

COMMISSION MEETING MINUTES

July 17, 2018

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10 a.m. July 17, 2018 in room 303 of the Davis County Administration Building, 61 South Main St., Farmington, Utah. Notice of this meeting was given in accordance with the requirements of UCA 52-4-202.

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 (DC) Clerk/Auditor's office.

OPENING

The meeting convened at 10:02 a.m. and Josh Johnson, Davis County Library Deputy Director, was invited to lead the Pledge of Allegiance.

Recognitions, Presentations & Informational Items

Request for Proposal (RFP) Opening for the Mutton Hollow and 50 East Street Rebuild Project

Bids from the following companies were unsealed: Staker Parson, Granite Construction, Wardell Brothers Construction, Post Asphalt Construction, and Geneva Rock Products. Original copies of the bids that were opened in Commission meeting will be kept in the Purchasing Office. Adam [Wright, Public Works Engineer] will review the bids and come back with a recommendation for the Commission.

See Attachment B.

BUSINESS/ ACTION

Reappointment of David Hartvigsen, Esq. to Davis County Career Service Council

Request reappointment of David Hartvigsen, Esq. to the Davis County Career Service Council (CSC)– Presented by Deb Alexander, Davis County Human Resources Director

David Hartvigsen was introduced as a very strong candidate for the position. He received a bachelor's degree in economics at Brigham Young University, as well as a master's degree in business administration and his Juris Doctor from the University of Utah. His career has focused on issues related to local government, including government administration and personnel issues. He has been admitted into practice in Utah, Colorado, the District of Columbia, and before the U.S. Supreme Court. He's a lifelong resident of Davis County and was previously appointed to the Career Service Council, but never had a chance to participate in a hearing. He is committed to serving the community and has agreed to a second term. His approach during a CSC training was thoughtful, with clear expertise on employment matters in the public sector.

Commissioners noted Mr. Hartvigsen's skill set and expressed appreciation for his previous service and willingness to serve again.

The appointment is for three years, running through June 30, 2021.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
Vote: All aye

Mr. Hartvigsen said he appreciated the opportunity to serve in local government, and give back a little, particularly in his own community.

Ratification of Agreement #2018-298 with National

Ratification of Agreement #2018-298 with National Cinemedia LLC for 2018 Davis County Fair advertisements in local Cinemark theaters – Presented by Stephanie Davis, Davis County Legacy Events Center Event Coordinator

Cinemia LLC
for fair
advertising

The contract with National Cinemia LLC allows for fair advertisements to be placed in local Cinemark theaters. Davis County Fair ads will be shown on various screens for five weeks leading up to the fair.

Commissioner Elliott noted there was some deliberation between parties over contract details. This resulted in ads running this past weekend, prior to contract approval, so the agreement is being ratified after the fact.

The contract period is July 13, 2018 to Aug. 16, 2018. The payable contract amount is \$2,500.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
Vote: all aye

Commissioners asked if the County has done this type of advertising before and if a survey can be done to determine its impact. They were informed ads have screened at the Kaysville Theater, but this is the first time with Cinemark. Past surveys have shown most people get fair advertisements via newspapers. Feedback about theater ads will be awaited with interest.

Summary List
#2018-299 of
low-dollar, low-
risk rental
agreements at
the Legacy
Events Center

Summary List #2018-299 of low-dollar, low-risk space rental agreements at the Legacy Events Center – Presented by Dave Hansen, Davis County Legacy Events Center Director

A summary list of 17 low-risk, low-dollar contracts was presented for approval. This list of agreements includes several RV space rentals for people coming to the Legacy Events Center for events such as dog shows and soccer practice. The contract periods range from June 7, 2018 to Aug. 6, 2018. The total receivable amounts of the contracts were \$2,905.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
Vote: All aye

Ratification of
Agreement
#2018-300 with
Kathy
Lindstrom, DVM

Ratification of Agreement #2018-300 with Kathy Lindstrom, DVM, to provide veterinary services at Animal Care & Control – Presented by Rhett Nicks, Davis County Animal Care & Control Director

Commissioners were asked to ratify an agreement with Dr. Kathy Lindstrom, DVM, to provide veterinary services at Davis County Animal Care & Control. The agreement is the result of the contract with the previous veterinarian not being renewed and Dr. Lindstrom stepping in to cover services until other arrangements can be made. The agreement is being ratified, rather than approved in advance, because veterinary services were needed last week. The official contract period begins when both parties sign the agreement and continues through Dec. 31, 2018. The payable contract amount is \$55 per hour.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
Vote: All aye

In response to a question about future animal care, Commissioners were told Animal Care & Control may be able to afford a veterinarian on staff. The original thought was to contract for spay and neutering services but, with large numbers of animals in one building, health is a top issue to keep illnesses from spreading. Options being considered include possibly hiring a part-time veterinarian.

Summary List
#2018-301 of
June 2018
animal adoption
agreements

Summary List #2018-301 of June 2018 animal adoption agreements – Presented by Rhett Nicks, Davis County Animal Care & Control Director

A total of 69 animals were adopted in June of 2018: Six birds (five were chickens), 27 cats and kittens, 34 dogs and puppies, a rabbit and a lizard. Contract dates and receivable amounts vary.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
Vote: All aye

Agreement #2018-302 with United Way of Salt Lake for dental services funding

Agreement #2018-302 with United Way of Salt Lake for funding of dental services for those who meet program parameters – Presented by Brian Hatch, Davis County Health Department Director

The Davis County Health Department applied for funding from the United Way of Salt Lake to help with dental care for those who have no insurance and received an award to put toward direct services for people who meet program parameters. The Health Department works with local dentists to provide direct care. Most of the individuals receiving service come in through Medicaid-related programs. Commissioners noted this is an important service for many people in our community. The contract period is July 1, 2018 through June 30, 2019. The receivable contract amount is \$5,000.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
Vote: All aye

Agreement #2018-303 with DearReader.com for Select Reads newsletter service

Agreement #2018-303 with DearReader.com for purchase of Select Reads as a newsletter service – Presented by Josh Johnson, Davis County Library Deputy Director

The provider for Davis County Library's newsletter service is being changed to get more value for less money. Patrons can sign up to receive emails informing them of new materials available at the library. This service has been promoted on the library's website, resulting in a 3- to 9-percent increase in interest since March. With the past newsletter provider, a County Library staff member had to manually populate the information for the email. The new Select Reads newsletter service, provided by DearReader.com, should be able to automate many of the functions previously provided by library staff. Library patrons should also be able to customize the newsletter they receive based on their preferences. The contract with DearReader.com is \$2,300 less than the \$5,700 charged by the previous vendor. The contract period is Aug. 1, 2018 to July 31, 2019. The payable contract amount is \$3,400.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
Vote: All aye

Agreement #2018-304 with Morgan Industries, Inc. for asphalt project at the Justice Complex

Agreement #2018-304 and Notice to Proceed with Morgan Industries, Inc. for asphalt mill and overlay at the Justice Complex – Presented by Chief Deputy Arnold Butcher, Davis County Sheriff's Office

Chief Deputy Butcher invited Mitch Matern, Justice Complex Maintenance Manager, to present the contract with Morgan Industries for asphalt mill and overlay at the Justice Complex. The Chief Deputy said he's never met a man who takes more ownership or has more dedication and pride in the job than Mitch, and the Davis County Jail can physically rival the condition of any jail in the state because of him. Mitch said six bids were received in response to an RFP for the project. A committee evaluated the bids and, after research and phone calls about past work, felt comfortable hiring Morgan Industries. The Justice Complex has had one overlay since being built in 1991, and slurry seals since, but there are now areas starting to crack and break apart. In order to maintain slopes needed for drainage, it was decided to remove two inches of asphalt by milling and then finish with an overlay. Arrangements are being made for staff and visitor parking with other entities that have property at the Justice Center. The contract begins 14 days after signing and then must be completed within 45 days. The payable contract amount is \$220,038.91.

Motion to Approve: Com. Millburn
Seconded: Com. Smith
Vote: All aye

Commissioners expressed appreciation for the taking care of the County jail since the time it was built, noting that it's clean and well maintained by a knowledgeable staff.

Agreement #2018-305 with UDOT for funding of design, etc.

Agreement #2018-305 with Utah Dept. of Transportation for funding of roadway-related environmental, design, engineering and improvements for proposed bus rapid transit routes (South Davis BRT) – Presented by Commissioner Millburn

related to bus rapid transit routes

Commissioner Millburn worked during the 2016 Legislative Session to move forward proposed bus rapid transit routes for South Davis. His lobbying efforts resulted in \$1.2 million coming from the State Legislature for the next steps in the project. This agreement is with UDOT which will release funds to Davis County as the oversight entity. In the next few weeks an agreement is coming between the County and the Utah Transit Authority (UTA) to expend these funds on environmental and preliminary engineering for this project. Commissioner Elliott thanked Commissioner Millburn for his work with the Legislature on this project. The contract period is June 12, 2018 to June 5, 2033. The pass-through receivable contract amount is \$1,200,000.

Motion to Approve: Com. Smith
Seconded: Com. Millburn
Vote: All aye

Commissioner Millburn moved to open Public Hearing in regards to consideration of additional budget appropriation requests, both revenues and expenditures, associated with the 2018 budget. Commissioner Smith seconded the motion. All voted aye.

Public Hearing for additional budget appropriation requests

Public Hearing for consideration of approval by resolution of additional budget appropriation requests to be funded by new revenues and/or monies unspent in the prior year – Presented by Heidi Voordeckers, Davis County Chief Deputy Clerk/Auditor

An introduction was given to aid in understanding additional proposed budget appropriations requests:

- Increase to Tax Anticipation Notes (TANS) interest costs. Those were approved two Commission meetings ago in the amount of \$10 million. The increased costs are directly due to interest rate hikes since this was budgeted last fall. Last year the County pulled \$7 million, however, after looking at this year's cash flow projections and construction projects it was deemed prudent to pull \$10 million to cover the revenue shortfall until taxes are received in November. The total on that request is \$64,000.

- Land improvements for property the County owns in Centerville. The property committee is proposing to develop this property, which requires some utility improvements. The Planning Department is requesting \$88,000 to install those improvements and anticipates a revenue offset later in the year when the property is sold.

- Software maintenance agreement with BCI. This was a 2017 budgeted item that did not get paid as part of the 2017 budget, so the request came through to roll 2017 funds to 2018 to cover this payment.

Those three items are all using existing fund balance; there's no revenue offset at this point.

- The Clerk/Auditor's Office request is related to the County's Community Development Block Grant (CDGB) program. Several options have been considered regarding the handling of this program. There are more than 45 three-year projects that need to get pushed through and funded within the next year. There is not an outside entity in Utah that can assist the County in meeting environmental review requirements and, at \$145-\$195 per hour, an out-of-state contract would be expensive. This request is to fund a full-time grant manager position to initially oversee and get the program back on track. It is reimbursed through the CDBG program and the County did request the full amount for administration fees for 2018. The request is for \$88,000 in revenue, \$47,500 for pro-rated payroll wages, \$22,500 for pro-rated benefits, \$2,000 for training, and \$16,000 which would balance out the \$88,000 requested. If not used it could be turned back, but it might provide an opportunity to bring in an outside consultant on environmental reviews. Funding for the program has been frozen since July 2017, so projects from 2016, 2017 and 2018 are on hold. All but four environmental reviews are now approved by HUD with Aug. 21 as the earliest possible date for release of funds. There is another required comment period but work has to move past the original audit and get the four remaining reviews approved. Monitoring of the program will not be any less work after this hurdle is passed and funds are released.

(Commissioners offered to share contacts made this past weekend at the National Association of Counties conference which may be useful resources, particularly for environmental reviews.)

- Grant revenues are being received from the State of Utah Labor Commission, into the County's Human Resources Department, to fund safety and supplies for the Safety Committee and Super Safety Hero program.

- Clean-up of transfers. Most property tax revenues were coming into the General Fund, historically. Those tax rates were broken out for the 2018 tax year and are expected to continue this way moving forward, as such these transfers in and out – \$10 million out to the general fund, \$5 million in to the Health Department, \$200,000 in to the Health Department capital fund, and \$4,800,000 in to Flood Control – will no longer be necessary because they'll be collecting their own revenue through tax increment. A Paramedic special revenue fund, Fund 14, is being re-established to take in revenue through a tax increment, but it will require that the \$1.5 million they receive be transferred back to the General Fund to cover the paramedic portion of the Sheriff's Services budget.
- Changes to Fund 22. The request is for some interlocal contributions to Bountiful City for the BRT construction project in the amount of \$5,000. In addition, there is a request for \$10,000 to contract with Wasatch Regional Council to administer the County's Prop 1 grant program.
- Emergency repairs need to be performed on the failing Barton Stone culvert. A total of \$500,000 is being requested from County Flood Control or Public Works funds to cover repairs.

Overall, net use of fund balance for these requests is \$673,000, the bulk of which is the culvert project. It is proposed to use \$158,300 of Fund 10 fund balance, and \$15,000 of Fund 22 fund balance.

Members of the public were offered the opportunity to comment. No comments were made.

Commissioner Millburn moved to close the Public Hearing. Commissioner Smith seconded the motion. All voted aye.

Commissioners expressed thanks for information offered about budget opening items and for the control and involvement of the Clerk-Auditor's Office over County finances. They also noted that emergencies such as the flood control project are why fund balances are built into the budget. If not for prudent planning and saving for a rainy day, the County would be in a difficult situation.

Resolution #2018-306 approving additional budget appropriation requests

Resolution #2018-306 approving additional budget appropriation requests. Budget increases will be funded by new revenues and/or monies unspent in the prior year.

The requested budget changes were approved.

Motion to Approve: Com. Millburn
 Seconded: Com. Smith
 Vote: All aye

Commissioner Millburn moved to recess to Board of Equalization. Commissioner Smith seconded the motion. All voted aye.

BOARD OF EQUALIZATION

Property Tax Register

The Property Tax Register was presented by Curtis Koch, Davis County Clerk/Auditor, as follows:

Under Auditor Adjustments there was one abatement for veteran tax exemptions, and under Assessor's Adjustments there were various Assessor-initiated corrections.

Motion to Approve: Com. Smith
 Seconded: Com. Millburn
 Vote: All 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
 Vote: All aye

Commission Meeting Minutes

Meeting Minutes

Meeting minutes for June 19, 2018 and June 26, 2018 were approved.

Motion to Approve: Com. Smith

Seconded: Com. Millburn

Vote: All aye

COMMISSION COMMENTS

Com. Elliott

Commissioner Elliott said he and Commissioner Millburn returned last night from the National Association of Counties (NACo) Conference in Nashville. He sits on NACo's Public Safety Board, which makes policies and presents them to a delegation that works to make sure they're heard on a national level.

"It's always interesting to hear from other counties. Their issues, a lot of them, are the same we have," he said, noting that pre-trial services, hiring processes, and law enforcement administration were among the issues he was able to discuss with other county leaders.

He also works with NACo's NextGen, a network to develop the next generation of leaders and give them learning opportunities.

Interactions with other Commissioners is one of the reasons to go to conferences, he said. Conferences also give county leaders the chance to build relationships with key players in the federal government.

Com. Smith

Commissioner Smith is glad to be back after taking care of his wounded shoulder. He enjoyed the Board of Health executive meeting this morning and spending the last couple of days working on Human Services issues.

"I just appreciate the quality of the people that I get to work with, and we have some wonderful folks that are very much engaged, and I do appreciate that," he said, adding that it's nice to have "Commissioner-Elect" Lorene Kamalu becoming involved with these issues.

Com. Millburn

Commissioner Millburn served on NACo's Transportation committee at the Nashville Conference. He said the real value of attending conferences is the interactions with elected officials from across the county to see the similarities and differences in the way policy is brought about and enacted.

Key takeaways from the conference, for Commissioner Millburn, were the opportunity to find different ways to engage the public and also provide better services through technology.

It's hard to embrace new technology sometimes, he said, but County officials need to stay abreast of changes in order to get information to citizens and provide the best services possible.

Commissioner Millburn found himself a bit melancholy attending the recent conference, knowing it was the last one he'll be attending and the last time that he'll probably see a lot of those people.

"It's been a pleasure to rub shoulders with folks from all across this great nation," he said.

Commissioner Elliott invited other comments from the dais.

Clerk/Auditor

Curtis Koch noted that he was not able to attend last week's meeting, which was unfortunate because there were things he wanted to say.

"I wanted to take some time to thank the staff in my office, on the Clerk's side, for doing a phenomenal job implementing a new election system with as smooth a transition as any citizen or individual could hope for. The work of that staff led by Brian McKenzie, my Chief Deputy Clerk, was phenomenal," he said, noting that staff had an added workload with ballot initiatives and certifying over three-quarters of a million signatures.

He also recognized the work going on in the Auditor's office. Chief Deputy Auditor Finance Heidi Voordeckers is implementing new staff, fixing long-standing problems and working with her staff to implement a new county-wide finance system. He appreciates the hard work and leadership of all individuals in the office.

County
Attorney

Neal Geddes wanted to make a comment before David Hartvigsen left the meeting.

"I worked with Dave several years ago, and just wanted to thank him for his willingness to serve," he said. "He is an outstanding man with incredibly high character, great legal judgment, and we're really lucky that he's willing to take time to come be a part of our Career Service Council."

PUBLIC
COMMENTS

Barbara Patterson, of 2562 W. 1725 North, Clinton, introduced herself as a member of the Clinton City Council. She said she has spoken with Commissioner Elliott and let him know she is not happy with the way the Legacy Events Center is being run.

"You've run all the rodeo people off. There's a hundred kids in that rodeo association that have to travel clear to Tremonton to practice. We have no rodeos out there any more. I'm sorry, but if the people across the street are upset about the smell of the horses they shouldn't have moved there," she said, adding that she doesn't want to see it going away. "I want to see the event center used as it was intended to be used for – agricultural, rodeos – stuff like that need to be in there."

She doesn't agree with putting plastic flooring over the event center dirt for other types of events.

"Someone is going to fall on that – an older person can fall and break a hip. I've seen ladies with buggies that the kids are just bouncing in them. It's really not a good idea. I really think we need to take a look at that, and I know there was a survey went out and 1,500 people want it back the way it was. We want the rodeos back in there. We want the kids to be able to practice there, and keep it the way that it's intended to be, and I don't think it needs to be moved again," she said, noting that the Davis County Fairgrounds used to be at Lagoon. "Then Lagoon didn't want it, so we moved it to the west side of the freeway. That's where it should be. I'm sorry there's people that got moved in there, but you've got to understand we've got little kids – I think they said about 100 little kids – that are doing this junior rodeo, and they named it Legacy Rodeo Association. So you need to look at what you're doing out there – get it back, you know, let the kids come in and practice. I think they have to pay \$45 dollars an hour in Weber County, and I'm not sure how much they have to pay in Tremonton, but that's a long way to take your kids and your horse every time you have to practice. So I would appreciate being kept in the loop on this, and hope we can get it under – back to a little bit the way it was. Thank you."

CLOSED
SESSION

Commissioner Millburn motioned to adjourn to a closed session for reasons permitted under Utah Code Annotated 52-4-205. Commissioner Smith seconded the motion. All voted aye.

The closed session began at 10:54 a.m.

Commissioners returned from closed session at 11:49 a.m. and no action was taken.

MEETING
ADJOURNED

Open meeting was adjourned at 11:49 a.m.

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

- A. Agenda
- B. RFP Opening for Mutton Hollow and 50 East Street Rebuild Project

APPROVED

Minutes prepared by:
Becky R. Wright
Deputy Clerk/Auditor

Minutes approved on: August 7, 2018

Curtis Koch
Davis County Clerk/Auditor

Randy B. Elliott
Commission Chair