

COMMISSION MEETING MINUTES
May 19, 2009

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on May 19, 2009 at 10:00 a.m. Members present were Chairman P. Bret Millburn, Commissioner Louenda H. Downs, Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil Attorney Gerald E. Hess, and Deputy Clerk/Auditor Linda May. Commissioner John Petroff Jr. was excused as he is attending a Wasatch Integrated Waste Management Conference.

Keith Major, Davis County Sheriff's Office, led the Pledge of Allegiance. All were invited to stand and join in.

Commissioner
Millburn to
Attend
Leadership
Institute at NY
University

Chairman Millburn stated that he will not be at meeting next week as he will be attending the Leadership Institute at New York University's Robert F. Wagner Graduate School of Public Service. Commissioner Downs stated that last year she had the opportunity to attend. It was a great opportunity and great insight was gained regarding public service. Chairman Millburn stated that he is honored to have the opportunity. The institute is known for enhancing the capacity of county officials to identify and implement innovative solutions to the complex challenges facing county government in the 21st century. This year's program will focus closely on the immediate issues of local economic recovery. Chairman Millburn expects it will pay dividends and will be beneficial for Davis County.

Agreement
#2009-131
Finnwall
Specialties for
New Flooring at
Animal Control
Surgery Room

Keith Major, Davis County Sheriff's Office, presented agreement #2009-131 with Finnwall Specialties. The company will lay new flooring for the Davis County Animal Control surgery (spay/neuter) room. The operating room will be used by the contract veterinarian to spay and neuter dogs and cats prior to adoption. It is a payable of \$7,893.00. A budget change is required to increase line item 10-3455-100 Surgical Fees by \$7,893.00 and increase line item 10-4253-720 Building and Grounds Maintenance by \$7,893.00. The funds are coming from the unused spay and neutering fees the county has already collected when a person has previously adopted an animal but not redeemed their certificate through a veterinarian. Commissioner Downs made a motion to approve the agreement and the budget change. Chairman Millburn seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

Agreement
#2009-132
HAFB Animal
Control
Services by
Davis County
H1N1 Update

Keith Major presented agreement #2009-132 with Hill Air Force Base. Davis County Sheriff's Office will provide animal control services for Hill Air Force Base. It is a receivable of \$6,383.48. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye.

Lewis Garrett, Davis County Health Director, was asked to give an update about the H1N1 (swine flu). He stated that the outbreak continues to spread. There are 3 confirmed cases in Davis County. At one elementary school there is mandatory screening due to percent of those sick at home. Overall the severity is less than feared. It is hard to predict.

Davis County
Health Board
Reappointments

Lewis Garrett stated the Davis County Board of Health has voted unanimously to recommend that the Davis County Commission reappoint Dr. Warren Butler and Dr. Colleen Taylor to the Davis County Health Board. Dr. Butler is currently serving as the Chairman of the Board. Dr. Taylor is well versed in public hearing work. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye. The terms will expire on June 30, 2012.

Agreement
#2009-133 UT
Dept of Hlth for
Funding of
Health Services

Lewis Garrett presented agreement #2009-133 with the Utah Department of Health. It is for the annual renewal of the C6 funding minimum performance standards for a receivable of \$121,015.00 for programs as outlined. The contract period is July 1, 2009 through June 30, 2010. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Amendment
#2008-146B UT
Dept of Hlth
Funding for UT
Arthritis
Program

Lewis Garrett presented amendment #2008-146B with the Utah Department of Health. It is to increase funding for the Utah Arthritis Program. Educational instruction is given at senior centers. It is a receivable of \$4,500.00 and will also require a budget change. The budget change is to increase line item 15-3340-024 Arthritis by \$4,500.00 and increase line item 15-4315-610 Miscellaneous Supplies by \$4,500.00. Commissioner Downs made a motion to approve the amendment and the budget change. Chairman Millburn seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

Curtis Koch, Davis County Legacy Events Center Assistant Director, presented the following:

Agreement
#2009-134
Mountain
America Credit
Union 2009
Fair
Sponsorship

Agreement #2009-134 with Mountain America Credit Union. This is a sponsorship agreement for receivable of \$2,250.00. This package includes title sponsor of the Free Pony Rides and banner placement at the fair. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement
#2009-135
Rockin' E
Country Store
2009 Fair
Sponsorship

Agreement #2009-135 with Rockin' E Country Store. This is a sponsorship agreement for a receivable of \$3,500.00. This package includes title sponsor of the pet show, petting zoo, and junior livestock barn. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement
#2009-136
Sterling Press
Printing of
Entertainment
Guides & Fair
Books

Agreement #2009-136 with Sterling Press. The company will print the 2009 Davis County Fair Entertainment Guides and Fair Books. It is a payable of \$6,322.00. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

2009 Davis
County Fair
Theme "Go
Wild"

Curtis Koch requested a drum roll for the introduction of the 2009 Davis County Fair Theme, "Go Wild." An invitation was extended to everyone to come and experience the wild side. There will be great shows and entertainment available at the fair.

Agreement
#2009-137
SEO.com, LLC
for
Development of
Trails Website

Scott Hess, Davis County Planning Office, presented agreement #2009-137 with SEO.com, LLC for development of trails website for Davis County. It is a payable of \$3,000.00. The company will develop the website to have the backend feature to allow for updates. There will be a link to www.daviscountytrails.com. It will be a cooperative effort with cities, Davis County, and Utah Office of Planning. Featured will be such sites as mountain trails, state trails, city trails, DR&G trail, bike paths, Bonneville Shoreline trail, Legacy Parkway trail, and other trails. The site will allow people to search and print maps. Scott stated, "This site will knock people's socks off." Commissioner Downs thanked Scott of his outstanding leadership and passion for trails. Commissioner Downs made a motion to approve the agreement. Chairman Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor. Chairman Millburn asked if Scott could come to a meeting in the future to demonstrate the web site.

Designate
HIPAA
Compliance
Officer for
Davis County

Mel Miles, Davis County Personnel Director, requested approval to designate a HIPAA (Health Insurance Portability and Accountability Act) Compliance Officer for Davis County. The previous appointed individual is no longer with the County. The request is to appoint Charlene Lamph, Davis County Risk

Management Specialist, as the representative. The priority per federal law is sensitive information safeguards. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye.

Amendment #2004-389A
UT Division of Facilities
Construction to Lease Space for Air Monitoring Station

Amendment #2004-389A with the Utah Division of Facilities Construction and Management for a lease extension was presented. The lease is for use of a site for air monitoring station at 5100 W 1700 S (east end of the Antelope Island causeway), Syracuse. The lease will run through October 31, 2014. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Amendment #2005-142(6)
UT Dept of Human Services for Funding of Mental Health Services

Amendment #2005-142(6) with Utah Department of Human Services was presented for the pass thru funding for mental health services for state fiscal year 2009. The services are performed by Davis Behavioral Health. It is a receivable of \$5,000.00. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Amendment #2005-143(7)
UT Dept of Human Services Funding for Substance Abuse Services

Amendment #2005-143(7) with Utah Department of Human Services was presented for the pass thru funding for substance abuse services for state fiscal year 2009. The services are performed by Davis Behavioral Health. It is a receivable of \$29,548.00. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Minutes of May 13 Tax Sale

Steve Rawlings, Davis County Clerk/Auditor, asked an employee of his department, Cheri Mayer, to give a summary of the May 13 tax sale. All parcels were advertised as required by law. The list as show below was provided to the commissioners:

MINUTES OF THE 2009 DAVIS COUNTY DELINQUENT TAX SALE held May 13, 2009 at 10:00 A.M. in the Davis Conference Center, 1651 North 700 West, Layton, Utah.			
Steve S. Rawlings welcomed everyone to the sale, explained the process and introduced Craig Bott, Davis County Deputy Civil Attorney. Cheri Mayer, Davis County Deputy Clerk/Auditor called the 2009 Five Year Delinquent Clerk/Auditor's Tax Sale to order and explained the rules for the sale and the Utah State Code. Mrs. Mayer also explained that all bids are final, then conducted the sale on the behalf of the Clerk/Auditor.			
Those present from the County: Commissioner P. Bret Millburn, Commissioner John Petroff Jr., Clerk/Auditor Steve S. Rawlings, Carl Allen, Jonathan Lee, Cheri Mayer, Sarah Ries, Diane Law, Kimberly LeMay, Craig Bott, James Ivie, Mark Altom, Ross Bartholomew, Dianne Mark, Nita Millard, Laile Lomax, Richard Maughan, Anthony Thompson, Kyle Corbridge, Max Elliott, and Terry Tremea.			
Parcel		Amount	Name
01-017-0029	Sundial Inc. & Larsen, Holly		Redeemed by Owner
01-017-0030	Sundial Inc. & Larsen, Holly		Redeemed by Owner
01-114-0032	Burland, David S.		Redeemed by Owner
02-068-0135	Lopez, Vincent J		Redeemed by Owner

03-032-0056	Parkin, Wilma G.			Redeemed by Owner
04-061-0054	Mendoza, Rosemarie L.			Strike to County
04-092-0056	Merrill, R George & Arlyn			Redeemed by Owner
05-014-0012	Lawrence, Lesley			Redeemed by Owner
05-108-0003	Mark & Jacobs, Darcy			Redeemed by Owner
06-013-0083	Graham, Johnny	\$	400.00	Sidney D Hendricks
06-071-0006	Christensen, Gaylynn			Redeemed by Owner
06-108-0004	Browning, Rex R. & Crystol L.			Redeemed by Owner
06-172-0302	Cornejo, Ernesto E.			Redeemed by Owner
06-175-0027	Smith, John			Redeemed by Owner
06-184-0419	World, Troy D.	\$	180.00	Sidney D. Hendricks
07-022-0010	Oviatt, Thelma D. & Thomas L.			Redeemed by Owner
07-041-0017	Hancock, Michael D. & Shauna	\$	200.00	Sidney D. Hendricks
07-124-0321	Homes & Perry Inc.	\$	43.18	Preferred Sale to: Rawl Marsden Rice
08-032-0006	Rogers, Rosemary Calder			Redeemed by Owner
08-228-0012	Stoddard, Joel D.			Strike to Kaysville City
09-035-0061	Ohlmacher LLC			Redeemed by Owner
09-059-0028	Barney, Ray L. & Thelma L.			Strike to County
09-086-0085	Brown, Shayne Jerald & Pamla			Redeemed by Owner
09-291-0002	Lopez, Vincent J			Redeemed by Owner
09-297-0118	Symphony Development Corp.			Redeemed by Owner
09-332-0022	Boyer, Bryant T.			Redeemed by Owner
10-023-0048	Hemsley, Lavee C.			Redeemed by Owner
10-032-0086	Lopez, Vincent J.			Redeemed by Owner
10-044-0007	Davis Lanes, Inc.			Redeemed by Owner
10-044-0037	Davis Lanes, Inc.			Redeemed by Owner
10-101-0038	Lopez, Vincent J			Redeemed by Owner
11-042-0042	Davis, Brent			Redeemed by Owner

11-092-0064	Knell, Michael			Redeemed by Owner
11-402-0107	Kerbein, Alfred & Lewis, D'Monn			Redeemed by Owner
12-003-0042	Gallegos, Manuel M & Emma P			Redeemed by Owner
12-021-0005	Wong, Elva & White, Sharon			Redeemed by Owner
12-047-0151	Cambridge Homes LC			Strike to County
12-051-0048	Larsen, Harv Kent & Susan			Strike to County
12-087-0157	Straun, Linda S.	\$	198.72	Preferred Sale to: Merlyn & Norma Fowler
12-094-0077	Philavong, Sengdao & Donnelly, Brandt			Redeemed by Owner
12-094-0097	Hansen, Julieanne	\$	104.90	Preferred Sale to: Russell & Zola Versemann
12-112-0047	Lopez, Vincent J			Redeemed by Owner
12-338-0013	Jade Development LC			Strike to County
12-411-0223	Brown, Joseph Earl			Redeemed by Owner
12-427-0067	Woolley, Elaine			Redeemed by Owner
12-522-0030	Hamblin Investment Group LLC			Strike to County
13-049-0022	Benchmark Real Estate Company			Strike to County
13-052-0041	Shron Inc.			Strike to County
13-076-0070	Benchmark Real Estate Company			Strike to County
13-079-0012	Frew, James Scott			Redeemed by Owner
13-098-0026	Christensen, Pete R.			Redeemed by Owner
13-192-0001	Mitchell, Curtis W. & Suzanne			Redeemed by Owner
14-032-0046	Weaver, Kevin L			Redeemed by Owner
14-052-0047	Strategy Holdings			Redeemed by Owner
14-069-0001	Markham, Anthony L. Jr			Redeemed by Owner
14-069-0002	Markham, Anthony L. Jr			Redeemed by Owner
14-077-0013	Pellew, Michael & Angela			Redeemed by Owner
14-090-0025	Lopez, Ralph			Redeemed by Owner
14-137-0021	Hansen, Craig K. & Heidi K.			Redeemed by Owner
14-296-0022	Clinton Field LC			Redeemed by Owner

This concluded the 2009 Davis County Clerk/Auditor Delinquent Tax Sale.			

Chairman Millburn stated there was a sizable crowd of individuals. Appreciation to Cheri and the team of people who worked the May tax sale. Steve Rawlings stated that at 4:30 p.m. on May 12 the last of the homes were redeemed. Commissioner Downs stated that the remaining parcels are misfit pieces and every effort is made to get the land back into the hands of where it belongs. Commissioner Downs made a motion to accept the minutes of the sale and approve the Auditor's tax deeds. Chairman Millburn seconded the motion. All voted aye.

Commissioner Downs made a motion to convene as the Board of Equalization. Chairman Millburn seconded the motion. All voted aye.

Property Tax
Register
Approved

A property tax register as prepared by the Davis County Clerk/Auditor's Office was presented. Steve Rawlings, Davis County Clerk/Auditor, stated that under the Auditor's Adjustments are two corrections, 85 approvals of property tax appeals, and 45 denials of property tax appeals. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Commissioner Downs made a motion to reconvene the regular commission meeting. Chairman Millburn seconded the motion. All voted aye.

Commission
Minutes
Approved

Commissioner Downs made a motion to approve the commission meeting minutes of April 28 and May 5, 2009. Chairman Millburn seconded the motion. All voted aye.

Check Registers
Approved

Check registers as prepared by the Davis County Clerk/Auditor's Office were presented. Commissioner Downs made a motion to approve. Chairman Millburn seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

Personnel
Register
Approved

A personnel register was presented. Commissioner Downs made a motion to approve. Chairman Petroff seconded the motion. All voted aye.

Commission Comments:

Commissioner Downs stated that she has had some high flying adventures. Many activities have been taking place that have been great to participate in such as the bird festival, doing a job shadow with a senior high school student.

Commissioner Millburn stated that the interaction with school age children was a fun experience. There is never a dull moment in this position.

Public Comments:

Robert Kohutek, Executive Director Lincoln-Uinta Association of Governments, asked to make comments. He stated that he is an 11 year resident of Farmington and commutes to Wyoming for the Lincoln-Uinta Association. He has a strong interest in serving the community and working with economic development. He stated that he will be talking with Kent Sulser, Davis County Community and Economic Development Director. He left this business card with the commissioners.

Closed Session

Commissioner Downs made a motion to go into a closed session per Utah Code 59-1-404. Chairman Millburn seconded the motion. All voted aye.

Open Session to
Denial 2008
Appeal of
Personal
Property by
Allied Waste
North America,
Inc.

Open session of the Davis County Commission meeting reconvened at 10:55 a.m. Chairman Millburn requested that Herb Jenkins, Utah State Tax Commission, state his recommendation as given during the closed session regarding a 2008 appeal of personal property by Allied Waste North America, Inc. Mr. Jenkins stated the company is contending the personal property tax table under Administrative Rule. Mr.

Jenkins recommends denying the appeal as the County Board of Equalization does not have the jurisdictional authority to change or amend Personal Property valuation schedules or classes and any other action would affect other counties as well. James Ivie, Davis County Assessor, agreed with the recommendation of denial. Commissioner Downs made a motion to deny the request of appeal and allow the company to move on to the State. Chairman Millburn seconded the motion. All voted aye.

Meeting adjourned.