

COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES October 9, 2018

The Board of Davis County Commissioners met for their regularly scheduled meeting on Oct. 9, 2018 at 10 a.m. in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Appropriate legal notice of this meeting was given.

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

All documents from this meeting are on file in the Davis County Clerk/Auditor's Office.

OPENING

The meeting convened at 10 a.m. and Shauna Brady, Commission Office Confidential Secretary, was invited to lead the Pledge of Allegiance.

Recognitions, Presentations & Informational Items

Vote in Honor of a Veteran — *Presented by Brian McKenzie, Davis County Clerk/Auditor*

Davis County is participating in a voter engagement initiative called "Vote in Honor of a Veteran." It's been implemented in other states and jurisdictions including Weber County. It's been a great opportunity for people to be more engaged and to really think about and remember the importance of the freedoms and rights that we have in this country and also to thank the brave men and women who have served in our armed forces who have helped guarantee those freedoms and rights.

A video to promote the program was shown on the monitor. The "Vote In Honor of a Veteran" page of Davis County's website was also shown.

"We truly owe so much to our veterans, to their sacrifice and service," Brian said, then introduced his father [Michael Hess] who is the veteran he honors with his vote. His father served during the Vietnam conflict as a combat engineer. "Of course it isn't something that he shares many details with us, but some of the memories that he shared of honor and integrity and the way that he was treated when he returned – along with many of his fellow veterans – makes me want to be more proud to be an American and to focus on making sure that freedom and democracy continue to go forward."

The program provides opportunities for anyone who has a veteran they are close to – family or friend, living or deceased – to submit a tribute to their veteran and pledge that they'll vote in their honor. Submissions may be made through the website or by filling out a card and turning it in, with a photo, at the Clerk/Auditor's Office.

Commissioner Smith said he really appreciates the program and would like to see it shared heavily through social media and other means; he will vote in honor of his father-in-law.

Commissioner Millburn said he thinks more people need to give thought to the freedoms we enjoy and those who sacrificed much to keep those opportunities alive for us. One of the veterans he can honor with his vote is his step-son who served in the military after 9/11.

Commissioner Elliott expressed appreciation for veterans, including his uncle who was a Marine and inspired other family members to serve in the military. Voting is a privilege, he said, and we've fought hard to have that right. He also thanked Brian for his hard work for the County, noting that his support in the voting process has made it a lot easier for citizens in Davis County to have the opportunity to vote.

Curtis Koch pointed out that this initiative, spearheaded in Davis County by Brian McKenzie and Shelly Jackson [the new elections manager], is part of the County's vision for greater voter outreach.

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“That video hit on a point that I want to drive home – we have rights and people fought for those rights and, at least in the arena of voting, what we can do is we can remove obstacles to those barriers. So we look forward to moving forward with vote by mail, with a hybrid system, and getting more people engaged in exercising their right to vote,” he said.

See Attachments B and C, as presented.

BUSINESS/ ACTION

Resolution #2018-469 authorizing the issuance and sale of not to exceed \$19 million Sales Tax Revenue Refunding Bonds, Series 2018

Resolution #2018-469 authorizing the issuance and sale of not to exceed \$19 million Sales Tax Revenue Refunding Bonds, Series 2018, and related items — *Presented by Blake Wade, Attorney with Gilmore & Bell, P.C.*

The County has a couple of bond issues, Series 2019, that come up for optional redemption next year. There will be more discussion and watching the market between now and the end of this year, but it appears that refinancing could result in significant savings. This resolution starts the process and delegates to officers of the County the ability to execute the issuance of the bonds, not to exceed \$19 million, and approves the documents that will need to be in place for that to happen and provides for publication of a notice that triggers a 30 day contest period.

Johnathan Ward, of Zions Public Finance, explained that the County would be looking at refinancing two series of bonds: 2019-B Bonds for the Convention Center, and 2019-C Bonds for flood control projects throughout the County. The total amount of bonds outstanding that would be available to refinance is \$15.675 million on the B Bonds and another \$2.5 million on the C Bonds. As currently calculated, the return is expected to be about \$670,000 of net present value savings. After costs and negative arbitrage is calculated, the net present value to the County is about \$615,000; over the life of the financing, it ends up being about \$61,000 a year on an average annual basis.

In answer to a Commissioner question about when refinancing is worthwhile, Mr. Ward said it's usually worth looking at if benefits exceed 3 percent of the refunded principle and \$615,000 does exceed 3 percent. It's also important to consider whether the interest savings achieved through the transaction is more than the negative arbitrage or cost of doing the financing. Negative arbitrage in this case is estimated, between both the B and C Bonds, to be \$23,000 so the savings is well in excess of that negative arbitrage. The other measure used to gauge whether this is a worthwhile transaction is if the savings exceed the costs, such as paying attorneys, finance companies, underwriters, and other agencies involved. In this case, costs are estimated at \$190,000.

The Fed [Federal Reserve System] raised interest rates a couple of weeks ago and it's anticipated they'll raise their short term target rates again when they meet on Dec. 19. The strategy for marketing these bonds is to sell the bonds at locked in rates in November to close in January [Jan. 3], when it will be permitted under IRS regulations, before further damage is done to the interest rate markets. It is possible that the situation could change and make the transaction not worth doing.

Curtis Koch said there are some opportunities in 2019, and this is the first one, which may allow the County to structure and pay off some debt so that new projects can roll forward.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted Aye

Summary List #2018-470 of low-dollar, low-risk contracts

Summary List #2018-470 of low-dollar, low-risk contracts (15) — *Presented by Dave Hansen, Davis County Legacy Events Center Director*

This summary list of 15 low-dollar, low-risk contracts includes agreements for soccer and athletic field use. In addition to sports activities, space at the Legacy Events Center is being rented for Halloween and Christmas parties as well as fundraisers. The contract period is 09/05/2018 to 02/20/2019. The receivable amount is \$10,099.

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Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted Aye

Agreement
#2018-471 with
Farmington
Service and
Towing

Agreement #2018-471 with Farmington Service and Towing — *Presented by Chief Deputy Butcher, Davis County Sheriff's Office*

Chief Deputy Butcher asked for a moment of personal privilege to comment about Brian McKenzie's presentation.

"You can't help but to be moved by that, and this room — this whole building — is just full of people who serve our citizens, but there is no greater service than those that are willing to put themselves in harm's way for our rights," he said, and then thanked Brian's father for his service.

The contract with Farmington Tow adds the company to the rotation list to perform towing service for the south end of Davis County. The contract period is 07/01/2018 to 06/30/2019. This contract is neither payable nor receivable.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted Aye

Grant Award
#2018-472
from Chevron
Products Co.

Grant Award #2018-472 from Chevron Products Co. — *Presented by Barry Burton, Davis County Community and Economic Development Director, in place of Davis County Community Development Specialist Neka Roundy*

A grant was received from Chevron Products Company for sponsorship of the Great Salt Lake Bird Festival. The contract period is 05/17/2018 to 05/21/2018. The receivable amount is \$3,000.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted Aye

Grant Award
#2018-473 from
Rio Tinto-
Kennecott Utah
Copper

Grant Award #2018-473 from Rio Tinto-Kennecott Utah Copper — *Presented by Barry Burton, Davis County Community and Economic Development Director, in place of Neka Roundy*

A grant was received from Rio Tinto Kennecott Utah Copper for sponsorship of the Great Salt Lake Bird Festival. The contract period is 05/17/2018 to 05/21/2018. The receivable amount is \$5,000.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted Aye

Grant Award
#2018-474 from
Rocky Mountain
Power

Grant Award #2018-474 from Rocky Mountain Power — *Presented by Barry Burton, Davis County Community and Economic Development Director, in place of Neka Roundy*

A grant was received from Rocky Mountain Power for sponsorship of the Great Salt Lake Bird Festival. The contract period is 05/17/2018 to 05/21/2018. The receivable amount is \$3,000.

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Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted Aye

Summary List #2018-475 of low-dollar agreements for the 2018 Great Salt Lake Bird Festival

Summary List #2018-475 of low-dollar agreements for the 2018 Great Salt Lake Bird Festival — Presented by Barry Burton, Davis County Community and Economic Development Director, in place of Neka Roundy

A summary list of three low-dollar agreements for the Great Salt Lake Bird Festival was presented. [The contract period is 02/03/2018 to 08/01/2018.] The payable amount is \$1,745.75.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted Aye

Summary List #2018-476 of low-dollar agreements for the Great Salt Lake Bird Festival

Summary List #2018-476 of low-dollar agreements (5) for the 2018 Great Salt Lake Bird Festival — Presented by Barry Burton, Davis County Community & Economic Development Director, in place of Neka Roundy

A summary list of five low-dollar agreements for the Great Salt Lake Bird Festival was presented. [The contract period is 01/04/2018 to 05/18/2018.] The receivable amount is \$1,250.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted Aye

Summary List #2018-477 of low-dollar agreements for the 2018 Moonlight Bike Ride

Summary List #2018-477 of low-dollar agreements (10) for the 2018 Moonlight Bike Ride — Presented by Barry Burton, Davis County Community and Economic Development Director, in place of Neka Roundy

A summary list of 10 low-dollar agreements for the 2018 Antelope by Moonlight Bike Ride was presented. [The contract period is 04/11/2018 to 08/24/2018.] The receivable amount is \$34,089.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted Aye

Grant Award #2018-478 from Chevron Products Co. to the 2018 Commissioners' Youth Charities Cup Golf Tournament

Grant Award #2018-478 from Chevron Products Co. to the 2018 Commissioners' Youth Charities Cup Golf Tournament — Presented by Barry Burton, Davis County Community and Economic Development Director, in place of Neka Roundy

A grant from Chevron Products Company was received for sponsorship of the 2018 Commissioners' Youth Charities Cup Golf Tournament. The contract period is 08/15/2018 to 08/15/2018. The receivable amount is \$2,600.

Motion to Approve: Com. Millburn
Seconded: Com. Millburn
All voted Aye

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Summary List
#2018-479 of
low-dollar
agreements for
the
Commissioners'
Cup Golf
Tournament

**Summary List #2018-479 of low-dollar agreements (22) for the Commissioners' Cup Golf Tournament -
*Presented by Barry Burton, Davis County Community and Economic Development Director***

A summary list of low-dollar agreements was presented for the 2018 Commissioners' Youth Charities Cup Golf Tournament. A motion was made to approve the agreements with the understanding that there were 17 contracts totaling \$20,000.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted Aye

Following the next two items of business, Commissioner Elliott said the second page of the summary list of low-dollar agreements for the 2018 Commissioners' Youth Charities Cup Golf Tournament was missed. The first page [with 17 agreements] was for the amount of \$20,000 and the second page [with five more agreements] was for \$4,300. The contract period is 01/26/2018 to 08/29/2018. The total receivable amount is \$24,300.

Motion to Approve as Amended: Com. Smith
Seconded: Com. Millburn
All voted Aye

Final Plat
Approval
#2018-480 for
Living the
Dream
Subdivision in
Hooper

**Final Plat Approval #2018-480 for Living the Dream Subdivision (6443 West 2425 North) Hooper —
*Presented by Jeff Oyler, Davis County Planning Manager***

The final plat approval for the Living the Dream subdivision was presented. The one-lot subdivision is located in the Hooper area of unincorporated Davis County at 6443 West 2425 North. Zoning for this area requires a minimum of five acres to build one house; this subdivision is 5.7 acres. This is on a road where the County has done a number of subdivisions recently. There is no contract period nor dollar amount associated with this contract.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
All voted Aye

Improvements
Agreement and
Grant of Lien
#2018-481 to
Jeff and Tami
Yeoman

Improvements Agreement and Grant of Lien #2018-481 to Jeff and Tami Yeoman — *Presented by Jeff Oyler, Davis County Planning Manager*

This is a standard approval agreement for the same subdivision [at 6443 West 2425 North] which forgoes curb, gutter, and sidewalk until some future date. The County asks that these agreements be signed and recorded against the property in cases where those improvements have not yet been installed. There is no contract period nor specific dollar amount associated with this contract.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted Aye

Resignation
Agreement
#2018-482

Resignation Agreement #2018-482 — *Presented by Neal Geddes, Davis County Chief Deputy Civil Attorney*

An agreement has been made with an employee who has elected to resign in lieu of facing potential disciplinary action. The beginning agreement date is 09/20/2018. There is no dollar amount associated with this contract.

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Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted Aye

Commissioner Millburn moved to recess to Board of Equalization. Commissioner Smith 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 there were various approved appeals, various appeals for which no change in value is recommended, and various dismissals due to lack of evidence. There were also various late abatements for consideration and 25 different corrections.

Under Treasurer's Adjustments there was a September write-off of various small-dollar amounts totaling \$325.80.

Under Assessor's Adjustments there were various Assessor-initiated corrections.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted Aye

Commissioner Millburn moved to reconvene Commission Meeting. Commissioner Smith seconded the motion. All voted Aye.

CONSENT ITEMS

Check Registers

Check Registers

Check Registers were approved.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted Aye

Indigent
Hardship
Abatement
Register

Indigent Hardship Abatement Register

The Indigent Abatement Register for the following names was presented for approval:

Gregory Richard Keyworth Jr

Motion to Approve: Com. Smith
Seconded: Com. Millburn

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All voted Aye

Debra D Marshall

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted Aye

Meeting
Minutes

Meeting Minutes

Meeting Minutes for September 4, 2018 and September 11, 2018 were approved.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
All voted Aye

COMMISSION
COMMENTS

Commissioner Smith said the Commissioners had a wonderful week working on the budget last week.

“A lot of work goes into that and [I] appreciate very much our Clerk/Auditor’s Department, all the work they do, and everyone on that budget committee. It is not an easy assignment,” he said.

Commissioner Elliott also thanked everybody who worked on their budgets.

There were no other comments from the dais at this time.

Members of the public were invited to make comments to the Commission.

PUBLIC
COMMENTS

Shauna Brady spoke in response to the “Vote in Honor of a Veteran” presentation.

“I think that was very special and every time we talk about it it’s special to me, but I wanted to pay tribute to my father because he belongs to a group that’s overlooked quite often,” she said. “As a young child he contracted polio and so when the war came he was not fit – not able to become a soldier and go out and serve his country – which was very hard for him.”

Her father worked until he was hired as a mechanic and sent to New York to fix fighter planes during the war. He was one of a group of people who wanted to serve their country, and for whatever reason couldn’t serve in the military, so they did what they could.

“I just wanted to pay tribute to my father today because, to me, he was a veteran too,” she said.

Commissioner Smith expressed appreciation for Shauna’s comment and said that his dad spent the war making parts for Jeeps, doing his duty in a machine shop because he couldn’t serve.

Lorene Kamalu [Seat B Commissioner-elect from Kaysville] spoke about the Kaysville/Fruit Heights annual Veterans Day program. The event is normally held on the Saturday closest to Veterans Day but has been moved to Nov. 3 this year due to a conflict with the host facility, Davis High School. The event starts at 11 a.m. and includes lunch and a program for veterans, who usually bring their spouses or a family member.

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Last year's program was cancelled unexpectedly because a driver hit a power pole causing power to be out throughout the city. Organizers tried to get last year's scheduled speaker this year but it didn't work out. Instead, they are inviting veterans to come and share their own stories.

"Last year several of them showed up – they didn't realize that the program was canceled. They showed up and they literally stood outside of the building, Davis High, telling each other their own stories. It was kind of really sweet so that's why we're doing it that way this year," she said.

She invited the Commissioners to attend, and to invite veterans. Russon Brothers Mortuary keeps a list every year and the list is dwindling.

Commissioners asked that the event be put on their calendars.

Rhonda Perks, representative for U.S. Congressman Chris Stewart, presented an update. During the middle of September, Congressman Stewart wrote an amendment to the final comprehensive energy and water development program [the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act]. It included extra money allotted for next year for the Central Utah Water Project so it can be finished. It is an exciting and important water project for the State of Utah, she said.

She mentioned that Congressman Stewart will be at Hill Air Force Base on Monday [Oct. 15, 2018], where he will get an update from HAFB and may be put into an F-35 simulator.

The congressman and his staff are also working on a service program with Camp Williams that will be a big fall celebration for servicemen and their families. They're collecting donations of candy and prizes for the event, which will be held the Saturday before Halloween.

"He's very insistent that we do veterans projects throughout the year, so that's something we're looking forward to as well," she said.

She extended Congressman Stewart's thanks to the Commissioners for their hard work.

Commissioner Elliott asked Ms. Perks to thank the Congressman, noting that Rep. Stewart recently met with the Secretary of the Interior at Zion National Park then headed back to northern Utah for a meet-and-greet followed by rounding up cattle in snowstorms.

"It looks like he's doing his job and he's working hard for us," he said.

MEETING
ADJOURNED

Commission meeting was adjourned at 10:42 a.m.

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

- A1-A2. Agenda
- B. "Vote in Honor of a Veteran" video. *YouTube*, uploaded by Davis Master, Oct. 3 2018, <https://youtu.be/xXWnnbf9tMo>
- C. "Vote in Honor of a Veteran" webpage. Retrieved Oct. 9, 2018, from the Davis County, Utah, Website, <http://www.daviscountyutah.gov/clerk-auditor/elections2/vote-in-honor-of-a-veteran>
- D. Living the Dream Final Plat

Minutes prepared by:

Becky R. Wright

Deputy Clerk/Auditor

Minutes approved on: October 31, 2018

Curtis Koch
Clerk/Auditor

Randy B. Elliott
Commission Chair