

COMMISSION MEETING MINUTES  
May 18, 2010

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on May 18 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.

Commissioner Louenda Downs led the Pledge the Allegiance. All were invited to stand and join in.

Special  
Meeting at  
North Salt Lake  
City

Chairman Petroff announced that at 6:00 pm this evening the commission will be available at the North Salt Lake City offices prior to the North Salt Lake City Council Meeting. The meeting provides an opportunity for the commissioners to welcome citizens and to become better acquainted with city council members and mayor.

Discussion of  
the Jordan  
River Vision

Alan Matheson, Executive Director of Envision Utah, spoke about an ambitious plan to rehabilitate the Jordan River, preserve and acquire neighboring open space and develop a "lake to lake" trail along its 50-mile corridor. The river is a diamond in the rough. Cities throughout the country such as Boise, San Antonio and Pueblo have come to realize the benefits of river walks. There have been a number of public meetings held regarding the Jordan River and over 3,000 people have attended. The goals with the river are: (1) maintain the natural vegetation; (2) provide recreation opportunities; and (3) facilitate redevelopment such as places to eat and rent bikes or canoes. Under the Blueprint Jordan River Vision, 15 cities and three counties would chip in dollars to fund a governing commission that would then seek ways to pay for the project.

The proposed commission would be modeled after the Utah Lake Commission. The Jordan River Commission would consist of 30 members, two-thirds from government and a third from the community. The goal is to combine the political with the scientific while maintaining local control. The commission would pursue funding sources through federal, state and private grants. The commission would operate on a \$200,000 plus budget. The budget would cover equipment, overhead and two full-time employees, which would be paid by members based on their population, land area and frontage along the river. Cities and counties would cover about half the commission's cost. The other half would come from state agencies and water districts. The request to Davis County is for \$5,000.

Commissioner Downs asked if Scott Hess who is currently sitting on the committee, but not an elected official, is a strong enough presence for Davis County. Alan responded that Scott has been very consistent in his attendance and participation at meetings.

Commissioner Millburn asked if the commission has been formed. Alan responded that it is still in the preliminary formation and he hopes to have the commission implemented by the middle of summer.

Commissioner Petroff stated he thinks it is a great project for citizens and visitors. He offered that he would like to have a seat at the table.

Scott Hess stated that the proposed inter-local agreement will be presented at the next commission meeting.

The commissioners thanked Alan for the information and the work that has been accomplished.

May Tax Sale  
to be Held on  
May 19

Cheri Mayer, Davis County Tax Administration Office, stated the May Tax Sale will be held at the Davis Conference Center tomorrow, May 19, at 10:00 am. Parcels of property that are delinquent in taxes for five years will be auctioned. The request is for approval of the traditional bidding process and that no parcel would be broken down. When the committee first met, there were 74 homes and as of today there was 1 remaining which has been paid as of this morning. There were 81 parcels and it is now down to 21.

Commercial properties started at 16 on the list and are now down to 1. Commissioner Millburn made a motion to approve the request. Commissioner Downs seconded the motion. All voted aye.

Agreement  
#2010-161  
Orion Payment  
Systems  
#2010-162  
NetDeposit for  
On-line Credit  
Card  
Processing for  
Justice Court

Jonnie Johnson, Davis County Justice Court, presented two agreements for companies to provide on-line credit card processing for the payment of fines through the Justice Court.

#2010-161	Orion Payment Systems
#2010-162	NetDeposit

Jonnie stated that currently clients can only call in to pay with a credit card or pay at the counter. The fines paid must be stored through the State of Utah server. The companies will have connection through the Justice Court web for people to pay on line. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2010-163  
Mountain  
American  
Credit Union  
Donation to  
DCEA

Brian McKenzie, Davis County Employee Association President presented agreement #2010-163 with Mountain American Credit Union. It is a receivable of \$300.00. The money will be used toward the DCEA Summer BBQ and Christmas luncheon. 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.

Amendment  
#2010-281A  
Kaysville City  
#2010-101A  
Woods Cross  
City for Animal  
Control  
Services

Keith Major, Davis County Sheriff's Office, presented two amendments with cities for the Davis County Sheriff's Office to prove animal control and wildlife services:

#2010-281A	Kaysville City	\$46,702.65 receivable
#2010-101A	Woods Cross City	\$14,895.03 receivable

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.

Budget  
Changes for  
Grant Money  
Received for  
the Davis  
County  
Sheriff's Office

Keith Major also presented the following two budget changes:

- 1) Budget change necessary to increase budget for Homeland Security Grant. The funds will be pass thru for supplies, equipment and training as needed. This budget change ties back to Agreement #2009-378. The request is to increase line item 10-3322-000 Block Grant by \$64,250 and increase line item 10-4210-233 Grants by \$64,250.00. 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.
- 2) Budget change necessary to purchase two sniper rifles and scopes from the National Rifle Association Grant #2009-330. It is to increase line item 10-3870-000 Contribution Private by \$4980; increase line item 10-4210-690 Equipment by \$4,500.00; and increase line item 10-4210-610 by \$480.00. 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.

Kirk Schmalz, Davis County Public Works Director, presented the following four agreements:

Agreement  
#2010-164 Post  
Asphalt Paving  
& Construction  
for Street  
Rebuild

Agreement #2010-164 with Post Asphalt Paving & Construction and the Notice to Proceed. The company will do the 775 West Street Rebuild, Bountiful Utah. It is a payable of \$209,834.00. Kirk stated he anticipates participation in the project from North Salt Lake. Commissioner Downs made a motion to approve the contract and the Notice to Proceed. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreements  
#2010-165  
#2010-166  
Hansen &  
Assoc. Inc. for  
Topographic  
Surveys

Agreement #2010-165 with Hansen & Associates, Inc. The company will provide the topographic survey on Kay's Creek from the West edge of Flint Street approximately 900' East. The survey will include observable utilities, fence lines, and general topographic features. It is a payable of \$1,608.00.

Agreement #2010-166 with Hansen & Associates, Inc. The company will provide the topographic survey on Baer Creek from the West edge of Highway 89 approximately 800'. It is a payable of \$2,400.00. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2010-167  
Horrocks  
Engineers for  
Design &  
Construction  
Management  
200 So Storm  
Drain  
Improvements

Agreement #2010-167 with Horrocks Engineers for design and construction management of the 200 South storm drain improvements, West Point, UT. The work will be to install a sediment basin in the 200 South Drain channel in the vicinity of 300 North 3000 West as well as install new underground culvert for the now open channel section of 200 South Drain from 300 North Street to 2000 West Street in West Point. It is a payable of \$49,259.00. 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  
#2010-168 M.  
Crae Carpenter  
& Margaret N.  
Bruce for  
Acquisition of  
Easements

Tony Thompson, Davis County Planning Office, presented agreement #2010-168 with M. Crae Carpenter and Margaret N. Bruce. It is for the acquisition of easements for a culvert replacement project on Holmes Creek which was awarded to Bowen Construction on March 23, 2010, at commission meeting. At time of award of the contract the property owners had preliminarily given verbal consent and approval of the projects. It is a payable of \$500.00 for acquisition of easements (part of Tax ID 11-064-0115) at 710 Rosewood Lane, Layton, UT. 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  
#2010-169  
Rocky  
Mountain  
Power for  
Energy  
Analysis

Luke Love, Davis County Facilities Management, presented agreement #2010-169 with Rocky Mountain Power. The county is requesting an energy analysis at the Layton County Library and the Clearfield Library. This is part of the ongoing program to achieve energy rebates. 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.

Commissioner Millburn 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 one Auditors Correction for a Veteran's Abatement and one Assessor's Correction for a one year correction. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Personal  
Property Tax  
Hearing for  
Harders  
Hairport, LLC

A personal property tax hearing was held for Harders Hairport, LLC. The business owner Martin Harder and his wife Karen Harder introduced themselves. They have submitted a request to have the tanning beds re-evaluated from the existing value as set at the Davis County Assessor's Office. Mr. Harder indicated the basis of appeal is "income approach to value." He feels his business has been impacted by the Health Department's decision for stricter controls for minors as imposed in 2006. He stated because he is located near the border of Davis County his youth tanning customers along with many adult customers have taken their business to the neighboring Weber County. He provided the commissioners with 2005 and 2009 financial reports for tanning which indicates a 79% drop in business he feels because of Davis County. His tanning business is 21% of what it was before the Davis County regulation. Therefore, he stated the tanning beds are worth 21% of what they are presently valued at.

Cary Liston, Chief Deputy Davis County Assessor's Office, stated the Assessor's Office has valued the beds beginning with Mr. Harder's acquisition cost and by depreciating their values using schedules provided by the State Tax Commission. The commissioners were provided a chart showing the original value reported to the Assessor's Office, the current taxable value of each bed, the percent good rate applied by the Assessor's Office, and the value the taxpayer is requesting. The percent good rate is the percent of the whole that the item is being taxed at i.e. 13% means 87% depreciation in value. If we adjusted the values to take an additional 79% depreciation (i.e. 21% of depreciated value) our market value would not even cover replacement bulbs. Normally our depreciation percentages from the Tax Commission decrease two to four percent a year, based on studies done. In 2010, due to economic factors and the studies done by the Personal Property Division at the Tax Commission, the percent good rate on the 2006 beds went from 79% to 68%; the 2005 bed went from 71% to 59%. The other four beds remain at a residual value of 13%. I believe we are at or below market value on the items being appealed.

Commissioner Downs asked about value according to income. Cary stated that the office does not take income into consideration in setting value.

Mr. Harder stated the bulbs for the beds are expensive to purchase but after installed are worthless. The bulbs cannot be resold.

The commissioners requested Mr. Harder to submit additional information for value before a decision is determined.

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

Commissioner Millburn made a motion to approve the commission meeting minutes of May 4, 2010. Commissioner Downs seconded the motion. All voted aye.

Check registers as processed by the Davis County Clerk/Auditor's Office were approved by Commissioner Downs. Commissioner Millburn 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.

Commission  
Minutes  
Approved

Check  
Registers  
Approved