

# COMMISSIONERS' MINUTES – DAVIS COUNTY

## COMMISSION MEETING MINUTES October 19, 2021

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 a.m. on October 19, 2021, 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 Bob J Stevenson, Chair; Commissioner Randy B. Elliott, Vice-Chair; Commissioner Lorene Miner Kamalu; 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.

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### OPENING

The meeting convened at 10:00 a.m. and Chris Bone, Human Resources Director, led the Pledge of Allegiance.

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### PUBLIC COMMENT

Public comment was invited; however, no comments were made at this time. [Rhonda Perkes, representing Congressman Chris Stewart's Office, arrived after the Public Comment period and was invited to speak after Consent Items.]

### PUBLIC HEARING

**A public hearing for consideration of additional 2021 budget appropriations and adjustment to revenues, including land improvements funded by State and Local Fiscal Recovery Funds (SLFRF) — Presented by Chief Deputy Clerk/Auditor Heidi Voordeckers**

### Opening

Chief Deputy Clerk/Auditor Heidi Voordeckers offered the following information regarding additional 2021 budget appropriations and adjustment to revenues requests:

- In the Victim Services Department, which is a very small department, a 10-year employee retired that they had to pay out. There's been a request to fund that paid time off payout of \$20,000 from contingency monies that are sitting in Non-Departmental.
- The Health Department has submitted a request to transfer \$3 million out of their Operating Fund 15 and into their Capital Reserves Fund 46. This is turned back from the 2020 year due to some of the additional funding that was received through COVID relief.
- In Fund 45, there is a reclassification of a budget approval from February of this year. This is a \$174,932 transfer out of Fund 45 and going into Funds 10 and 18. It was originally funded to come out of Fund 80, when the thought was to have CARES reserves in Fund 80. It was recognized before closing out the year that it actually had to go into Fund 45, so this item is making a correction to that previous budget approval.
- The \$3 million transferring into Fund 46 is the above-mentioned amount transferring out of Fund 15.
- In State and Local Fiscal Recovery Funds (SLFRF), Fund 80, is the previously mentioned transfer out of \$174,932. There is also a request from the Health Department of \$11,195 of State and Local Fiscal Recovery Funds to fund a portion of the vaccine clinic; this was for some paving to provide access to the drive-through function of the clinic.

*See Attachment A, "October 19, 2021 Resolution & Budget Opening Items," for details.*

### Public Comments

Commissioner Stevenson opened the Public Comment period of the hearing. There were no comments made.

### Closing

Motion to Close the Public Hearing: Com. Kamalu  
Seconded: Com. Elliott  
All voted aye

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## BUSINESS/ ACTION

Resolution and Budget Opening #2021-523 for additional 2021 budget appropriations and adjustments to revenues

**1. Resolution and Budget Opening #2021-523 for additional 2021 budget appropriations and adjustments to revenues, including land improvements funded by State and Local Fiscal Recovery Funds (SLFRF) — Presented by Chief Deputy Clerk/Auditor Heidi Voordeckers**

The resolution was introduced without further discussion. Terms: Beginning 10/19/2021 to 12/31/2021.

Motion to Approve: Com. Elliott

Seconded: Com. Kamalu

All voted Aye

Ordinance #6-2021 amending section 6.20.060 of the Davis County Code regarding sterilization at Animal Care

**2. Ordinance #6-2021 amending section 6.20.060 of the Davis County Code regarding sterilization at Animal Care changing the verbiage from "animal" to "dog and/or cat" — Presented by Interim Director Ashleigh Young**

A change to an Animal Care ordinance regarding sterilization of animals was requested. According to County ordinances, an animal is any sub-human creature, domestic or wild. Unfortunately, Animal Care is not able to spay or neuter turtles, hamsters, rabbits, or livestock, so the request is to move that verbiage from "animal" to "dog or cat."

Motion to Approve: Com. Kamalu

Seconded: Com. Elliott

All voted Aye

Amendment #2021-524 to the Price Agreement with Corporate Translation Services, Inc. dba Language Link for On-Demand Remote Interpreting (OPI and VRI) and document translation

**3. Amendment #2021-524 to the Price Agreement with Corporate Translation Services, Inc. dba Language Link for On-Demand Remote Interpreting (OPI and VRI) and document translation — Presented by Chief Deputy County Attorney Neal Geddes**

Three contracts or amendments to contracts, to provide for interpretation services for County prosecutors, were presented. The Attorney's Office is, more and more often, having to provide translation services when interviewing victims, defendants, or witnesses. The need is primarily for Spanish translation services, but other languages as well. For a long time, the Attorney's Office has been able to utilize multi-language speakers in the office, but that's becoming too time consuming. These contracts allow the Attorney's Office the ability to bring in professional translators to help. In response to a question regarding financial terms, Commissioners were informed that the cost is primarily \$50 per hour.

Regarding the Price Agreement with Corporate Translation Services, Inc. dba Language Link, terms are: Payable as needed, beginning 12/4/2019 to 11/11/2022.

Agreement #2021-525 with Craig Enterprises, Inc. dba CommGap for interpreting services

**4. Agreement #2021-525 with Craig Enterprises, Inc. dba CommGap for interpreting services — Presented by Chief Deputy County Attorney Neal Geddes**

Discussion of this agreement was included in the discussion of Item 3. Terms: Payable, beginning 8/2/2020 to 8/1/2025.

Agreement #2021-526 with Interpreting and Cultural Competence Academy, LLC for translation services

**5. Agreement #2021-526 with Interpreting and Cultural Competence Academy, LLC for in-person, video-remote, over-the-phone, and video-recording-to-document interpreting services, along with legal document translation services — Presented by Chief Deputy County Attorney Neal Geddes**

Discussion of this agreement was included in the discussion of Item 3. Terms: Payable as needed, beginning 10/19/21 to 10/30/2026.

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Interlocal Cooperation Agreement #2021-527 with Layton City allowing County Attorney's Office to represent the Davis County Metro Narcotics Strike Force in civil forfeiture proceedings

**6. Interlocal Cooperation Agreement #2021-527 with Layton City allowing the Davis County Attorney's Office to represent the Davis County Metro Narcotics Strike Force in all civil forfeiture proceedings — Presented by Chief Deputy County Attorney Neal Geddes**

There have been some changes to the forfeiture laws, so this item is formalizing Davis County's agreement as the County coordinates with Layton City and the Davis Metro Narcotics Strike Force as they identify and seize funds under the State forfeiture law. Terms: Receivable in the amount of 20 percent of seized assets, beginning 10/19/2021 to 10/19/2071.

Approval for Items 3-6: All Voted Aye

Resolution and Interlocal Cooperation Agreement #2021-528 with North Salt Lake City for a Utah Pollutant Discharge Elimination System (UPDES) Permit

**7. Resolution and approval of the Interlocal Cooperation Agreement #2021-528 with North Salt Lake City for a Utah Pollutant Discharge Elimination System (UPDES) Permit — Presented by Commissioner Stevenson**

A request was made for the adoption of a resolution and approval of an inter-local cooperation agreement with North Salt Lake City dealing with the Utah Pollutant Discharge Elimination System. Terms: Beginning 10/19/2021 to 5/11/2026.

Approval: All Voted Aye

Agreement #2021-529 with Simple Treasures Boutique for a spring show

**8. Agreement #2021-529 with Simple Treasures Boutique for a spring boutique show with vendors — Presented by Community and Economic Development Director Kent Andersen**

Terms: Receivable in the amount of \$7,107, beginning 3/14/2022 to 3/19/2022.

Agreement #2021-530 with United Spirit Association for a cheer competition

**9. Agreement #2021-530 with United Spirit Association for a Regional cheer competition — Presented by Community and Economic Development Director Kent Andersen**

Terms: Receivable in the amount of \$4,552.44, beginning 3/10/2022 to 3/12/2022.

Agreement #2021-531 with US Ballroom Foundation for dance competition

**10. Agreement #2021-531 with the US Ballroom Foundation for the Utah Classic US Ballroom dance competition — Presented by Community and Economic Development Director Kent Andersen**

Terms: Receivable in the amount of \$3,234.20, beginning 2/17/2022 to 2/19/2022.

Commissioned Painting Agreement #2021-532 with Eric Dowdle, DBA American Art Enterprises, LLC to create an original painting of Davis County

**11. Ratification of the Commissioned Painting Agreement #2021-532 with Eric Dowdle, DBA American Art Enterprises, LLC to create a 22x28 original destination painting of the County — Presented by Community and Economic Development Director Kent Andersen**

Ratification of a Commissioned Painting Agreement with Eric Dowdle, doing business as American Art Enterprises, was requested. The agreement is for Dowdle to create a 22-inch by 28-inch original destination painting of Davis County. It was noted that this item was talked about during the previous week's budget discussion. Terms: Payable in the amount of \$40,000 (\$10,000 down payment in 2021, and \$30,000 when completed in 2022), beginning 10/8/2021 to 12/31/2022.

Agreement #2021-533 with Udo to use the

**12. Agreement #2021-533 with Udo to use the Legacy Center for their grand opening celebration — Presented by Community and Economic Development Director Kent Andersen**

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Legacy Center  
for their grand  
opening  
celebration

Approval of a contract with Udo, to use the Legacy Events Center for their grand opening celebration, was requested. It was pointed out that the term of the contract had already passed, but the item was not a ratification because work was still being done on the contract up to the time of the event. It was also noted that there was an error on the agenda regarding the terms of the contract. The correct terms are: Receivable in the amount of \$4,163.69, beginning 10/6/2021 to 10/8/2021.

Motion to Approve Items 8-12: Com. Elliott  
Seconded: Com. Kamalu  
All voted Aye

Agreement  
#2021-534 with  
Method Studio,  
Inc. for  
architectural  
service for the  
Legacy Event  
Center Campus  
Redevelopment  
Project

### **13. Agreement #2021-534 with Method Studio, Inc. for architectural service for the Legacy Event Center Campus Redevelopment Project — Presented by Facilities Director Lane Rose**

A contract with Method Studio, Inc., for architectural services for Davis County's Legacy Events Center Campus Redevelopment Project, was presented. Early meetings and discussions with this firm have already begun. The delivery method for this project is going to be CMGC (Construction Management General Contractor) instead of Design-Bid-Build, so they're going to be helping during the design process and giving input on lead times, constructability, and those types of items. The County will be getting an RFP (Request for Proposal) for the contractor, getting them on board early to help with building a schedule and cost estimation. Terms: Payable in the amount of \$2,194,500, beginning 10/19/2021 to 10/12/2025.

Agreement  
#2021-535 with  
Rocky  
Mountain  
Power for  
Electrical Utility  
Services for the  
new Clearfield  
Branch Library

### **14. Agreement #2021-535 with Rocky Mountain Power for Electrical Utility Services for the new Clearfield Branch Library — Presented by Facilities Director Lane Rose**

It was clarified that the cost associated with the contract with Rocky Mountain Power is a one-time payable amount for installation service, bringing utilities onto the property, and not the same as monthly electric bills. Terms: Payable in the amount of \$22,998, beginning 10/19/2021 to 12/19/2021.

Motion to Approve Items 13-14: Com. Kamalu  
Seconded: Com. Elliott  
All voted Aye

FY 22  
Prevention  
Block Grant  
Contract  
#2021-536 with  
the Utah Dept.  
of Health for  
prioritized  
needs  
impacting social  
determinants of  
health

### **15. FY 22 Prevention Block Grant Contract #2021-536 with the Utah Department of Health to address prioritized public health needs that impact the social determinants of health — Presented by Commissioner Kamalu on behalf of Health Director Brian Hatch**

A contract from Davis County Health Department's Health Community Services division was introduced. The contract with the Utah Department of Health is for a FY22 (Fiscal Year 2022) Prevention Block Grant providing funding to address prioritized public health needs that impact the social determinants of health. Terms: Receivable in the amount of \$99,602, beginning 10/1/2021 to 9/30/2022.

Agreement  
#2021-537 with  
Discovery  
Family Coalition  
for funding for  
a prevention  
program  
addressing  
youth use of  
e-cigs,  
marijuana, and  
other drugs

### **16. Agreement #2021-537 with Discovery Family Coalition for pass-through funding for a prevention program addressing youth use of e-cigs, marijuana, and other drugs in Davis County — Presented by Commissioner Kamalu on behalf of Health Director Brian Hatch**

Another contract from Health Community Services was presented. The contract with Discovery Family Coalition is for pass-through funding for a prevention program. In accordance with Utah Code 26A-1-129, pass-through funding is for a prevention program to address youth use of e-cigarettes, marijuana, and other drugs in Davis County. The payable total is \$55,000; funds are distributed quarterly with an initial payment of 40 percent, and then 30 percent in February, and 30 percent in May. Terms: Payable in the amount of \$55,000, beginning 10/19/21 to 12/31/22.

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Agreement #2021-538 with UDOT ensuring compliance with Title VI of the Civil Rights Act of 1964 (Non-discrimination in the Federal Transit Program)

**17. Agreement #2021-538 with Utah Department of Transportation ensuring compliance with Title VI of the Civil Rights Act of 1964 (Non-discrimination in the Federal Transit Program) — Presented by Commissioner Kamalu on behalf of Health Director Brian Hatch**

An agreement from the Davis County Health Department's Senior Services division was introduced. The agreement with the Utah Department of Transportation ensures compliance with Title VI of the Civil Rights Act of 1964 (Non-Discrimination in the Federal Transit Program). There is no financial information associated with the agreement. Terms: Beginning 10/1/21 to 9/30/22.

Motion to Approve Items 15-17: Com. Kamalu  
Seconded: Com. Elliott  
All voted Aye

License Agreement #2021-539 with Ebsco Publishing Inc. to access the MyHeritage Library Edition - Family History database

**18. License Agreement #2021-539 with Ebsco Publishing Inc. to access the MyHeritage Library Edition - Family History database — Presented by Library Deputy Director Ellen Peterson**

A renewal contract with Ebsco, for their My Heritage Library Edition database, was presented. It's a genealogical database for doing family history and looking up records. Terms: Payable in the amount of \$6,053, beginning 11/1/21 to 10/31/22.

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

Agreement #2021-540 with American Pavement Marking for striping of county roads that were previously chip sealed in Bountiful

**19. Agreement #2021-540 with American Pavement Marking for striping of County roads that were previously chip sealed in Bountiful — Presented by Operations Manager Jason Fielding**

A contract with American Pavement Marking was presented. The company will do some striping on a road that the County recently sealed so drivers can see the stripes again. In response to a question about the location of the road, Commissioners were informed that American Pavement Marking will actually be working on a couple of roads. The bulk of the work is going to be on Shoreline Drive, which is the road that runs from 500 South down to the Bountiful landfill. Additional work includes refreshing stop bars and crosswalks on various County roads. Terms: Payable in the amount of \$4,582.75, beginning 10/12/2021 to 12/31/2021.

Agreement #2021-541 and corresponding documents with Acme Construction, Inc. for the 1000 N. Channel Lining Project in Centerville

**20. Agreement #2021-541 and corresponding documents with Acme Construction, Inc. for the 1000 N. Channel Lining Project in Centerville — Presented by Operations Manager Jason Fielding**

A contract with Acme Construction, Inc., for work on the 1000 N. Channel Lining Project, was introduced. The 1000 North drain, in Centerville, is currently an earth channel. Public Works would like to turn it into a concrete channel so that it functions and performs a little bit better and they can maintain it. A request was made for approval of the contract and the corresponding documents, which include the Performance and Payment bonds along with a revised Notice to Proceed. The construction company is having a difficult time getting some of the materials needed in order to accomplish the project, so the Notice to Proceed will not be released until the company has received them. The channel is man-made, so it can be dealt with differently than other creeks, but it will be nice to get it covered as it is right along a road and a little bit of a hazard for people. Terms: Payable in the amount of \$573,110, beginning 10/19/2021 to 12/31/2022.

Motion to Approve Items 19-20: Com. Elliott  
Seconded: Com. Kamalu  
All voted Aye

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## CONSENT ITEMS

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Indigent  
Hardship  
Abatement  
Register

### **Indigent Hardship Register**

It was noted that Commissioners had taken the opportunity to review the Indigent Abatement Register for Oct. 19, 2021. A motion was made to deny both applications so that a hearing could be held allowing Commissioners to visit with the applicants and learn more about their circumstances.

Motion to Deny: Com. Elliott  
Seconded: Com. Kamalu  
All voted Aye

## PUBLIC COMMENT

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Commissioner Stevenson recognized that Rhonda Perkes, of Congressman Chris Stewart's Office, was in attendance. He invited her to address the Commission.

**Rhonda Perkes** stated that Congressman Stewart asked her to thank Commissioner Elliott for an invitation to visit Farmington a couple of weeks ago for the Udo business opening. It was fun for him to come see some friends and neighbors, and to be here in his hometown to support the business community and the County. Ms. Perkes mentioned that Congressman Stewart and Congressman Burgess Owens have introduced RECA (Radiation Exposure Compensation Act) legislation. The Act, which went into effect years ago, was last revisited in 1990, so it was time to look at the data from the last 30 years and see how Utah's downwinders have been affected. There have been some medical ramifications that needed to be included, so that bill will be put forward and hopefully gain some support.

Commissioner Elliott moved to recess to the Board of Equalization. Commissioner Kamalu 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**

#### **Appeals**

- A report with 25 recommended approvals in Appeals, totaling \$2,532,373
- Twenty-seven different items on the reports, between the Denial Report and the Hearing Recommendation Report, with no change in value

#### **Abatements**

- Seven abatements recommended for Late Abatement

#### **Corrections**

[The Clerk/Auditor noted that the total under Corrections said "2," but there were actually four listed.]

- Four corrections: Two Veteran Exemptions and two that are related to Exempt Entity Purchased Property

### **Assessor's Adjustments**

#### **Assessor-initiated Corrections**

- A report with various recommended corrections totaling \$305,550

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



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

## COMMISSION COMMENTS

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Commissioner  
Elliott

**Commissioner Elliott** recognized that it is municipal election time, and that a lot of people think it is not important. It is very important, he said, urging those watching or listening to the meeting to get out and vote. It does affect you locally, with how things are run in your cities. Commissioner Elliott also reported that he was out of town last week attending a conference with a lot of county commissioners from across America. It was a good conference on what is going on in different counties around the nation. A lot of them have the same issues Davis County has with hiring and being able to find good people to work – except for Florida, where they said they have plenty of people to work. The commissioners from Florida enjoyed the snow in Cache County and made “snow angels.” Commissioner Elliott said we need to keep the rain and snow coming to refill our reservoirs.

Commissioner Elliott said that, during the Western Regional Conference also held last week, county commissioners from the West were able to hear from Forest Service partners and other entities regarding their mindset with this new [federal] administration and what their ideas are. He said that President Trump’s actions are being rolled back due to what President Biden wants to do, and it just keeps going back and forth, but Davis County Commissioners try to keep local politics running smoothly.

Commissioner Elliott thanked those in attendance at this Commission Meeting for being part of the community and making Davis County what it is; they are the team that helps move Davis County along and make this a great county to live in. Davis is a very well-recognized county because of how smoothly things are run and managed. He expressed appreciation for everybody in the room and the staff, and to Clerk/Auditor Curtis Koch and his staff for helping with the budgets. There are sleepless nights due to thinking about how to move forward and what is coming.

Commissioner  
Kamalu

**Commissioner Kamalu** also spoke of the County’s budget meetings. A lot of meetings are held, and a lot of work goes into the budget from all the departments, from the Budget Committee, and most especially the elected Clerk/Auditor Curtis Koch and Heidi Voordeckers and their team. The last full day of meetings had to be postponed, but Commissioner Kamalu said she thinks the meetings have been going really well. Work is moving as swiftly as possible while still being wise with the budget for next year. There will be more meetings, but the Clerk/Auditor was called to a meeting at the Lt. Governor's Office regarding important work in elections, so the next budget meeting will most likely be held immediately after Commission Meeting on Oct. 26.

Commissioner Kamalu also commented on the National Association of Counties Conference for Western States and the reaction attendees from outside of the area had to the recent snow. There was fresh snow above the fading color on the mountains, and there were people who had never been along the Wasatch Front taking photos out of the bus windows. It’s a good reminder to really appreciate and take care of what we have. During the conference, Commissioner Kamalu was able to tour the hydroelectric plant at the base of Provo Canyon. It's been there since the 1800s and is part of the Central Utah Project, she said, adding that Commissioners are talking a lot about water and will be forever. It was a great conference and worth attending to learn and work with all the other counties in this great State.

**Commissioner Stevenson** invited other comments from the dais.

Clerk/Auditor

**Curtis Koch** said he wanted to note, for the record, the passing of Steve Rawlings, the previous Clerk/Auditor in Davis County. He was, personally, a great friend and mentor, and also an individual who served the County for decades and provided leadership and direction and was a friend to many in the County. Mr. Koch said he wanted to recognize him on the record for all of his contributions and to say, for the record one last time, “Thank you.”

Commissioner  
Stevenson

**Commissioner Stevenson** said he appreciates the relationship that existed between Curtis and Steve. It is important to realize that the history of this County was made not only by Commissioners whose pictures can

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be seen on the walls of the Commission Chamber, but by a lot of other elected people who have served many years and have made this County what it is. It wasn't just built a year ago, or six years ago – it's been built over many, many years, he said, expressing gratitude for everyone on the complete staff and everyone who worked for this County in the past.

**MEETING  
ADJOURNED**

Commission meeting was adjourned at 10:33 a.m.

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

- A. October 19, 2021 Resolution & Budget Opening Items

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

Minutes approved on: 11/16/2021

/s/ Curtis Koch  
Curtis Koch  
Clerk/Auditor

/s/ Bob J Stevenson  
Bob J Stevenson  
Commission Chair