

## COMMISSION MEETING MINUTES

November 17, 2015

The Board of Davis County Commissioners met in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah on November 17, 2015 at 10:00 am. Members present were Commissioner P. Bret Millburn - Chair, Commissioner John Petroff, Commissioner Jim Smith, Clerk/Auditor Curtis Koch, Chief Deputy Civil County Attorney Neal Geddes and Deputy Clerk/Auditor Shauna Brady.

Meeting Agenda as posted:

Meeting  
Agenda as  
posted

PUBLIC NOTICE is hereby given that the Board of Davis County Commissioners, Farmington, Utah, will hold a Commission Meeting at the Davis County Administration Building, 61 South Main Street, Room 303, Farmington, Utah, commencing at **10 a.m. on November 17, 2015.**

### OPENING

Pledge of Allegiance – By Invitation

### RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

Opening of RFPs for the Northern Davis County Clearfield Library HVAC Boiler Replacement

Opening of bids for the box culverts under 650 West and Clark Lane in Farmington

### PUBLIC HEARING

A public hearing on the Davis County tax exempt industrial development revenue bonds (Ki Ho Military Project) series 2016 in the amount not to exceed \$10,000,000.00 providing for the acquisition, construction, equipping and improvement of a manufacturing facility for the manufacture of aerospace components and related products in Davis County; and related matters.

### BUSINESS/ACTION

#### ***Chris Sanford, Davis County Library Director, presenting***

Amendment with ProPay, Inc – clarification of liability in the event of credit card fraud (n/a)

Amendment with SirsDynix – migration of server to a virtual environment (payable)

Amendment with InfoUSA Marketing Inc. – reference USA database (payable)

#### ***Mike Moake, Davis County Legacy Event Center Marketing, presenting:***

Agreement with Steel Fist Fight Night, LLC – MMA competition January 2016 (receivable)

Agreement with Steel Fist Fight Night, LLC – MMA competition October 2016 (receivable)

Summary list of rental agreements at Legacy Events Center (receivable)

#### ***Chief Deputy Kevin Fielding, Davis County Sheriff's Office, presenting:***

Grant award with Utah Div. of Emergency Management (Homeland Security) – FY2015 State Homeland Security Program (SHSP) (receivable)

#### ***Commissioner Millburn presenting:***

Resolution of Davis County Commission, a body corporate and politic and a political subdivision of the State of Utah, approving the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services related services to the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and the unincorporated area of south Davis County and the transfer of the responsibilities and operations of the existing South Davis Metro Fire Agency to the Service Area created hereby.

### BOARD OF EQUALIZATION

Request approval of the Property Tax Register

### CONSENT ITEMS

Check Registers

### COMMISSIONER COMMENTS

### PUBLIC COMMENTS (3 Minutes per Person)

Sergeant Ellis Bruch, Davis County Sheriff's Office Emergency Coordinator, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

RFP opening  
for Clearfield  
Library HVAC  
boiler  
replacement

Opening of Request For Proposal (RFP) for the Northern Davis County Clearfield Library HVAC Boiler Replacement. Mack McDonald, Davis County Facilities Director, explained the commissioners have already approved \$12,450.00 for the design of a boiler system to replace the existing system at the North Branch Library in Clearfield. That boiler system has problems that concern the Library and Facilities. Mack received the design and issued the request for proposal to replace the boiler. Curtis opened and read the following proposals:

Project: **Davis County Clearfield Library HVAC Boiler Replacement RFP**

	BIDDER	AMOUNT
1.	KHI Mechanical	\$134,023.00
2.	Schoonmaker Electro Mechanical, Inc.	\$127,841.00
3.	Ralph Tye & Sons	\$190,456.00
4.	Utah Engineering Inc.	\$141,117.00 + 3,500.00

Curtis noted that in addition to Utah Engineering Inc.’s bid of \$141,117.00, there is an additional \$3,500.00 for payment of a performance bond premium. At this point, Mack, his staff and the library staff will be tasked with analyzing the bids and making a recommendation for the best value to the County.

A bid opening was held for construction of box culverts at 650 West and Clark Lane in Farmington.

Commissioner Petroff said he is looking forward to have work begin on this project. It will take

another area of Farmington out of the flood plain, which is good. It lowers insurance rates for those people involved and lowers risks and damages. It will be a partnership with developers, the city and the county. He also commented that he really appreciates it when we see this many contractors take the time to fill out these bids and to bid on these projects, saying “I wish we had enough projects that every one of you could go home with a project. Because I do appreciate the contractors that serve Davis County, whether your home offices are here or not, we appreciate you. We’ve had nothing but great results from the contractors we’ve worked with since I have been here the past 7 years. I’m sure this will be the same.”

Robert Smith, Davis County Facilities Manager, explained this bid opening is for the Farmington Creek at 650 West and Clark Lane. The culverts are about 50% under-size and this project will take the water through at that point. That takes care of all of the crossings except for at I-15.

Curtis opened and read the following bids:

Project: **650 West and Clark Lane Culverts RFP**

	BIDDER	AMOUNT
1.	MC Contractors	\$465,103.00
2.	Vancon, Inc.	\$484,494.00
3.	ACME Construction	\$356,905.00
4.	COP Construction LLC	\$447,706.00
5.	Ormond Construction Inc.	\$456,143.98
6.	Jordan Valley Construction, Inc.	\$424,100.00
7.	Condie Construction Company	\$582,249.00
8.	Bowen Construction Co.	\$504,836.93
9.	Associated Brigham Contractors	\$476,421.00

Commissioner Millburn explained the need to move to Public Hearing regarding the Davis County tax exempt industrial development revenue bonds series 2016 in an amount not to exceed \$10,000,000.00 providing for the acquisition, construction, equipping and improvement of a manufacturing facility (Ki Ho Military Acquisition Consulting Project) for the manufacture of aerospace components and related products in Davis County; and related matters. Commissioner Smith made a motion to move to Public Hearing. Commissioner Petroff seconded the motion. All voted aye.

Commissioner Millburn invited Eric Johnson, Bond Counsel, Blaisdell, Church & Johnson LLC, to address those in attendance. Eric explained that typically, private entities do not qualify for tax exempt loans where the interest income on that loan does not get taxed. However, there are some very limited circumstances, such as in this instance, with Ki Ho Manufacturing, a small manufacturing firm that will be

Bid opening for box culverts at 650 West and Clark Lane in Farmington

Public Hearing regarding tax exempt Bonds to be issued to financially assist Ki Ho Military Acquisition Consulting Inc.

located near Hill Air Force Base. Of its \$15,000,000.00 project, Ki Ho Manufacturing is seeking to qualify \$10,000,000.00 on a tax exempt basis. It will have a loan from a bank for the remaining \$5,000,000.00. In order to qualify, it must have another body, in this case Davis County, to go along with it. The public hearing today is to receive public input regarding this. Eric explained Ki Ho Manufacturing will assume all liability relating to the loan. Davis County incurs none. At this point, Ki Ho is thinking of putting the building within a wholly-owned subsidiary, a limited liability company (LLC), which would assume liability for the loan. The earliest date Ki Ho can get in front of the Utah Private Activity Bond Authority is in January. However, the company does not want to wait that long to get started. Therefore, it will take action now that will count against its \$5,000,000.00 bank loan. Following this hearing, Ki Ho will submit an application to the Utah Private Activity Bond Authority and get on its agenda for January to receive approval. Eric explained the State gets an allocation statewide of a pot of money. The Bond Authority then decides which of all the potential projects in the state will receive funds from that allocation. He has spoken with Roxanne Graham of the Bond Authority, who indicated these types of projects are given priority and this is the first one they have had in three years. She feels there is a very good chance they will welcome and approve this project.

Commissioner Millburn invited those in attendance to make public comment. There were none. Eric recognized Johnathan Ward from Zions Bank in the audience and asked if he had any comments. Johnathan declined.

Commissioner Petroff made a motion to close the public hearing. Commissioner Smith seconded the motion. All voted aye. Commissioner Millburn thanked Eric for his time and explanation. He said the County is excited from an economic development standpoint and welcome and encourage Ki Ho and any others that want to do business in Davis County.

Jerry Meyers, Davis County Library, presented the following:

Amendment  
#2015-504A  
with ProPay  
Inc re: their  
liability in  
event of credit  
card fraud

Amendment #2015-504A with ProPay, Inc. clarifying their liability in the event of credit card fraud prior to machines being put in place at the County libraries. There are no monies exchanged. The contract period is ongoing from September 29, 2015.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment  
#2014-185A  
with SirsiDynix  
for migration of  
server to virtual  
environment

Amendment #2014-185A with SirsiDynix for the migration of its server to a virtual environment. The payable contract amount is \$4,800.00. The contract period is June 10, 2015 through December 31, 2015.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2015-558 with  
InfoUSA  
Marketing Inc.  
for license to  
USA database

Agreement #2015-558 with InfoUSA Marketing Inc. for license to reference the USA database. Jerry explained this is a popular database that gives details on companies and includes a job-hunting database. The payable contract amount is \$3,309.00. The contract period is January 1, 2016 through January 1, 2017.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Mike Moake, Davis County Legacy Events Center Marketing, presented the following:

Agreement  
#2015-559 with  
Steel Fist Fight  
Night LLC for  
MMA  
completion in  
January 2016

Agreement #2015-559 with Steel Fist Fight Night, LLC for space rental at the Legacy Events Center for an MMA competition. Mike explained he has been speaking with Steel Fist management about parking issues with Farmington City and in reference to that, Mike received the following email:

[\[mailto:steelfistfightmanagement@hotmail.com\]](mailto:steelfistfightmanagement@hotmail.com)

*Sent: Monday, November 16, 2015 7:32 PM*

*To: Michael Moake*

*Subject: Parking January 9th*

*Hey Michael I wanted to give you an update on parking at the venue January 9 what I'm going to do to cure that problem is include parking in the price of the ticket that way there is no parking fee when they show up to the venue they can freely park in any of the parking lots..*

*If you would like to pass that on to the council just so they are aware we recognize that that's an ongoing problem and we want to permanently cure it*

*Thank you*

Commissioner Petroff said that he thinks it would be appropriate for Mike or Dave Hansen to attend Farmington City's City Council Meeting and explain a little bit about this solution and what we can do to direct the parking. The other issue we had at the last event was there was an event going on with 400 people attending in another building on the same night, which caused a lot of the parking issues. We are hoping to keep the other buildings empty for this event if we can. The receivable contract amount is \$3,500.00. The contract period is January 7-9, 2016.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2015-560 with Steel Fist Fight Night LLC for MMA completion in October 2016

Agreement #2015-560 with Steel Fist Fight Night, LLC for space rental at the Legacy Events Center for an MMA competition. The receivable contract amount is \$3,500.00. The contract period is October 13-15, 2016.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Summary list #2015-561 of contract events at the Legacy Events Center

Summary list #2015-561 of contracted events at the Davis County Legacy Events Center. This includes contracts initiated in November 2015.

RENTER	DATE		PURPOSE	\$ AMOUNT
Beehive Small Dog Agility	June 4-5, 2016	Bldg. 3	Dog Trial	\$360.00
Burgess, Kimberly	October 24, 2015	Bldg. 1	Party	\$206.00
Davis School District	October 24, 2015	Bldg. 3	High School Dance	\$1,065.00
Gone To The Dogs Obedience Club	April 16-17, 2016	Bldg. 2	Dog Classes	\$350.00
Mayan Miracle Run	October 31, 2015	Bldg. 3	Marathon	\$260.00
Mountain West Team Roping	March 25-26, 2016	Legacy Center	Roping	\$1,330.00
Rasmussen, Kristie	November 4 - March 23, 2016	Bldg. 3	Dog Training	\$600.00
Salt Lake Gladiator Games	July 14-17, 2016	Bldg. 2	Card Games	\$1,650.00
Side by Side Dog Training	February 6-7, 2016	Bldg. 3	Dog Training	\$350.00
USU	April 26-27, 2016	Bldg. 2 & 3	Expo	\$0.00
Utah Avalanche 01	December 12 - February 27, 2016	Bldg. 2 & 3	Soccer	\$300.00

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Grant award #2015-562 from the Utah Division of Emergency Management (Homeland Security)

Ellis Bruch, Davis County Sheriff's Office Emergency Coordinator, presented the FY2015 State Homeland Security Program (SHSP) Grant Award #2015-562 from the Utah Division of Emergency Management. Commissioner Petroff pointed out that Ellis is sporting a beard and has his head shaved. He asked him to tell us about that. Ellis explained both are for charities. He and other DCSO employees shaved their heads in support of a fellow deputy that has been diagnosed with testicular cancer. To spearhead donations to help him, Ellis volunteered to have his head shaved. Commissioner Millburn expressed appreciation for their efforts to help out fellow employees.

Ellis commented this grant is awarded every year from FEMA to the state. The state then sends it out to the local regions. Because Region 1 Homeland Security Coalition is a non-governing body, the chair and the county the chair resides in become the procurement and overseer of the grant. Ellis is the chair of the Coalition, so he is asking for the Commission's support as the procurement of the grant. Davis County actually doesn't see much of the money, but does use any funds received for Hazmat, USAR, reverse 911,

Law Enforcement, Emergency Notifications, Citizen's Corps and other trainings and equipment. Commissioner Petroff commented that he likes the way they do this. It is more like a block-type program. Ellis said they identify gaps in our region and use the money to fill and maintain the gaps. The receivable/payable contract amount is \$522,233.00. The contract period is September 1, 2015 through June 30, 2018.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn welcomed the membership from the South Davis Metro Fire Agency in attendance and recognized Chief Bassett and invited him to present resolution #2015-563 of the Davis County Commission, a body corporate and politic and a political subdivision of the State of Utah, approving the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services for Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and the unincorporated area of south Davis County and the transfer of the responsibilities and operations of the existing South Davis Metro Fire Agency to the Service Area created hereby.

Chief Bassett said they have been working on the creation of the service area to create a better strategy for funding capital projects. There are significant needs with regard to buildings, capital and equipment. He said they would like to take advantage of the opportunity to refinance current bonds and obtain new money to continue taking care of their capital. He would like to refinance in order to receive a better interest rate and more efficiently manage the outstanding debt. Chief Bassett said the creation of the service area is a hybrid approach where the operation still comes through the assessment of the Board and the capital projects will come through the service area.

Commissioner Millburn asked for clarification that going forward, should this come to fruition, the capital needs would be subject to a tax levy to be spread amongst those that reside, both business and residential, within the Special Service Area and the individual entities, i.e. the County and cities would also maintain an assessment that would be charged on a yearly basis. He understands that assessment is not anticipated to go down. It would either maintain or increase.

Chief Bassett said they currently charge their membership based on the assessed valuations from the County. He said what they do anticipate, and have been very upfront about, is that the initial creation of the service area creates a tax rate that would be neutral the first year. The second year they would look at an increase that would be taken by the service area and the revenue that comes in from the tax rate. That cost would no longer be shared by the operations cost. That portion of the payment would be eliminated from the operations side. That would take care of all the existing debt and the new debt would be restructured that way. He said they have been very clear about taking the increase on the following year and would like to move forward with that. They have discussed this in numerous open houses and received great support from the cities. Chief Bassett assured Commissioner Millburn that the citizens fully understand that there will eventually be an additional tax rate on all of this. It is clear in all of their outreach, publications and presentation materials. At the end of the day, there will be about a \$12 annual rate for the average household.

Commissioner Millburn applauded their efforts to inform the public. He said, "I know the Agency themselves have done open houses. Each entity, including the County, has had a public hearing portion and public comment period, and from the County's perspective, I am not aware of any that have made comment for or against, and I don't know about the other entities." Chief Bassett said there have not been any protests filed.

Commissioner Millburn commented "That being said, and I know we've made every best effort, but I

would dare say and I think if this goes through and moves this direction, that come the time that that is actually placed on the statement that is received on property, you will have folks that will say, 'What the heck is this?' And, we need to be prepared to say that we went through a process and no one made a comment then. I think it would be prudent to be prepared for that. This won't show up until 2017 and that's a year and a half away. I'm not sure people will remember that this conversation even took place. Just something to keep in the back of our minds."

Commissioner Petroff asked, "When you say it won't show up until 2017, does that mean it won't be on next year's tax rolls, but it will be on the tax rolls coming out in July 2017?"

Chief Bassett answered, "That is correct. If everything works and we are successful with the approvals, the service area would start July 1, which we would then turn our budget into a fiscal budget, rather than the calendar budget."

Commissioner Millburn reiterated, "Once again, this is a complicated issue, has a lot of elements to it and has had a lot of discussion over the years. So, coming back to the assessment, those portions that are currently being paid assessment-wise may slide into this tax rate. Does that mean assessments go down?"

Chief Bassett responded, "Off the cuff, I didn't run those numbers. But, if we don't do this, then for us to move forward, we are going to have to increase the assessments to each member to pay for the buildings and the large capital projects, like the ladder truck. So, if this is not successful, then I can tell you that I would be going to our board members to increase their rates to take on the necessary needs for the Centerville station, the Mueller Park fire station, the Foxborough fire station and the ladder truck."

Commissioner Millburn said, "Just to be clear, I understand that there are needs and needs cost money. I just want to make sure that we all, and particularly the public, understand that and where the dollars come from. It's either at some point in time you move this direction and the public pays for it to a separate tax entity, or the individual entities may have to look to the public and increase their taxes to pay the same bill."

Commissioner Smith commented that his initial response was that we shouldn't be adding a new taxing district. But, after speaking with Chief Bassett about it, he now understands the need for using this for capital needs and is very supportive. Visiting with the mayors also increased his comfort level. He said, "I've just always been a little concerned that it might look like a way to get around Truth in Taxation, but it's not. There are going to be offsetting reductions in some of the city's allotments of their tax rates. I feel very good about the work that has gone on behind the scenes and the explanation that was given me. That was the issue that I had and I think it's been responded to."

Commissioner Millburn asked Chief Bassett if he would explain the difference between the map that was in the previous agreement (2004) and the map that is being presented.

Chief Bassett explained the legal description has not changed. Prior to computers, they always used the map out of the Davis County Clipper or the Carr's Printing phone book. The difference is the map today is engineered by a firm that is following the legal description, whereas the map from 2004 is the map that was submitted with what they could come up with at the time. In that description, it says the described area on the map is "generally depicted" on the map. Even in the documents it doesn't say it is exact.

Commissioner Millburn expressed some concerns with the map, particularly on the eastern boundary along the mountain. He said, "The written description and the way the map now shows is basically the County border. As it currently shows, and let us assume that all of that is forest service, but in doing a little research this morning, there is a fair amount of private property inside that boundary and I found it interesting to note that the largest chunks of the private property actually belong to Bountiful City and Centerville City also has a portion. I'm curious as to why those parts are not annexed into the individual cities. There are some parcels that are adjacent to parcels that have been incorporated, but the other piece hasn't been

incorporated.”

Mayor Paul Cutler addressed this by explaining there are a number of private parcels that reside in the County. “Each city is required to have an annexation policy and until that property meets the policy, we don’t annex it. In Centerville, a number of these properties don’t have access to utilities and in our opinion are not developable in their current states. Until there is a petition from the property owner that can show that they meet those qualifications, we leave them in the County.” Centerville does have a big chunk on the mountainside and he believes Bountiful City does as well. He said a lot is historical. Centerville is trying to hold on to use some land for open space. Mayor Cutler said, “I would love to take the opportunity to speak in favor of this proposal and to thank Commissioner Millburn and Mr. Koch for their diligent efforts in working with the Fire Agency in trying to come up with a solution. It has been a two-year effort, as we have investigated other options and after looking at a number of other options, collectively as a group we believe this is the best path forward for the next 20 years to make sure we are structurally set up to handle future needs. We would like to have the County as a member of the Board and as a partner. We think that is far more beneficial to being a contract member. It allows you to influence the direction of everything the South Davis Metro Fire Agency and future district does. We have a history in South Davis County and all of Davis County of working to solve problems. This is a good case of cities and counties coming together and studying a variety of solutions and we believe this is the best solution available.”

Commissioner Millburn expressed appreciation for Mayor Cutler’s comments. “I agree wholeheartedly along the lines of working collectively and it’s far better to be cooperative because at the end of the day, we all serve the same constituents. We all serve citizens of Davis County. I hope through these discussions it has never been ‘the County is trying to be the stick in the mud here’ because that is not the case at all. I have tremendous respect for you, Chief, and your team. They play a vital role in the protection of our daily life and I have a great deal of respect for my fellow elected officials and staff members in the cities. But, I am also looking at what is in the best interest of the tax payers that I am responsible for. I just want to make sure that it is abundantly clear that we can do as much as we can, but I know you can lead a horse to water, when I say horse, I mean the everyday citizen, but you can’t force him to drink. So, if and when this comes to fruition, there will be some shocked faces.”

Commissioner Millburn asked Chief Bassett if he could explain licensure as far as providing services and pertaining to costs for running the department on the operations side, particularly paramedic services?

Chief Bassett explained their licensure area boundaries are a little bit different from what the development is or the geographic location. A couple years ago, the state went through a process of cleaning licensure and eliminating overlapping boundaries and every BMS provider is licensed through BMS (Bureau of Medical Services) and they issue the license for paramedic services, ambulance, first responder, etc. Our licensure for paramedic services is the same boundary, but the east-west boundary under our licensure is from the Davis-Morgan line down to the Great Salt Lake. Whereas, the service area under the tax portion of that is the County because that is part of the taxed area. There is no taxable area above that. He said, “We provide all the fire protection there also. Even though a fire starts on forest property, we are still going to be the ones who respond to mitigate that until the forest service can arrive and take over those actions. We would still support the forest service for their needs. We would also support the needs of our residents along that east bench. We provide both of those resources, the fire and the EMS in the forest area through MOUs on the fire side. But, it’s all the same. We would go up there and handle any incident.”

Commissioner Millburn said he understands the fire side of things, but is trying to understand in context, the EMS side of things. “There are a lot of people that recreate up on the hillside above Bountiful and Centerville, and some of those areas are a little easier to access than others with different types of

equipment. I know our sheriff's office and the paramedic service said they also provide service up there. Are we providing double coverage or what is the best way to service these areas if that is your licensure area and your service area and there is an injury or a need for EMS at the top of the mountain? Are you rolling your big trucks up there?"

Chief Bassett explained they have a Ranger Transport, a 6x6 Ranger that has a patient slide on it to transport. For the most part, depending on the road and the weather, we can get our ambulance clear up to Buckland Flats. Typically, what we will do, depending on what the incident is, we will leave people at the parking lot and then take our Ranger up the hill. In the event, for example, someone goes off of Deadman's and we have to have a rope, we have a team that works with the Search & Rescue Team. Our Centerville station is our technical rescue division. All firefighters there are technical rescue certified. Collectively, we will do whatever it takes to rescue that person. The Mueller Park Station is the closest there. We have a lot of recreating going on from City Creek all the way back into our County. City Creek has developed a lot of recreating areas between City Creek through North Salt Lake, Bountiful and Centerville. For mountain biking, hiking, all those activities, most of our call volume is directly related to the "B" area for significant injuries, such as the rollovers or ATV wrecks. Mueller Park Station takes the Ranger across the Boulevard to access that point.

Commissioner Smith said that clears up the confusion he had when I saw the map and the forest service. I have a feeling we've got some jurisdictional issues between the sheriff and the service area. Do we have conflicts of jurisdiction?

Chief Bassett answered: "I wouldn't say we have conflicts. We have to work together to make these things happen. For example, your Sheriff's department is the law enforcement up there. If someone is up on the mountain doing law enforcement activities and come across a wreck or a crash, they are going to start their care and then our people come up and depending on resources that are available, we will either merge together or they will hand the patient off to us. There are a lot of different variations that we can do with a response to the hill. We work together on all of these incidences. The Mueller Park Station is the closet station up there. The Centerville Station is a straight shot east up to the Centerville Bowl in the Dykes area. We don't have a tremendous call volume there. Most of our calls are related directly at the "B" where we have a lot of motorcycle activity and off-roading activity."

Commissioner Petroff asked if the creation of this Service Area will change any of that. Chief Bassett said it all remains the same with no changes.

Commissioner Millburn said he is thinking outside the box a little bit by wondering what it would take or how the numbers would roll out if the County entered into a contract with the individual cities to have you patrol on the law enforcement side and we free up those resources from the County and place them elsewhere. This is important subject matter and has long term ramifications in a lot of different ways worthy of some input.

Commissioner Smith commented that he is happy with how well everyone works together. He would just like to make sure there is funding in the future. He asked if the federal folks jump in if there is an accident or a problem.

Davis County Sheriff Todd Richardson said he was given this information late yesterday afternoon and has concerns that there are some statutory requirements he has to cover that he hasn't had a chance to look into. As far as the statutory requirements of the Sheriff, it's very clearly written in the state statute. This is something that we have worked out and we've worked in the past with South Davis on events that occur up in that area. While looking at how to operate in those areas such as unincorporated and forest service areas, the Sheriff would ask that there is time to work together to come up with a plan. It was his understanding that



their area was inside the city municipality areas. As long as we have the ability to contractually work outside of that and provide services to the outlying areas, he has no real issue with it.

Commissioner Millburn invited comments from the cities.

Mayor Cutler responded, "I think I speak for all of the cities. We value the great relationship we have with the Sheriff's Office and the County. I don't see this to be a problem at all. We'd be happy to talk long term about overlap, cost savings to achieve by doing something differently. I don't think any of us see a big problem in the way things are working today. But, if there are resources that we could save by working closer together and dividing something up, we are happy to address that with the right process.

Mayor Lewis commented that he doesn't see an issue with that. He said there is not a tremendous amount of call volume there, except maybe in the summer. He thinks the citizens are getting the best service they can. If one of the Sheriff's individuals are up there on patrol and encounters a medical issue, they can mitigate that right away and use Bountiful City's ambulance. Mayor Lewis said we've worked on this for a couple of years and Bountiful was actually part of the delay. He believes it will get done and that it is very important it is done now. He referenced the 2.4 million people expected to move in along the Wasatch Front in the next 35 years. He stated, "This is going to be done one way or the other. It is important now that we not delay our ability to fund the fire and emergency needs. Some of these other issues that I think are really good, I think all of us who are mayors and managers are willing to let those things come as they will and we always work together to solve those. But, we should not have the tail wag the dog. The big dog is that we need this done. I think population-wise, now is a good time. I think the County has made that mighty clear with this bond issue. I think you've done a fantastic job in your narrative to our citizens that these things were necessary. That's why, across the board, it's a good time to make these changes."

Commissioner Millburn said, "I'm glad you made these comments because part of me asks why are we only going half way right now? Why don't we just create a full district instead of just a special service area? Let's go big or go home.

West Bountiful Mayor Ken Romney said, "I just wanted to mention one thing, and correct me if I'm wrong Chief, but when you talked about payment of the current debt coming out of the current operations, the current debt payment does not come out of current operations. It isn't truly a debt and it isn't going to be a savings because that is currently coming out of impact fees from the cities. So, just so that it is clear that any of this, the formula of the district and the taxing district, any of the current operations will not be funded out of this. I also want to reiterate what the mayors have said. This has been a long process and I commend you, Bret. Bret truly has tried to make sure that we have looked at the taxpayer's interest here. It is a tough thing to try to make a change like this, but I think this is truly needed and when the initial agency was formed, this was always in the plans. It was probably planned that this would have happened several years ago and just had never been done. When the initial agency was created, it talked about creating the entity and there are a lot of other things that this cleans up as far as land and property acquisition, who owns the land where the stations are on. So, this does a number of things to get us on the road to cleaning up several things. Certainly, this is a great thing and just like we did with the propositions, some cities with the RAP taxes, we informed the people, we've been very informative. I think we've gotten the information out and the people are supporting this. I think we've seen this through the elections of the city's RAP taxes and Proposition 1 and we didn't receive any different feedback on the fire service area than we did on any of those issues. I appreciate your help and support."

Commissioner Smith thanked everyone for answering the questions that he had. He appreciated Sheriff Richardson coming to the meeting and clarifying some details he had been considering.

Commissioner Millburn asked that we be reminded of the timeframe of this should it go forward.

Chief Bassett said the majority of the councils are voting on this tonight, with the exception of Bountiful because they are off schedule. Bountiful will address it December 8. At that point, they will work very quickly with the Lieutenant Governor's Office, as long as everything gets passed, to get it created. It will be official in January. The budget process will take place on July 1.

Commissioner Petroff asked who the founding agency is. For example, Clearfield City is the founding agent for North Davis Fire District Agency. Chief Bassett said the way it is written, all of the cities and the County are the membership. Commissioner Petroff wanted to mention that if the County ends up being the founding agency, they will have to go on a calendar year budget.

Commissioner Petroff made a motion to approve the resolution of the Davis County Commission, a body corporate and politic and a political subdivision of the State of Utah, approving the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services to the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and the unincorporated area of south Davis County and the transfer of the responsibilities and operations of the existing South Davis Metro Fire Agency to the Service Area created hereby. Commissioner Smith seconded the motion. Commissioner Millburn inquired if it would be appropriate to offer a substitute motion in order to table this for a week for two reasons. One, he would still like to look at the map and some details and he is also curious as to how the other cities handle this in their council meetings this evening and would like to see what the outcomes are. Neal Geddes said there would have to be a vote to declare which motion will be taken. Commissioner Millburn said there has been a motion put on the table to approve. Commissioners Petroff and Smith voted aye. Commissioner Millburn voted nay. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn acknowledged his substitute motion doesn't matter. He said it is not that he is not in favor of moving forward. He just thinks there is reason to look at a couple more details. Commissioner Petroff said that if some of the cities don't approve it, it won't work anyway. Commissioner Smith said there are some issues still out there, but he has confidence that the cities are going to be looking at the same things. Chief Bassett confirmed the board will move forward with the by-laws, rules, regulations, etc. and setting up the new control measures that have been proposed. Commissioner Millburn concluded with one last comment: "I am not a real fan of going halfway on stuff. You are either in or you are out. And, this is kind of a halfway band-aid approach to me."

Commissioner Petroff made a motion to move to Board of Equalization. Commissioner Smith seconded the motion. All voted aye.

Property Tax  
Registers  
approved

Curtis Koch presented for approval 1 veteran abatement correction.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye.

Reconvene  
Commission  
Meeting

Commissioner Petroff made a motion to reconvene Commission Meeting. Commissioner Smith seconded the motion. All voted aye.

Check  
Registers  
approved

Check registers as prepared by the Davis County Clerk/Auditor's Office were approved with a motion by Commissioner Smith. Commissioner Petroff seconded the motion. All voted aye. The documents are on file in the Davis County Clerk/Auditor's Office.

Commissioner  
Comments

No Commissioner comments

Meeting Adjourned

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Clerk/Auditor

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Chair