

COMMISSION MEETING MINUTES  
February 9, 2010

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on February 9 at 10:00 a.m. Members present were Chairman John Petroff Jr., Commissioner Louenda H. Downs, Commissioner P. Bret Millburn, Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil Attorney Gerald E. Hess, and Deputy Clerk/Auditor Linda May.

Jerry Hess, Davis County Attorney's Office, led the Pledge of Allegiance. All were invited to stand and join in.

Presentation  
Regarding the  
Nature Center  
Trail & Bald  
Eagle Day

Bob Hasenyager, Executive Director of Utah Wildlife in Need, presented a power point presentation regarding the Nature Center Trail and Bald Eagle Day, February 13. Utah Wildlife in Need (UWIN) has completed a 1.25 mile boardwalk to provide visitors a way to get into the heart of the marsh at Farmington Bay. The project began last fall and has been accomplished through 100% donated labor. Participation has come from Davis County Public Works, Commissioners, Farmington City Council, Utah Division of Wildlife Resources, Utah Division of Parks and Recreation, Davis County School District – Viewmont High School, several contractors, citizens and even grandchildren. Boy Scouts of America will hold an award ceremony to be attended by the Lt. Governor on February 13 at the Nature Conservancy to honor 17 young men who have earned their eagle scout award by working on the boardwalk project. There has been over 2,000 hours of labor donated and 35.75 tons of lumber used. The boardwalk features observation blinds and benches for visitors. UWIN hopes to give families the opportunity to experience nature in the wetlands. Everyone is invited to come view the eagles on Bald Eagle Day.

Commissioner Petroff thanked the organization for having a vision for the future. Commissioner Millburn stated it is a fantastic project and will be enjoyed by young and old. Commissioner Downs stated that it spreads to tourism and gives people the opportunity to experience birds. Commissioner Downs also expressed congratulations to Bob Hasenyager for being named Farmington City's Citizen of the Year.

Resolution  
#2010-36  
Adopting a  
Maximum  
Operating  
Capacity &  
Inmate  
Retention  
Guidelines

Robert Yeman, Davis County Sheriff's Office who oversees the jail operations, asked to have Sheriff Cox excused due to illness otherwise he would have been in attendance. Resolution #2010-36 adopting a maximum operating capacity and inmate retention guidelines for the Davis County Correction Facility was presented. The Davis County Jail has been expanded three times within the last twenty years. The most recent expansion increased the capacity of the County Correctional Facilities from a maximum operating capacity of 446 inmates including those in the Work Center, to a maximum operating capacity of 814 inmates. The state is having budget problems and there is the possibility of pods at the state prison being shut down. It could affect 150 – 160 state inmates. Davis County has a need to establish the number of inmates committed to the jail by categories. Davis County wants to cap the total we take from the state so we don't have to raise taxes.

Commissioner Downs said, "We have an obligation to protect taxpayers in Davis County. However, the burden ought to be borne by the state and limit the COP to 175 inmates." Commissioner Millburn said, "This is a tool we can fall back upon to manage things properly." Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Change Order  
#2009-263A  
Salmon  
Electrical to  
Change Out  
Ballasts &  
Lamps

Keith Major, Davis County Sheriff's Office, presented change order #2009-263A with Salmon Electrical. The cost is to change out additional ballasts and lamps at the Justice Complex that were not included in the original contract. It is a payable of \$5,625.00. It is anticipated there will be a rebate from Rocky Mountain Power. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2010-37  
Prism Systems  
Corp for  
Maintenance of  
Touch Screens  
at Jail

Keith Major presented agreement #2010-37 with Prism Systems Corp. It is the maintenance agreement for the touch-screens at the jail. It is a payable of \$19,800.00. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2010-38 Mike  
& Sterling's  
Flooring to  
Re-grout Walls  
& Floor at Jail

Keith Major presented agreement #2010-38 with Mike & Sterling's Flooring to pressure wash and re-grout shower walls and floor at the Davis County Jail. It is a payable of \$8,593.56. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Certification  
Statement  
#2007-331C  
Office of  
Recovery  
Services

Keith Major presented the Annual Certification Statement #2007-331C for the Office of Recovery Services contract. It is to certify Davis County is in compliance with contract guidelines. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2010-39  
Spillman  
Technologies,  
Inc. for CAD  
Interface for  
Medical  
Priority  
Software

Mark Langston, Davis County Information Systems Director, presented agreement #2010-39 with Spillman Technologies, Inc. It is for the Spillman CAD interface for Medical Priority Software (ProQA). The software is utilized by the Davis County Sheriff's Office Dispatch. It is a payable of \$38,240.00. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Permit  
Application  
#2010-40  
Farmington  
City for Beer  
License

Curtis Koch, Davis County Legacy Events Center Assistant Director, presented permit application #2010-40 with Farmington City. It is the annual application to renew Davis County's beer license with Farmington City for events held at the Legacy Events Center. It is a payable of \$300.00. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2010-41 UT  
State Data  
Center for  
Census Bureau  
& Economic  
Data Products  
for Libraries

Chris Sanford, Davis County Library Director, presented agreement #2010-41 with the Utah State Data Center. The Davis County Libraries will maintain a collection of U.S. Census Bureau and other economic and demographic data products and make them available to the public. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2010-42  
Mango  
Languages for  
Website Access  
for Six  
Languages

Chris Sanford presented agreement #2010-42 with Mango Languages. The new program will allow library patrons to use Mango's website to access 6 different languages for learning. Chris said that she tested it and the first lesson took about 1 hour. It is a payable of \$6,700.00. If more languages are added the cost will go up. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2010-43 for  
Layton Hills  
Mall Use of  
Site for  
Vaccinations

Lewis Garrett, Davis County Health Director, stated that the H1N1 vaccination was winding down. The Layton Hills Mall agreement #2010-43 for today is behind the actual date of utilization because of the mall's delay in getting it to the County. It is for January 30 when an immunization clinic was held at center court of the Layton Hills Mall. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Lewis Garrett presented the following::

Agreement  
#2010-44  
NACCHO for  
Funding of  
Medical  
Reserve Corps

Agreement #2010-44 with the National Association of County and City Health Officials (NACCHO). It is a receivable of \$5,000.00 to support funding of the Medical Reserve Corps (MRC). Only people with the necessary credentials can be involved with MRC. Also for approval is a budget change to increase line item 15-3340-040 Bioterrorism Grant by \$5,000.00 and increase line item 15-4319-610 Miscellaneous Expense by \$5,000.00. Commissioner Downs made a motion to approve the agreement and budget change. Commissioner Millburn seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

Amendment  
#2009-143B  
UT Dept of  
Health to  
Increase  
Funding &  
Name Change  
to Physical  
Activity,  
Nutrition &  
Obesity

Amendment #2009-143B with Utah Department of Health to increase funding and change the name of Section II of the contract from Heart Disease and Stroke Prevention to Physical Activity, Nutrition and Obesity (PANO). It is an increase of \$5,000.00. The budget change for approval will increase line item 15-3340-022 Prev. Block by \$5,000.00 and increase line item 15-4315-610 Misc. Expenses by \$5,000.00. Commissioner Millburn made a motion to approve the amendment and budget change. Commissioner Downs seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

Amendment  
#2009-355A  
UT Dept of  
Health to  
Increase WIC  
Funding

Amendment #2009-355A with Utah Department of Health to increase the WIC funding for general operations and peer counseling areas. It is a receivable of \$106,136.00. The budget change for approval is to increase line item 15-3316-000 WIC Federal by \$106,136.00; increase line item 15-4318-110 Personnel by \$26,600.00; increase line item 15-4318-130 Benefits by \$17,754.00; and increase line item 15-4318-610 Misc. Expenses by \$61,782.00. Commissioner Downs made a motion to approve the amendment and budget change. Commissioner Millburn seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2010-45  
Knight Electric  
for Light  
Replacement

Agreement #2010-45 with Knight Electric. The company will remove and replace 30 existing lights in the Weatherization warehouse at the Freeport Center. It is a payable of \$4,875.00. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Change Order  
#2009-319F  
Wadman Corp  
for Removal of  
Contaminated  
Soil

Barry Burton, Davis County Planning Director, presented change order #2009-319F with Wadman Corporation. The additional costs are for the removal of contaminated soil (gas and diesel fuel contamination). The conditions did not require remediation but did require disposal in a special manner. Fill then had to be brought back in on the site. Barry stated it could have been worse. It is a payable of \$135,326.47. Chairman Petroff stated that having worked with gas in his service business he is surprised it is not more. Commissioner Millburn stated it is a big ouch but in the broader scope it is important to have been discovered now and corrected. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Letter of  
Support  
#2010-46  
Cathy Kahlow,  
Salt Lake  
Ranger District  
for Bonneville  
Shoreline Trail

Barry Burton requested approval of a letter of support #2010-46 to Cathy Kahlow, Salt Lake Ranger District, Wasatch-Cache National Forest, regarding the Bonneville Shoreline Trail. Davis County representatives have had some communication with an owner of property in the unincorporated area of the County that is critical to the Bonneville Shoreline Trail. The communication was initiated by Ken Patey, CEO of the property owner Praia LLC. The letter communicates the County's support in an effort to secure a roadway access easement across U.S.F.S. land in the Mueller Park area of Mill Creek Canyon. Mr. Patey has

indicated that if he is successful in obtaining the roadway access easement he will donate the easement across his land for the Bonneville Shoreline Trail for the Kenny Creek Trail that already crosses his property. There is no obligation to Davis County. Davis County fully supports Mr. Patey's request for the roadway access easement across U.S.F.S. land to his land and it would be assist with future Bonneville Shoreline Trail development. Commissioner Downs made a motion to approve the letter of support. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2010-47  
Caldwell/  
Richards/  
Sorensen for  
Design &  
Construction  
Management  
Farmington  
Channel

Adam Wright, Davis County Public Works Engineer, presented agreement #2010-47 with Caldwell/Richards/Sorensen. The company will design, procure, and provide construction management work to restore and upgrade the Farmington Creek Channel. It is a payable of \$95,000.00. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Affidavit from  
Bay View  
Duck Club for  
Compliance  
with UT  
Legislature  
HB 164

Jerry Hess, Davis County Attorney's Office, explained the purpose of an affidavit received from the Bay View Duck Club. The affidavit was presented to the Commissioners to comply with the Migratory Bird Production Area legislation passed in 2009 by the Utah Legislature as H.B. 164. The law requires the interested Duck Clubs (Bird Production Areas) to file and record an affidavit with the County Recorder and provide a copy to the Legislative Body where the area duck club is located. The affidavit as recorded provides notice of dedication of land as migratory bird production area. The document was recorded on February 4, 2010. A copy of the document will be sent to Davis County Planning, Davis County Public Works and West Point City to allow them to make comments within the 30-day contest period. If there is a problem, the property owner has the burden to prove correct. It does limit the County's ability to change zoning for the area. Any future development within 1000 ft would be notified they are buying next to a migratory bird area and a nuisance action cannot then be brought. This starts the clock for the 30-day affidavit review.

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

Property Tax  
Approved

Ross Bartholomew, Davis County Tax Administration Director, presented the property tax register. The register reflects 139 property tax appeals for approval, 180 appeals for denial, Auditor Corrections for abatements and a Treasurer's Adjustment for abatement of taxes, penalty & interest. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye.

Commissioner Millburn made a motion to reconvene the regular commission meeting. Commissioner Downs seconded the motion.

Commission  
Minutes  
Approved

Commissioner Millburn made a motion to approve the commission meeting minutes of January 26, 2010. Commissioner Downs seconded the motion. All voted aye.

Check  
Registers  
Approved

Check registers as prepared by the Davis County Clerk/Auditor's Office were presented. Commissioner Millburn 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.

No commission comments.

No public comments.

Meeting adjourned.