

COMMISSION MEETING MINUTES  
November 17, 2009

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on November 17, 2009 at 10:00 a.m. Members present were Chairman P. Bret Millburn, Commissioner John Petroff Jr., Commissioner Louenda H. Downs, Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil Attorney Gerald E. Hess, and Deputy Clerk/Auditor Linda May.

Dave Hansen, Davis County Legacy Events Center Director, led the Pledge of Allegiance. All were invited to stand and join in.

Recognition of  
Bill Johnson  
for Years of  
Service on the  
Davis County  
Fair Committee

Dave Hansen, Davis County Legacy Events Center Director, invited Bill Johnson to come forward. Mr. Johnson has served for many years (over 10) on the Davis County Fair Committee. He has been involved with marketing and food contests. In addition, Bill is the past President of the International Dutch Oven Society. He brought their annual convention/cook off to the Legacy Events Center and it has been here ever since. Bill has helped with fair themes and graphics for the fair over the years. Commissioner Petroff thanked Bill for being an outstanding contributor. Day after day he helps makes things better in the community. Commissioner Downs stated that volunteers in the community leave a great legacy. Chairman Millburn thanked him for his time and talents. The commissioners presented Bill a Davis County Coin in Recognition of Outstanding Service.

Recognition of  
Mark Altom,  
Davis County  
Treasurer, as  
Recipient of the  
2009 Victor E.  
Martinelli  
"Outstanding  
County  
Treasurer"  
Award

Chairman Millburn invited Mark Altom, Davis County Treasurer, to come forward. Mark has been recognized by the National Association of County Collectors, Treasurers and Finance Officers (NACCFTO) as recipient of the 2009 Victor E. Martinelli "Outstanding County Treasurer" award. Mr. Altom was recognized by NACCFTO President Tom Malzahn at the Utah Association of Counties (UAC) annual conference recognition dinner on November 13, 2009 in St. George, Utah. Mark has served as Davis County Treasurer in Farmington, Utah since 1992. He has served in several positions in NACCFTO, he currently serves on the National Association of Counties Finance and Intergovernmental Affairs Steering Committee, and has served in many local positions for the Utah Association of Counties. Commissioner Petroff thanked Mark for keeping track of the money. Commissioner Downs said, "I appreciate Mark representing us. He recognizes the needs of other elected officials and is willing to speak up and explore deep ." Chairman Millburn thanked Mark and the commission presented him with a Davis County Coin in Recognition of Outstanding Service encased in a State of Utah silhouette.

Recognition of  
Steve S.  
Rawlings,  
Davis County  
Clerk/Auditor  
for Years of  
Service with  
States Self-  
Insurers Trust  
& States Self  
Insurers Risk  
Retention  
Group, Inc.

Mel Miles, Davis County Personnel Director, introduced Robert Esenberg, President & CEO of State Self-Insurers Risk Retention Group, Inc. His company represents the coverage for the excess insurance policy for Davis County. He stated that States members must participate in the program. Steve Rawlings, Davis County Clerk/Auditor, has served for many years on the Board of Trustees and has been a great resource in the area of Audit & Finance. Steve helped draft an investment policy for the program. Jeffrey Downes, of States presented a plaque to Steve that reads, "Partners in Protection" presented to Steve S. Rawlings, CGFM, in appreciation and recognition of your years of dedicated service to the States Self-Insurers Trust and States Self-Insurers Risk Retention Group, Inc. Steve said, "I will truly cherish and remember the days with States. They are a great entity. The function will now move to Mel Miles, Davis County Personnel Director." The commissioners thanked Steve for his representation of Davis County and presented him with a Davis County Coin in Recognition of Outstanding Service encased in a State of Utah silhouette.

Recognition of  
Troy Rawlings,  
Davis County

Chairman Millburn invited Troy Rawlings, Davis County Attorney, to come forward. At the Utah Association of Counties annual dinner held on November 13 in St. George, Troy was nominated and

Attorney for  
Nomination as  
2009 County  
Attorney of the  
Year for the  
State of Utah

recognized as the 2009 County Attorney of the Year for the State of Utah. Each year affiliate groups select an outstanding member, based on service, dedication, and consistent excellence over the year. Troy said, "My philosophy is that you do as much as you can, then surround yourself with good people, delegate what you can't do personally". He expressed appreciation to Jerry Hess and Bill McGuire who were in attendance today from the Davis County Attorney's Office. Chairman Millburn expressed appreciation for what Troy does, who he is and his progressive thinking. Commissioner Downs expressed appreciation to Troy for distinguishing himself amongst his peers. The commissioners thanked Troy for his representation of Davis County and presented him with a Davis County Coin in Recognition of Outstanding Service encased in a State of Utah silhouette.

Mental Health  
Wellness Week

Chairman Millburn announced the National Council for Community Behavioral Healthcare is promoting Mental Health Wellness Week, November 14 -21, 2009. Mental Health Wellness Week has been created by Freedom From Fear, a national non-profit mental health advocacy organization and National Council member.

Davis Read  
Week

Chairman Millburn announced the commission is in receipt of a proclamation from Governor Gary R. Herbert declaring November 16 – 21, 2009 as Davis Reads Week. Davis Reads is a community initiative that strives to encourage school children and citizens of Davis County to read.

Comm. Cup  
Applications  
Due

Chairman Millburn gave a reminder that Davis County Commissioners' Cup grant applications are due this Friday, November 20, 2009.

Bid Award to  
Bowen  
Construction  
for DSB  
Channel  
Improvements  
Project

Kirk Schmalz, Davis County Public Works Director, stated the bids opened on November 3 for the DSB channel improvements project have been reviewed. The project is for the relining of an older concrete lined channel that is deteriorating. There was concern regarding previous experience submitted by the three companies with the lowest bids. Public Works personnel and engineers went out to physical view projects completed by each company within the last 10 years. Bowen Construction was not the lowest bid but has demonstrated the ability to meet the criteria as outlined in the bid package. Bowen Construction did the relining of the Davis & Weber canal. This project will be done during the winter while the flow is low. The recommendation is to award the bid to Bowen Construction in the amount of \$2,063,211.00. Commissioner Petroff made a motion to approve. Commissioner Downs seconded the motion. All voted aye.

Certificate of  
Substantial  
Completion  
2600 So Drain  
Improvements

Kirk Schmalz presented the Certificate of Substantial Completion for the 2600 South Drain Improvements. All requirements for the sediment basin projects have been met by Stark Brothers Inc. Commissioner Downs made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2009-352  
Twin "D" Inc.  
for Storm Drain  
Clean-Out at  
775 W  
Bountiful

Kirk Schmalz presented agreement #2009-352 with Twin "D" Inc. The company will do the cleaning and cutting of mineral buildup from a storm drain located at 775 West in Bountiful. North Salt Lake Public Works personnel have looked at the drain also and believe the build up is caused by well water. It is a payable of not to exceed \$40,000.00. Commissioner Downs made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2009-353  
Earthtech  
Engineering for  
Inspections at  
Health  
Department  
Building

Barry Burton, Davis County Planning Director, presented agreement #2009-353 with Earthtech Engineering. The company will provide special inspection and testing services at the new Health Department Building. It is a payable not to exceed \$16,777.00. Commissioner Petroff made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document is on file in the office of the Davis County Clerk/Auditor's Office.

Comments  
Regarding  
Chevron  
Refinery Safety  
Measures

Commissioner Downs posed a question to Barry Burton regarding the recent Silver Eagle oil refinery explosion within the Woods Cross jurisdiction and asked about the safety of citizens in the unincorporated area in relation to the Chevron Refinery. Barry stated that the Chevron Refinery has had a very impressive history. The company has procedures that are top notch and their attention to public safety is excellent. They have been making improvements at the plant recently. They have vast control of land around them and maintain a blast zone to keep development well protected. Chevron is actively concerned with citizen protection.

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

Property Tax  
Register  
Approved

Ross Bartholomew, Davis County Tax Administration Director, presented the property tax register. The register reflects Auditor Adjustments for four tax abatements, Assessor's Correction on four properties for multiple years, seven corrections for the year 2009, 95 property tax appeals for approval, and 27 appeals for denial. Commissioner Petroff made a motion to approve. Commissioner Downs seconded the motion. All voted aye.

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

Commission  
Minutes  
Approved

Commissioner Petroff made a motion to approve the commission meeting minutes of October 27 and November 3, 2009. Commissioner Downs seconded the motion. All voted aye.

Check  
Registers  
Approved

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

#### Commission Comments:

Commissioner Downs stated that it was a good conference in St. George and good to be with other elected officials. There was discussion about legislative issues and concerns. It is revealing, helpful and a beneficial opportunity.

Our Legacy Events Center has proven to be a great gathering place. We can have barrel races and a boutique all in the same day. A special thanks to the fire chiefs and responders to people involved as a result of the Silver Eagle Refinery explosion.

Commissioner Millburn acknowledged Lewis Garrett, Davis County Health Director, for the fine job he and his staff have done with the H1N1 immunizations. Once again tickets will be handed out on Thursday, November 19 from 4:00 – 8:00 pm at the Bountiful Regional Center and the Legacy Events Center. Vaccinations will be given on November 21, 23, and 24 at the Davis Conference Center.

No public comments.

Commissioner Petroff made a motion to go into closed meeting. Commissioner Downs seconded the motion. All voted aye.

Meeting adjourned.