

# COMMISSIONERS' MINUTES – DAVIS COUNTY

## WORK SESSION MINUTES

January 20, 2022

The Board of Davis County Commissioners met for a Work Session at 2:00 p.m. on January 20, 2022, in room 306 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Notice of this meeting was given under the requirements of UCA §52-4-202.

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### AGENDA AS POSTED

#### Roll Call

**2:00 p.m. Discuss Separating the Clerk/Auditor's Office**

**2:20 p.m. Discuss Changing the County's Form of Government**

**2:30 p.m. CLOSED SESSION—Motion to adjourn to Closed Session for reasons permitted under Utah Code Annotated §52-4-205(1)(c ) for strategy sessions to discuss pending or reasonably imminent litigation**

#### Adjournment

### DISCLAIMER

The meeting was an open dialogue. Critical points in the discussion have only been briefly summarized. The reader may refer to the audio recording and the publicly distributed materials for further clarification of the content. Timestamps have been noted in the minutes to aid in locating points of discussion in the audio record. The audio recording for this meeting is available based upon the County's current retention schedule.

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

### ROLL CALL

Davis County Commissioners in attendance: Randy B. Elliott, Chair; Lorene Miner Kamalu, Vice-Chair; and Bob J Stevenson.

Davis County Staff in attendance: Shairise Bills, Deputy Clerk/Auditor; Curtis Koch, Clerk/Auditor; Mike Kendall, Sr. Civil Counsel; Neal Geddes, Chief Civil Deputy Attorney; Josh Johnson, Library Director; Kent Andersen, CED Director; Lisa Manning, Assessor; Chris Bone, Human Resources Director; Shauna Brady, Commission Office Manager; Lane Rose, Facilities Director; Heidi Voordeckers, Chief Deputy Clerk/Auditor; Brian McKenzie Chief Deputy Clerk/Auditor; Steve Lyon, Grants Administrator; Chanel Flores, CED Deputy Director; and Robert Tripp, Civil Deputy Attorney.

Members of the public in attendance: Michelle Scharf; Katie Witt; and Nike Peterson, Clearfield City Council.

The meeting commenced at 2:00 p.m.

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### WORK SESSION DISCUSSION

#### **Discuss Separating the Clerk/Auditor's Office***(Minute 01:08)*

The Commission discussed separating the currently consolidated (since 1989) office of the Clerk/Auditor into two individual offices. State statute grants the authority to the County Legislative Body to consolidate or separate any previously consolidated offices, which is done by enacting an ordinance. The ordinance must pass by February 1 of the year county offices are elected. The statute doesn't address candidates who may have already filed [for the consolidated office before the separation], and there is no case law on the matter.

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Commissioner Stevenson asked Michelle Scharf, who has already filed to gather signatures for [the consolidated office of] Clerk/Auditor, about her thoughts on separating the offices as it directly impacts her. She didn't have an opinion on whether the office should be split or not but said she found it interesting that it was being done right now instead of three years ago when the Clerk/Auditor received a pay increase to compensate for the added responsibilities. She questioned why the job had suddenly become so burdensome, that the office now needs to be split, and that it wasn't considered long before an election process started.

The Commission has been talking about splitting the offices for some time. The county has grown significantly (by almost double) since the office consolidated initially; in the past two years, the Clerk/Auditor's Office has navigated the pandemic from overseeing the spending of federal funding to ensuring a safe and secure Presidential election in addition to the annual budget process and the myriad of other Clerk/Auditor responsibilities. Although the list is substantial as it relates to the duties of the office that include the divisions of Clerk, Finance/Audit, Records, Procurement, and Tax Administration, merely adding more lower-level staff to perform those duties on his behalf does not entirely solve the overarching problem. The Clerk/Auditor has a statutory responsibility to oversee each of these areas. The responsibilities of running an election and the annual budget process coincide, and one cannot be in two places at once to give each the attention they require. It is not sustainable long-term for anyone that would hold that office.

**NEXT STEPS** Brian McKenzie will reach out to the Lt. Governor's Office, who is the Chief Election Officer for the state, and find out if the signatures that Michelle has gathered for the office Clerk/Auditor can be redirected to the office of her choice if the offices are split. The Commission proposed tabling the matter during the Special Commission Meeting called today until next Tuesday's Commission Meeting in hopes of having the question answered about the signatures that have been gathered to date and to grant more time for public comment as was requested by the public

## **Discuss Changing the County's Form of Government (Minute 30:53)**

**Commissioner Stevenson** requested this item to be opened up for discussion. He opined the importance of politicians looking toward the future accounting for the ever-changing political landscape. He said the County's current form of government began when the county was more rural than it is now, and with its significant growth, changing the structure of government should be considered. Specifically, with a three-member Commission, there is no one in charge, and they share both legislative and administrative responsibilities, meaning no separation of powers. He would like to see a Council/Mayor form of government. **Commissioner Kamalu** said there would be trade-offs. It would require some good research and policy analysis. She said she doesn't see any good reason to change the form of government unless the workload increased significantly enough to warrant consideration. **Commissioner Elliott** noted that frequently the leaders of county government are non-existent in their representations of their respective counties. If Davis County changed its form of government, it would increase costs significantly, and balloon staffing needs. He said he was a no-vote on the matter. No decisions were made, and the discussion will continue.

## **CLOSED SESSION**

Commissioner Kamalu moved to a Closed Session for reasons permitted under Utah Code Annotated §52-4-205(1)(c) for strategy sessions to discuss pending or reasonably imminent litigation. Commissioner Stevenson seconded the motion, and all voted aye.

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**ADJOURNMENT** The Commission reconvened the meeting at 3:30 p.m. and immediately adjourned.

**MATERIALS PRESENTED** There were no publicly distributed materials associated with this meeting.

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Minutes prepared by:  
Shairise Bills  
Deputy Clerk/Auditor

Minutes approved on: 2/22/2022

/s/ Curtis Koch  
Curtis Koch  
Davis County Clerk/Auditor

/s/ Randy B. Elliott  
Randy B. Elliott  
Commission Chair