested options as they were discussed in more open dialogue.

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NEXT STEPS

Neal suggested structuring a Letter of Intent and creating an RFP based on the mutually decided upon business model. Commissioner Smith wants the RFP submitted by the end of the year. The question was whether the RFP will be for the expertise with a dedicated person or will it be for the person. Abby suggested obtaining the expertise with a dedicated person. Mike gave a juxtaposition to find the best of both worlds. Neal asked how the County has any control over the dedicated person. It was suggested to have that defined in the RFP. Neal said the vision is diluted. Weber and Davis have to be aligned with a common vision. A Letter of Intent will be most beneficial to show the County moving forward, and when the vision is realized the details can be spelled out. Commissioner Smith wants to avoid focusing so much on what can go wrong that the County can't see what can go right. He outlined the vision as one of collaboration between Davis and Weber and open-ended so other counties can join if they desire; the creation of a northern Utah economic presence (whatever it is called); deciding on the proper structure in which to hire a person that will help the county succeed in an area they aren't currently succeeding in; and the ability to back out in the future if needed. Deb added that by identifying all the things that can go wrong, helps them to be avoided. Neal said his next step was to call Courtlan Erickson, Legal Counsel for Weber County, and ask if they have any issue with doing a joint Letter of Intent followed by an RFP which, Mike added, will be based on the vision of the Commission. Commissioner Elliott said the Davis County Commission will work with Abby and Steven to get together with Weber County Commissioners to help set the vision.

MEETING ADJOURNED

The meeting was adjourned at 1:56 p.m.

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

- A. Agenda
- B1-B2. Flow Chart (Northern Utah Economic Partnership)

Minutes prepared by:
Shairise Bills
Deputy Clerk/Auditor

Minutes approved on:

Curtis Koch
Davis County Clerk/Auditor

Randy B. Elliott
Commission Chair