



North Davis Fire District
Administrative Control Board Meeting
381 North 3150 West
West Point City, UT 84015

May 16, 2019
6:00 PM

Meeting minutes from the North Davis Fire District Administrative Control Board Meeting held at 6:00 PM on May 16, 2019 at Station 41, 381 North 3150 West, West Point City, Utah 84015.

Board Members Present: Chairman Gary Petersen, Howard Madsen, Erik Craythorne, Scott Wiggill, Jerry Chatterton, Dave Nelson, Nike Peterson (arrived at 6:20 pm), and Tim Roper (arrived at 6:15 pm)

Board Members Excused: Vice-Chairman Mark Shepherd

Staff Present: Fire Chief Mark Becraft, Deputy Fire Chief John Taylor, District Clerk Misty Rogers

Visitors: Nancy Smalling (Sunset City Council Member)

- 1. Call to Order:** Chairman G. Petersen called the Administrative Control Board Meeting to order. He then welcomed Ms. Smalling to the meeting.
- 2. Invocation or Inspirational Thoughts:** Provided by Board Member Chatterton
- 3. Pledge of Allegiance:**
- 4. Citizen Comment:** no comment
- 5. Consideration of Approval of Minutes from the April 18, 2019 Board Meeting**
Board Member Craythorne motioned to approve the minutes from the April 18, 2019 Administrative Control Board Meeting
Board Member Chatterton seconded the motion
The motion passed unanimously
- 6. Consideration of Approval of the North Davis Fire District Bills for April 2019**
Board Member Chatterton motioned to approve the North Davis Fire District Bills for April 2019
Board Member Nelson seconded the motion
The motion passed unanimously
- 7. Consideration of Approval of the North Davis Fire District Financial Report**
Chief Becraft stated that administration of the North Davis Fire District is frustrated with Davis County and the Utah State Tax Commission. Property tax disbursements from Davis County continue to fluctuate causing uncertainty with property tax collections for the current budget year and projections for the upcoming budget year. Chief Becraft stated that he and Ms. Rogers have contacted Davis County and the Utah State Tax Commission and requested that they review the property tax collections and disbursements for the North Davis Fire District.

Chairman G. Petersen stated that the North Davis Fire District has budgeted approximately \$2.5 million in property tax revenue for Fiscal Year 2019. Ms. Rogers stated that the North Davis Fire District is “promised” to receive \$2.4 million in property tax revenue. However, statistics indicate that the District collects approximately \$300,000 more than the “promised” amount of property tax revenue each year.

Chief Becraft informed the board that the property tax collections for the months of April through September for the North Davis Fire District have been as follows:

- 2015 (April – September) approximately \$434,000
- 2016 (April – September) approximately \$577,000
- 2017(April – September) approximately \$205,000
- 2018 (April – September) approximately \$364,000

Chief Becraft then stated that property tax revenue statistics indicate that the North Davis Fire District should receive the budgeted amount of property tax revenue for Fiscal Year 2019.

Board Member Madsen motioned to approve the North Davis Fire District Financial Report

Board Member Nelson seconded the motion

The motion passed unanimously

8. Discussion and Consideration of Resolution 2019R-04, a Resolution Establishing and Implementing a Program to Charge Mitigation Rates for the Deployment of Emergency and Non- Emergency Services Provided/Rendered by the North Davis Fire District.

Chief Becraft stated that during the April 2019 Administrative Control Board Meeting, the Board discussed establishing and implementing a program to charge mitigation rates for the deployment of emergency and non-emergency services. He then stated that the proposed mitigation rates are nationally approved rates and Fire Recovery USA will complete the billing process for the District. Chief Becraft stated that the concerns of the board were taken into consideration and the contract and questionnaire with Fire Recovery USA includes the following.

- If an insurance carrier denies a mitigation claim, the individual person will not receive a bill
- Non-paying accounts will not be sent to collections
- Bills will be sent to the insurance carrier, not the individual

a. Public Hearing – no comment

Board Member Chatterton motioned to close the public hearing

Board Member Craythorne seconded the motion

The motion passed unanimously

b. Action

Board Member Wiggill motioned to approve Resolution 2019R-04, Establishing and Implementing a Program to Charge Mitigation Rates for the Deployment of Emergency and Non- Emergency Services Provided by the North Davis Fire District

Board Member Nelson seconded the motion

The motion passed unanimously

Roll Call Vote:

Board Member Roper - aye

Board Member Wiggill - aye

Board Member Chatterton - aye

Board Member G. Petersen - aye

Board Member Madsen – aye

Board Member Craythorne - aye

Board Member Nelson – aye

9. Discussion and Consideration of Resolution 2019R-05, a Resolution Approving and Adopting the North Davis Fire District Fee Schedule

Chief Becraft stated that amendments to District Fee Schedule include fees for the testing of UL Compliant Hood Systems and language automatically adopting the ambulance rates set by the State of Utah.

- a. Public Hearing – no comment
Board Member Craythorne motioned to close the public hearing
Board Member Roper seconded the motion
The motion passed unanimously

- b. Action
Board Member Nelson motioned to approve Resolution 2019R-05, Adopting the North Davis Fire District Fee Schedule
Board Member Madsen seconded the motion
The motion passed unanimously

Roll Call Vote:

Board Member Roper - aye	Board Member N. Peterson – aye
Board Member Wiggill - aye	Board Member Madsen – aye
Board Member Chatterton - aye	Board Member Nelson – aye
Board Member G. Petersen - aye	Board Member Craythorne - aye

10. Discussion and Consideration of Resolution 2019R-06, a Resolution Approving and Adopting the North Davis Fire District Tentative Budget for Fiscal Year 2020 (July 1, 2019 – June 30, 2020)

Chairman G. Petersen stated that the Administrative Control Board had reviewed and discussed a draft of the Fiscal Year 2020 Budget during the April 2020 Board Meeting. He then asked if any changes had been made to the Budget document since the April meeting.

Chief Becraft stated that since the Administrative Control Board Meeting in April, new budget information had been received. He then stated that changes to the Fiscal Year 2020 Tentative Budget include:

- Liability and Workers Compensation Services – The North Davis Fire District received quotes for liability and workers compensation insurance services. The District will switch to Olympus Insurance beginning in Fiscal Year 2020, saving nearly \$18,000 by changing providers.

- Life Insurance – The North Davis Fire District will utilize a new life insurance provider beginning in Fiscal Year 2020. The new life insurance provider offers a better benefit to the employee with a cost similar to that of current insurance provider.

- Paramedic Fees – The fees that the North Davis Fire District pays to the Davis County Sheriff’s Office (DCSO) for paramedic services have increased substantially over the past year. Therefore, the paramedic fees in the Fiscal Year 2020 Tentative Budget have been increased to reflect the charges.

Chief Becraft stated that he and the North Davis Fire District have a great working relationship with DCSO. However, the contract currently being proposed by DCSO for paramedic services is unfair to the District and the other agencies involved. Chief Becraft stated that many insurance companies, specifically Medicaid and Medicare, will only pay a set amount and no more for transports and services provided. He then stated that paying DCSO the allowed billable amount of \$472 for paramedic services

creates a hardship for the North Davis Fire District. Chief Becraft stated that the North Davis Fire District cannot and should not pay DCSO the full \$472 per paramedic transport. He then stated that DCSO should be paid a percentage from what is collected, minus all surcharges. He then stated that the North Davis Fire District may need to “push back” to solve the issue and create fairness between all of the entities involved.

a. Public Hearing – no comment

Board Member Chatterton motioned to close the public hearing

Board Member Nelson seconded the motion

The motion passed unanimously

b. Action

Board Member N. Peterson motioned to approve Resolution 2019R-06, Approving and Adopting the North Davis Fire District Tentative Budget for Fiscal Year 2020

Board Member Nelson seconded the motion

The motion passed unanimously

Roll Call Vote:

Board Member Roper - aye

Board Member N. Peterson – aye

Board Member Wiggill - aye

Board Member Madsen – aye

Board Member Chatterton - aye

Board Member Nelson – aye

Board Member G. Petersen - aye

Board Member Craythorne - aye

11. Discussion and Consideration of Resolution 2019R-07, a Resolution Approving an Interlocal Cooperation

Agreement between Clearfield Community Development and Renewal Agency and North Davis Fire District

Chief Becraft stated that Clearfield Community Development and Renewal Agency (CRA) has requested that North Davis Fire District enter into an Interlocal Cooperation Agreement for the Lifetime Products Community Reinvestment Project Area. Chief Becraft stated that the Lifetime Products project is a benefit to the community and will bring additional jobs to the area. He then recommended approving the Interlocal Cooperation Agreement with Clearfield Community Development and Renewal Agency for the Lifetime Products project.

Chief Becraft informed the board that he had contacted Mr. Rob Sant to discuss CRA, CDA and RDA participation. He then recommended that in the future, the Administrative Control Board create policy to use when determining if a project qualifies for District participation. Chairman G. Petersen agreed, he then asked Chief Becraft what the District is being asked to contribute. Chief Becraft stated that North Davis Fire District is asked to contribute 75% for 15 years. This equates to the District receiving approximately \$6,226 each year for 15 years.

Board Member N. Peterson stated that because of the current zoning of the property, the District has not been receiving tax increment for the parcel. Participating in the project area will create an immediate revenue for the District. Board Member N. Peterson emphasized the importance of the Lifetime Products project for Clearfield, Sunset, West Point and Davis County. She then stated that if Lifetime does not complete the project in the proposed area, they are more likely to move their facilities to an alternative location. Board Member N. Peterson stated Davis County collects nearly \$900,000 of personal property tax from Lifetime Products each year. Davis County then distributes the personal property tax to the appropriate taxing agencies in the county.

Board Member Craythorne asked how the other agencies have reacted to the request to contribute 75% for 15 years. Board Member N. Peterson stated that Davis County School District and Davis County are supportive of the

project as it will bring affordable housing and additional jobs to the area. Board Member Craythorne stated that 75% participation is substantial, however he understands and agrees that Lifetime Products is vital to the area.

Chairman G. Petersen stated that Board Member N. Peterson's description of the Lifetime Products project and the positive effects on the community are significant. He too agreed that participating in the CRA for the Lifetime Products project is important. Chairman G. Petersen stated that because North Davis Fire District cannot collect sales tax, guidelines and criteria must be created to ensure that the District receives the much-needed property tax revenue. He then stated that the Administrative Control Board should consider creating a criteria matrix which could be used to determine CRA, CDA and RDA participation. Board Member Craythorne, Board Member Roper and Board Member N. Peterson expressed their support.

Chief Becraft stated when CDA's, CRA's and RDA's are created, cities collect sales tax from the area to assist with their revenues. He then stated districts, including the North Davis Fire District cannot collect sales tax, therefore they depend heavily on property tax revenue for budgetary needs. Chief Becraft stated that the North Davis Fire District must provide service to the area even with little or no property tax revenue being received by the District.

Board Member Madsen asked how participating in the Lifetime Products CRA will keep them in the District. Chairman G. Petersen stated that Lifetime Products will utilize their own money to expand within the District, essentially committing them to the area. Board Member N. Peterson stated that the Lifetime project includes 750,000 square feet building. The additional facility will allow Lifetime Products to expand their operation and create a distribution center within the District, essentially binding the business to the area.

Chief Becraft reminded the board that when a business leaves CRA status, it is considered and calculated as "new growth."

a. Action

Board Member Craythorne motioned to approve Resolution 2019R-07, Approving an Interlocal Cooperation Agreement between Clearfield Community Development

Board Member Madsen seconded the motion

The motion passed unanimously

Roll Call Vote:

Board Member Roper - aye

Board Member N. Peterson – aye

Board Member Wiggill - aye

Board Member Madsen – aye

Board Member Chatterton - aye

Board Member Nelson – aye

Board Member G. Petersen - aye

Board Member Craythorne - aye

12. Discussion of Organizational Structure of the North Davis Fire District

Chairman G. Petersen stated that the Administrative Control Board had reviewed and discussed possibilities for the organizational structure of the North Davis Fire District during March 2019 Board Meeting. He then stated that the reorganization of the North Davis Fire District should be complete with the certification from the Lieutenant Governor by the June Board Meeting. Chairman G. Petersen stated that the reorganization of the District will change the structure of the North Davis Fire District from a "Special Service District" to a "Local District with a Service Area" and the "Administrative Control Board" will change to a "Board of Trustees". After the Reorganization of the North Davis Fire District is final, a new organizational structure for the District must be adopted and each board member, including Ms. Smalling will be sworn as members of the North Davis Fire District Board of Trustees.

Chairman G. Petersen stated that the draft of the organizational structure document includes language leaving the existing structure (Chairman and Vice-Chairman) until the end of calendar year 2019. Then in January 2020, the Board of Trustees will hold an election for the Chairman and Vice-Chairman positions. The Chairman and Vice-Chairman positions will serve two-year terms with the elections and terms beginning in January of the even year. The proposed organizational structure also prohibits the Chairman from voting, except in the case of a tie.

Chairman G. Petersen stated that it is the decision of the mayor and council from each city within the District to appoint elected officials from their city to serve on North Davis Fire District Board of Trustees. He then stated the reorganization of the Board of Trustees will require that Board Member terms be reset. However, not all Board Member Terms can reset in January 2020 for four-year terms. Chairman G. Petersen stated that Board Member terms must be staggered to ensure that all members from one city are not on the same term rotation. Chairman G. Petersen stated that in January 2020, when terms reset, some board members will need to begin with a two-year term, and then transition into a four-year term, and other board members will begin with a four-year term.

Example:

5 Board Members: Two-year term 2020–2021 then transition to four-year terms; 2022–2025, 2026–2029, etc.

4 Board Members: Four-year term; 2020–2023, 2024–2027, 2028–2031, etc.

The Administrative Control Board discussed ways of determining which board members should begin with the two-year term. Eventually, the board requested that Ms. Rogers create a schedule suggesting which board members should begin with two-year and four-year terms.

Chairman G. Petersen requested that all board members carefully read the draft of the organizational structure document before the June meeting. He then stated that if anyone had questions, they should contact Chief Becraft.

13. Fire Chiefs Report

Chief Becraft congratulated Chief Taylor for working diligently to earn his Master's Degree. He then informed the board of the following:

- Administration has been working non-stop to ensure the Reorganization of the North Davis Fire District gets completed in the allotted time. The final mylar will be delivered to the office of the Lieutenant Governor next week.
- The North Davis Fire District, and surrounding agencies, recently responded to a structure fire on 300 North. Crews performed exceptionally well, however the home received substantial damage.

Board member Chatterton asked if the width of the road caused hardship when fighting the fire. Chief Becraft stated that the roads are narrow in the area of the fire, however the crews were able to maneuver as needed.

Chief Taylor thanked the North Davis Fire District Administrative Control Board for their support in his obtaining his Master's Degree. Chief Taylor stated that his capstone project focused on both the strengths and weaknesses of each city within the District. He then stated that he has learned a great deal about the District and how to plan and prepare for potential disasters. Chief Taylor stated that he would email a copy of his capstone project to each board member. He then asked that no offense be taken when reading the document, the information within the document is meant to be learning and educational.

Board Member Wiggill recommended that Chief Taylor get together with the surrounding cities to discuss and present emergency preparedness and programs.

Chief Becraft stated that he recently attended a conference for the Western Fire Chiefs in Sisters Oregon. While there, he attended a presentation provided by the Fire Chief of Paradise, California. Chief Becraft stated that the presentation was an "eye opener" and provided much insight into the disaster and evacuation process. He then stated that we can plan and prepare, but in situations such as the Paradise California fires, life experiences will be used.

Board Member Wiggill stated that it is important to plan and prepare. He then stated that the Administrative Control Board recognizes the need to keep experienced firefighters employed with the District.

14. Other

Board Member Nelson stated that in reciting the Pledge of Allegiance, it is important to pause at the appropriate time. He then encouraged the board to not pause when reciting "one nation under God," as it is meant to be read as one sentence.

Chairman G. Petersen thanked Board Member Nelson for his remarks. He then stated that pausing at the incorrect time has become habit. He then stated that when reciting the Pledge of Allegiance, he and the board will try to remember to pause at the appropriate times.

Board Member N. Peterson thanked Board Member Nelson for the services which he has provided to the North Davis Fire District and the community.

The Administrative Control Board then took a 5-minutes recess.

15. Consideration of Entering into a Closed Session

Board Member Wiggill motioned to enter into a Closed Session

Board Member Chatterton seconded the motion

The motion passed unanimously

CLOSED SESSION (Held in the Board Room)

1. Motion to Open the Closed Session

Board Member Wiggill motioned open the Closed Session

Board Member Chatterton seconded the motion

The motion passed unanimously

2. Call to Order - Chairman G. Petersen called the May 16, 2019 Closed Session to Order

3. Members Present:

Chairman G. Petersen

Board Member Roper

Board Member Wiggill

Board Member Craythorne

Board Member Madsen

Board Member N. Peterson

Board Member Chatterton

4. The North Davis Fire District Administrative Control Board discussed the Character, Professional Competence, or Physical or Mental Health of an Individual; pursuant to UCA §52-4-201(1)(a)

5. Motion to Adjourn the Closed Session and Enter into the Regular Session

Board Member Madsen motioned to adjourn the Closed Session and enter into the General Session

Board Member Chatterton seconded the motion
The motion passed unanimously

16. Consideration and Possible Action Resulting from Closed Executive Session

Board Member N. Peterson motioned to provide Chief Mark Becraft a 4% increase to his wage in addition to a 2% bonus.

Board Member Roper seconded the motion
The motion passed unanimously

Chairman G. Petersen thanked Chief Becraft for the service in which he provides to the North Davis Fire District and the communities in which he represents.

17. Motion to Adjourn

Board Member Chatterton motioned to adjourn the May 16, 2019 Administrative Control Board Meeting.

Board Member Madsen seconded the motion
The motion passed unanimously

Passed and adopted the 20th day of June, 2019


Gary Petersen, Chairman


Misty Rogers, District Clerk

