

# COMMISSIONERS' MINUTES – DAVIS COUNTY

## COMMISSION MEETING MINUTES August 4, 2020

The Board of Davis County Commissioners met for their regularly scheduled meeting at 4:00 p.m. on August 4, 2020, in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Required legal notice of this meeting was given.

Present on the dais were: Commissioner Lorene Miner Kamalu, Chair; Commissioner Bob J Stevenson, Vice-Chair; Commissioner Randy B. Elliott. Also present were: 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. The agenda for this meeting is incorporated into the minutes as item headers.

### OPENING

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**Due to the ongoing coronavirus pandemic, special meeting circumstances apply.**

In consideration of the COVID-19 pandemic, attendance will be limited to less than 20 individuals, including commission and staff. Masks are recommended and all those in attendance will be required to participate in a socially distant manner. Because of the room occupancy limitation, those wishing to watch the meeting are encouraged to do so by viewing the meeting online. Meeting proceedings may be viewed remotely through YouTube live-streaming at: <https://www.daviscountyutah.gov/commission/meetings>. Those wishing to direct comments to the Commission regarding the public hearing or to make public comment can do so in-person or email comments to [commissioners@daviscountyutah.gov](mailto:commissioners@daviscountyutah.gov) by 3:30 pm the day of the meeting.

The meeting convened at 4 p.m. A reminder was given that meetings have been adjusted due to the pandemic, including only having up to 20 people in the room, socially distancing, and wearing masks. Public comment can be made in the meetings as well as in advance of the meeting by calling or emailing the Commissioner's Office. No public comment was received in advance regarding today's agenda.

Clerk/Auditor Curtis Koch led the Pledge of Allegiance.

Recognitions,  
Presentations &  
Informational  
Items

### **August Employee Service Awards — Presented by Commissioner Kamalu**

Commissioners recognized those celebrating milestone anniversaries as employees of Davis County. Gratitude was expressed for those who serve for years and years in the County, giving good service to the community and citizens. They're giving their very best work during the pandemic.

#### **Five Years**

Megan Christensen, Community and Economic Development

#### **Fifteen Years**

Neil Porter, Sheriff's Office

Lori Boucher, 911 Emergency

#### **Twenty Years**

Claine Hawkins, Sheriff's Office

Barbara Goode, Health – Women, Infants, and Children (WIC)

#### **Twenty-Five Years**

Matthew Goff, Library

### **Notice of intent to engage in contract negotiations with Hogan & Associates Construction, Inc. for Construction Management/General Contractor (CM/GC) Services for the Davis County Jail Medical Observation Unit — Presented by Commissioner Kamalu**

Notice was given of the County's intent to engage in contract negotiations with Hogan & Associates Construction, Inc. for Construction Management/General Contractor (CM/GC) Services for the Davis County Jail Medical Observation Unit.

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## PUBLIC COMMENTS

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

**Michelle Smith**, who lives in the Ward Canyon neighborhood of Bountiful, spoke about the Gun Range Fire that happened about a year ago. Hers was one of many homes evacuated due to the fire, which was both illegal and preventable and cost three families their homes. It was only due to the heroic actions of law enforcement, firefighters, and caring neighbors – and a miraculous wind change – that no lives were lost. The fire motivated her to connect with neighbors, and they are united in their hope that this never happens again. She and her neighbors appreciate the hard work and leadership provided by the County Commission in revising the fire ordinance to better protect the communities of North Davis County, particularly Farmington and Bountiful. Residents of these neighborhoods recognize the inherent challenges present in regulating usage of land where jurisdiction and oversight is largely out of County hands, therefore the partnership between the County, local fire departments, and the Forest Service is even more impressive. She thanked Commissioners for working through the obstacles to make the needed improvements and strongly encouraged a supporting vote for the ordinance on this meeting's agenda. She particularly thanked Commissioner Elliott for answering her questions and for his diligence in keeping her apprised of the progress on this ordinance. She encouraged the Commission to keep the momentum going. Further policy revisions to increase the consequences and financial penalties for illegal fires would give needed weight to the ordinance. Additionally, increased restrictions on illegal shooting in the area above the [Bountiful] "B" will help make sure that the area is safe and enjoyable for all types of recreationists. She thanked fire departments for their constant effort to protect County communities.

**Rhonda Perkes, representing Congressman Chris Stewart's Office**, said the Congressman spoke at the Top of Utah Military Affairs Committee (TOUMAC) Board Meeting on August 3, where he discussed happenings in China and around the world. Last week's planned Security Council meeting had to be rescheduled for October 6, because the keynote speaker, Ambassador O'Brien, the National Security Advisor, came down with COVID-19. Ms. Perkes thanked Ms. Smith and said the Congressman and his staff have a vested interest in what's going on in the area with the Forest Service. She thanked Commissioner Elliott for his work in putting the pieces together. There has been a lot of support from local and County leaders in terms of wanting to do what's best for constituents.

**Commissioner Kamalu** She mentioned that there were two meetings held with stakeholders in very significant positions to figure out what can and needs to be done in Davis County to prevent fires. She thanked everyone who worked on it, including Davis County Civil Attorney Mike Kendall for the significant time and work he put into the revised ordinance.

## BUSINESS/ ACTION

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Summary List #2020-423 of agreements for space rental at the Legacy Events Center

### **Summary List #2020-423 of agreements (12) for space rental at the Legacy Events Center as of July 14, 2020 — Presented by Commissioner Kamalu**

A summary list of 12 agreements for space rental at the Legacy Events Center, as of July 14, 2020, was presented. The contracts are with multiple entities. The contract period is 06/18/2020 to 04/28/2021. The receivable amount is \$5,184.26.

Summary List #2020-424 of agreements for space rental at the Legacy Events Center

### **Summary List #2020-424 of agreements (9) for space rental at the Legacy Events Center as of July 28, 2020 — Presented by Commissioner Kamalu**

A summary list of nine agreements for space rental at the Legacy Events Center, as of July 28, 2020, was presented. The contract period is 08/22/2020 to 09/12/2020. The receivable amount is \$2,893.04.

Summary List #2020-425 of agreements for space rental at the Legacy Events Center

### **Summary List #2020-425 of agreements (15) for space rental at the Legacy Events Center as of July 29, 2020 — Presented by Commissioner Kamalu**

A summary list of 15 agreements for space rental at the Legacy Events Center, as of July 29, 2020, was presented. The contract period is 07/09/2020 to 08/02/2020. The receivable amount is \$5,020.17.

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Summary List #2020-426 of agreements for internet access to REDI Web for Recorder's information

## **Summary List #2020-426 of agreements (11) for internet access to REDI Web for Recorder's Office information — Presented by Commissioner Kamalu**

A summary list of 11 agreements with agencies using REDI Web for Recorder's Office information was introduced. The contract period begins 08/04/2020 and there is not an ending date. The receivable amounts vary depending on usage.

Grant Award #2020-166-B from the U.S. Bureau of Justice Assistance for Coronavirus emergency funding

## **Grant Award #2020-166-B from the U.S. Bureau of Justice Assistance for Coronavirus emergency funding — Presented by Commissioner Kamalu**

A grant from the Bureau of Justice Assistance was presented. It is a grant award notification for coronavirus emergency funding. Acceptance is required by the County Commission Chairperson; it will be accepted. The contract period is 01/20/2020 to 01/31/2022. The receivable amount is \$58,008.

Amendment #2020-46-A with Stephen G. Handy Marketing Communications extending contract

## **Amendment #2020-46-A with Stephen G. Handy Marketing Communications for extending contract period through the 2021 Davis County Fair — Presented by Commissioner Kamalu**

An amendment to an agreement with Stephen G. Handy Marketing Communications was introduced. The amendment extends the contract through the 2021 Fair dates. This year's fair was canceled due to the pandemic. The contract period is 08/04/2020 to 08/21/2021. The payable amount is 20% of sponsorships collected due to Mr. Handy's efforts.

Amendment #2020-79-A with GOED for reduction in pass through funding for PGA Korn Ferry Tournament

## **Amendment #2020-79-A with the Governor's Office of Economic Development (GOED) for a reduction in pass-through funding for the PGA Korn Ferry Tournament — Presented by Commissioner Kamalu**

An amendment was introduced to a contract with the Governor's Office of Economic Development (GOED). The amendment, based on updated budgets determined in the recent special session of the State Legislature, reduces the amount of pass-through funding for the Professional Golfers Association (PGA) Korn Ferry Tournament. The tournament is held at the Oakridge Country Club every June. The overall appropriation was cut by 10 percent, so the new total over five years is \$230,000 compared to the original \$250,000, amounting to a \$20,000 reduction across the remaining four years. The contract period is 07/01/2020 to 06/30/2024. The pass-through amount is \$50,000, \$45,000, \$45,000, \$45,000, \$45,000, respectively.

Agreement #2020-427 with Utah Dept. of Health for funding for FY2021 PHEP Program

## **Agreement #2020-427 with the Utah Dept. of Health for funding for FY2021 Public Health Emergency and Healthcare Preparedness (PHEP) Program — Presented by Commissioner Kamalu**

An agreement with the Utah Department of Health was introduced. The agreement provides funding for a Public Health Emergency and Healthcare Preparedness (PHEP) Program for Fiscal Year (FY) 2021. The contract period is 07/01/2020 to 06/30/2021. The receivable amount is \$344,779.

Amendment #2018-544-D with Utah Dept. of Health for added funding and to replace Attachment A to Arthritis program

## **Amendment #2018-544-D with the Utah Department of Health for added funding and to replace Attachment A to the Arthritis program — Presented by Commissioner Kamalu**

The fourth amendment to a contract with the Utah Department of Health, was introduced. The amendment is to the Davis County Arthritis contract, adding funding and replacing Attachment A. The contract period is 07/01/2020 to 06/30/2021. The receivable amount represents a \$6,840 increase.

Amendment #2020-148-B with Utah Dept. of Health for added funding and update Attachment A from FEMA to COVID 19

## **Amendment #2020-148-B with the Utah Department of Health for added funding and to update Attachment A from FEMA to COVID 19 General Response CARES Act requirements — Presented by Commissioner Kamalu**

The second amendment to an agreement with the Utah Department of Health was presented. The amendment adds funding and updates Attachment A from the Federal Emergency Management Agency

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General Response CARES Act requirements

(FEMA) to COVID-19 General Response Coronavirus Aid, Relief, and Economic Security (CARES) Act requirements. The contract period is 05/22/2020 to 12/31/2020. The receivable amount is \$856,615.31 increase.

Amendment #2019-356-A with Davis Community Housing Authority for CDBG funding for Roof Repair Program

**Amendment #2019-356-A with the Davis Community Housing Authority for Community Development Block Grant (CDBG) funding for the Roof Repair Program for PY2019-2020 — Presented by Commissioner Kamalu**

An amendment was introduced to an agreement with the Davis Community Housing Authority, for Community Development Block Grant (CDBG) funding for the 2019 through 2020 Program Year, for the Roof Repair Program (Project 169). The contract period is 07/01/2019 to 06/30/2020. The payable amount is \$12,150.

Amendment 2019-355-A with Davis Community Housing Authority for CDBG funding for Emergency Home Repair Program

**Amendment #2019-355-A with the Davis Community Housing Authority for Community Development Block Grant (CDBG) funding for the Emergency Home Repair Program PY2019-2020 — Presented by Commissioner Kamalu**

An amendment to an agreement with the Davis Community Housing Authority was presented. It is the second amendment to the Community Development Block Grant (CDBG) agreement with Davis Community Housing Authority and is for the 2019 through 2020 Program Year for the Emergency Home Repair Program (Project 170). The contract period is 07/01/2019 to 06/30/2020. The payable amount is \$13,600.

Amendment #2019-410-A with Davis Community Learning Center for CDBG funding for Promise Bountiful-Family Support Specialist Project

**Amendment #2019-410-A with the Davis Community Learning Center for Community Development Block Grant (CDBG) funding for the Promise Bountiful-Family Support Specialist Project PY2019-2020 — Presented by Commissioner Kamalu**

An amendment was introduced to a Community Development Block Grant (CDBG) agreement with the Davis Community Learning Center. It is the first amendment to the agreement, and it is for 2019-2020 Program Year funding for Promise Bountiful's Family Support Specialist Project (Project 171). The contract period is 07/01/2019 to 06/30/2020. The payable amount is \$14,000.

Agreement #2020-428 with Davis Community Learning Center for CDBG funding for Promise Bountiful-Family Support Specialist Project

**Subrecipient Agreement #2020-428 with the Davis Community Learning Center for Community Development Block Grant (CDBG) funding for Promise Bountiful-Family Support Specialist Project PY2020-2021 — Presented by Commissioner Kamalu**

A subrecipient agreement with Davis Community Learning Center was presented. The agreement is for Community Development Block Grant (CDBG) program funding for Promise Bountiful for the Family Support Specialist Project for Program Year 2020-2021. The contract period is 07/01/2020 to 06/30/2021. The payable amount is \$25,000.

Resolution #2020-429 with Sunset City for CDBG funding for Waterline Replacement 300 W 1600 N Project

**Resolution #2020-429 with Sunset City for Community Development Block Grant (CDBG) funding for Waterline Replacement 300 W 1600 N Project for PY2020-2021 — Presented by Commissioner Kamalu**

A Resolution and Interlocal Agreement with Sunset City was introduced. The agreement is for Community Development Block Grant (CDBG) program funding for waterline replacement at 300 West and 1600 North. The project is for Program Year 2020-2021, and the City Resolution is attached for legal purposes. The contract period is 07/01/2020 to 06/30/2021. The payable amount is \$135,000.

Ordinance #01-2020 amending Davis County Code Title 9, Chapter 9.12 Fire Permits restricting open

**Ordinance #01-2020 amending Davis County Code Title 9, Chapter 9.12 Fire Permits — restricting open fires in Farmington and Ward Canyons with exceptions — Presented by Commissioner Kamalu**

An update to County Ordinance Title 9, 9.12 Fire Permits was presented. It will restrict open fires within a half mile of any structure and restrict fires in Farmington and Ward canyons up to a certain point within 600 feet of the road. There are exceptions for agricultural burning, fires in designated campgrounds, and

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fires in Farmington and Ward Canyons with exceptions

backyard fires in some unincorporated areas. Cities in the area are going to match it in their own ordinances. The Ordinance was passed 08/04/2020 without an ending date.

Application #2020-430 made for adjustment or deferral of 2019 property tax on ID 12-419-0003

**Application #2020-430 made to the Davis County Legislative Body, under UCA 52-2-1347, for adjustment or deferral of 2019 property tax on ID 12-419-0003 — Presented by Commissioner Kamalu**

Commissioners considered an application made to the Davis County Legislative Body, under Utah Code Annotated (UCA) 52-2-1347, for adjustment or deferral of 2019 property tax on ID 12-419-0003. The terms are 01/01/2019 to 12/31/2019. The payable amount is \$4,596.33.

Authorization #2020-431 of notice of sale of Davis County surplus real property known as part of Tax ID 07-014-0023

**Authorization #2020-431 of notice of sale of Davis County surplus real property known as part of Tax ID 07-014-0023 — Presented by Commissioner Kamalu**

Commissioners authorized the notice of sale of Davis County Surplus Real Property known as part of Tax ID 007-014-0023.

Motion To Approve Business and Action Items 1-15 and 17-18: Com. Stevenson  
Seconded: Com. Elliott  
All voted Aye

Motion to Approve Item 16, the Ordinance Amending Davis County Code Title 9, Chapter 9.12 Fire Permits:  
Com. Elliott  
Seconded: Com. Stevenson  
All voted Aye

Commissioner Stevenson moved to recess to the Board of Equalization. Commissioner Elliott seconded the motion. All voted Aye.

## BOARD OF EQUALIZATION

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Property Tax Register

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

**Auditor's Adjustments, Corrections**

- Thirteen (13) 2019 Veteran Tax Exemption Abatements
- One adjustment due to the parcel number being incorrect

**Assessor's Adjustments, Corrections**

- Assessor-initiated corrections report totaling \$1,508,187

It was noted that the Clerk/Auditor's Office has made an effort over the years since Curtis Koch was elected to make sure veterans know about the abatement. The County has a large veteran population, and several of them qualify for abatement.

Clerk/Auditor Koch said that in the coming weeks he will be introducing the County's new Tax Administration Manager, Sulika Merrell. She was the Chief Deputy Assessor in Carbon County. Diane Law, who retired in the spring, left a good foundation to build on and now the County will be taking Tax Administration to the next level.

Motion to Approve: Com. Elliott  
Seconded: Com. Stevenson  
All voted Aye

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Commissioner Stevenson moved to reconvene the Commission Meeting. Commissioner Elliott seconded the motion. All voted Aye.

## CONSENT ITEMS

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Check Registers

### **Check Registers**

Check Registers were approved as presented.

Motion to Approve: Com. Stevenson  
Seconded: Com. Elliott  
All voted Aye

Indigent  
Hardship  
Abatement  
Register

### **Indigent Hardship Register**

A motion was made to approve one Indigent Abatement and to hold hearings regarding three other Indigent Abatement applications.

Motion to Approve: Com. Elliott  
Seconded: Com. Stevenson  
All voted Aye

Commission  
Meeting  
Minutes

### **Meeting Minutes**

A motion was made to approve amended Meeting Minutes for July 7, 2020, and also the Minutes for July 14, 2020, as written.

Motion to Approve: Com. Stevenson  
Seconded: Com. Elliott  
All voted Aye

## COMMISSION COMMENTS

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**Commissioner Elliott** said a barbecue was held last week giving the Commission Office an opportunity to express appreciation to the County's Sheriff's Deputies, Correctional Officers, and others who work with them. Deputies have to involve themselves with many things every day, from Officer Pope helping with an SUV fire on the mountain last week to medical emergencies. They really do a good job, as do Corrections Deputies and all of the other deputies.

**Commissioner Stevenson** spoke of citizen involvement in changing the ordinance related to Fire Permits. Often people do not think their input is listened to, but it's been his experience that probably 100 percent of the concerns and comments that come in to any level of government are looked into. Some are not passed, and there are reasons why not, but Ward Canyon, where the residents asked for help, is an example that government does work. The amount of effort that was put in by Commissioner Elliott, and others, has been a very good example of how things can be accomplished. Commissioners appreciate citizen input, and all of the efforts of everyone else to get this put in place, and now ask people to please follow the rule and not have any fires.

**Commissioner Kamalu** said a big part of [preventing fires] is the messaging, which will now need to be tremendous so that people will easily see, in all of the most visible locations, what's involved with the restriction to be able to keep the rule. Very soon after the last meeting, she saw signage at Kaysville's East Mountain Wilderness Park giving notice of a fire restriction through the rest of this fire season. It was in more than one spot, where people access that area, and that's what is needed now — very consistent messaging from all of the stakeholders. There is great power in citizen engagement, and when citizens get on board and help spread the word it makes a difference for local government to do even better.

Commissioner Kamalu also referred to the opportunity to thank the Office of the Sheriff and all of the Deputies. She noted that when people used to enter the County's Administration Building they had to look

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at all of the signage to figure out which office they needed to go to and where to find it. One of the silver linings of the pandemic is that, for several months, there has been a greeter from the Sheriff's Office. They are doing a wonderful job being partners and we're grateful for all the service that they offer in so very many ways. Most of it goes unrecognized, yet public safety is so important and foundational to government.

Commissioner Kamalu said there are 29 beautiful counties in Utah. A lot of people's vacations have been canceled during the pandemic, but this is a great time to explore the State. Commissioners were invited to Uintah County to experience rafting on the Green River. She took that opportunity, as did about 12 other people from counties and offices around the state. They saw Dinosaur National Monument and petroglyphs from the Fremont Indians. This State is a treasure. All of the counties are grateful for people to know what exists in the different counties, where they can take their families and explore and appreciate the beauty of this State.

MEETING  
ADJOURNED

Commission meeting was adjourned at 4:37 p.m.

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

Minutes approved on: 8/18/2020

/s/ Curtis Koch  
Curtis Koch  
Clerk/Auditor

/s/ Lorene Miner Kamalu  
Lorene Miner Kamalu  
Commission Chair