

COMMISSION MEETING MINUTES  
May 25, 2010

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on May 25 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.

Meagan Hatch, Davis County Legacy Events Center Fair Coordinator, led the Pledge of Allegiance. All were invited to stand and join in.

Consolidation  
of Polling  
Locations

Pat Beckstead, Election Coordinator of the Davis County Clerk/Auditor's Office, stated due to tough economic times the office is looking at cost cutting decisions and wish to communicate those decisions that may have a direct impact on voting locations. Pat highlighted the following press release from Steve Rawlings, Davis County Clerk/Auditor:

The only races in Davis County that require a June 22<sup>nd</sup> Primary Election are the U.S. Senate, State Representative Districts #15, #19, and #20 and Davis School Board District #3 and #6, which leave some areas of the county only voting for the U.S. Senate race. Taking into account these few races and the past turnout experience of primary elections, we are consolidating our previous 69 election day polling locations throughout the county to 26. Every city will have at least one polling location with the larger cities having up to five. Tax savings from these consolidations will be significant and will reduce labor, delivery of supplies and printing costs.

Some of these polling locations are replacements for previously used schools that are currently under construction. Those voters, especially in the south Bountiful area, will be voting at new locations. We realize that in an attempt to make our tax dollars stretch there is a need for cooperation and realizing that it is prudent to consolidate for this Primary Election.

We want to remind voters there are other options as to when and how they may vote. Early voting will be conducted June 8<sup>th</sup> through 18<sup>th</sup> at the Bountiful and Layton Libraries, Syracuse Community Center and the Davis County Courthouse. The times vary and can be seen on the website [www.daviscountyutah.gov](http://www.daviscountyutah.gov). Also, anyone may request a ballot and vote by-mail.

Recognition of  
Sheriff's  
Deputies

Chairman Petroff welcomed officers from the Davis County Sheriff's Office to come forward. Captain Kevin Fielding introduced Deputy Ellis Bruch. Deputy Bruch recently received the State DARE Officer of the Year Award from the Utah Elks Association. Deputy Bruch was nominated by Brent Peters for the work he has done at West Point Junior High School.

Chairman Petroff stated that as a resident and former Mayor of West Point he knows the value of having a trained officer with insight at the school.

Commissioner Millburn stated he appreciates the efforts and the passion that goes into helping the kids. It is important to keep kids away from drugs.

Commissioner Downs stated it is important to educate. Even if one life is changed it is good. Kids trust the officers and you must live up to the trust. You serve as a role model.

Captain Slagowski introduced Seth Dereta who received the state Peace Officer of the Year Award from the Utah Elks Association. Deputy Dereta introduced Mojo, a Dutch Shepherd, of the K-9 unit. He said, "Mojo just loves to work. He just loves to catch bad guys and find drugs. His reward for a job well done is to play tug of war." He sniffs out drugs and does an outstanding job.

Commissioner Downs stated she is grateful for the canine program as it adds so much to law enforcement. It is a stellar program.

The commissioners thanked both officers for their service to citizens of the county. Each deputy was given a Davis County Coin of Recognition for Outstanding Service. Two other officers Lt. Brad Wilcox, PIO for the Sheriff's Department, and Sergeant Brent Peters, Emergency Services Coordinator, were introduced.

Kent Sulser, Davis County Community and Economic Developer Director, stated the county is in receipt of a request from the Bountiful/Davis Art Center for the upcoming Summerfest International. As of now groups are coming from Algeria, Czech Republic, China, France, Haiti, Nepal, Paraguay, Peru, Slovak Republic, South Korea, and Spain. Kent introduced Emma Dugal, Bountiful/Davis Art Center Executive Director.

Emma Dugal thanked the commissioners for this opportunity to discuss the wonderful festival. Summerfest is getting bigger each year as more patrons, volunteers, businesses, local governments and organizations get involved. The people traveling from other countries pay their own expenses and love being in America. Those who participate are providing housing, meals, and transportation. It is a financial positive for the community.

Commissioner Downs stated the county has participated for a number of years. The donation is from the Tourism Tax and meets the criteria as outlined. Thanks for so many countries who participate. Commissioner Downs made a motion to approve a donation of \$2,500.00. Commissioner Millburn seconded the motion. All voted aye.

Cheri Mayer, Davis County Tax Administration Office, presented the minutes of the 2010 Davis County Delinquent Tax Sale:

**MINUTES OF THE 2010 DAVIS COUNTY DELINQUENT TAX SALE,**

held May 19, 2010 at 10:00 A.M. in the Davis Conference Center, 1651 North 700 West, Layton, Utah.

**Welcoming:** Terry Tremea welcomed everyone to the sale for Steve S. Rawlings, explained the process and introduced Gerald Hess, Davis County Chief Deputy Civil Attorney. Cheri Mayer, Davis County Deputy Clerk/Auditor called the 2010 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:** Terry Tremea, Jonathan Lee, Cheri Mayer, Diane Law, Chief Deputy Civil Attorney Gerald Hess, Bill McGuire, James Ivie, Jean Shaw, Ross Bartholomew, Dianne Mark, Nita Millard, Laile Lomax, Anthony Thompson, Max Elliott, Kyle Corbridge.

**Note:** Some properties may have been withdrawn from the sale. The reasons for withdrawal may be that the proper notice has not been given or erroneous legal descriptions have been discovered or duplicate assessments, bankruptcy, deferrals or settlements have been granted by the Davis County Commission. Some properties may be struck to the County or Municipality for public purposes such as being part of a roadway, public easement or a detention basin, or property may be struck to the County due to no bid.

Parcel	Original Owner	Amount of sale	Name of Purchaser
01-005-0030	Green Atlas Inc		Redeemed
01-047-0277	Wiseman, Jay		Redeemed
01-127-0001	Winn, Lindsey		Redeemed
01-151-0063	Holland, Allen C & Julie Ann		Strike to the County
02-014-0086	Robert Holmes Construction Inc.	\$ 227.58	Preferred sale: Jana Lee Hansen
02-090-0053	Asay, Gaylen & Susan		Redeemed
02-097-0085	Twomey, Timothy M		Strike to County

Donation to Bountiful/Davis Art Center for Summerfest International

Minutes of May Tax Sale

02-112-0031	Taggart, Lloyd M & Julie L	\$ 445.28	Preferred Sale: Fred & Michelle Behrmann
03-024-0069	Stuck LC		Redeemed
03-046-0005	Ashton Properties LLC		With/drawn
03-219-0009	Loomis, Keith & Michel		Redeemed
04-061-0058	Wiseman, Jay D & Barbara Helen		Redeemed
04-120-0008	Wiseman, Jay		Redeemed
04-126-0115	Williams, Duffy J		With/drawn
04-150-0125	Wiseman, Jay		Redeemed
05-044-0013	Halliday, David E		Redeemed
06-016-0113	Hilltown A Partnership		Strike to the County
06-027-0006	Gordon Jones Construction		With/drawn
06-049-0136	Maroney, Dennis & Sandra – ETAL	\$ 1,711.85	Preferred Sale: Blair T Halverson
06-078-0008	Paul, Laurie Ann		Redeemed
06-086-0003	Morrison, Lynn D		Redeemed
06-088-0076	Mike Chapman Enterprises Limited Partnership		Redeemed
06-101-0009	Brierley, Kent S and Brierly, Joann		Redeemed
06-108-0029	Schumann, Wende		Redeemed
06-122-0019	Colobella, Kristi K and Morris, David W		Redeemed
06-175-0029	Egelston, David P		Redeemed
07-092-0017	Shepherd, Shirl A & Dona C		Redeemed
07-092-0056	Martin, Michael P & Crista		Redeemed
07-185-0801	Riebe, Brian A & Heidi L,		Redeemed
07-238-0027	Patriot Capital Hidden Springs LLC	\$ 7,279.38	Sold to: David Knauss
08-205-0017	Scharmann, Mark A		Redeemed
08-219-0001	Smith, Lucille D and Bentley, Deann S		Redeemed
08-247-0011	Decoursey, David		Redeemed

09-007-0052	Holfeltz, Jacqueline	\$ 165.27	Preferred Sale: Layton City
09-007-0066	Holfeltz, Jacqueline	\$ 402.73	Preferred Sale: Layton City
09-007-0073	Holfeltz, Jacqueline	\$ 287.23	Preferred Sale: Layton City
09-007-0076	Holfeltz, Jacqueline	\$ 916.77	Preferred Sale: Layton City
09-046-0025	Double J Investments LTD		Redeemed
09-052-0079	Larsen, Michael R. & Janine M		Redeemed
09-053-0036	Halls, Kenneth C & Susan E		Redeemed
09-144-0046	Koenig, Gerhard W H		Redeemed
09-326-0512 - 09-346-0512	Prince Development LLC		County allowed the recind of bid error found.
09-333-0152	Cherry Meadows Homeowners Association		Redeemed
09-333-0153	Symphony Development Corporation	\$ 229.51	Sold to: Holly Shaw
10-056-0169	Jackson, Timothy W & Nanette		Redeemed
10-067-0028	Eagles Nest Rental Properties LLC		Redeemed
10-067-0057	Nedgo Properties		Redeemed
10-067-0059	Nedgo Properties		Redeemed
10-082-0320	Dorius, Val E		Redeemed
10-093-0076	Quintana, Elaine & Felina and Mika and Gutierrez, Patricia		Redeemed
10-225-0128 - 10-263-0503	Roskelley, Samuel		Redeemed
11-022-0029	Parker, Joseph C & June E	\$ 1,474.04	Preferred sale: Bruce & Janet Young
12-003-0189	Hancock, Brian,		Strike to County
12-003-0194	Busbys Properties LLC	\$ 18,500.00	Sold to: Bruce Stephenson
12-003-0195	Gallegos, Manuel M & Emma P		Redeemed
12-035-0053 - 12-035-0097 - 12-035-0101	Angulo, Jose		Redeemed
12-043-0076	Anderson, Charles R & Hope L		Redeemed

12-047-0172	Cambridge Homes LC		Stike to County
12-049-0063	Prine, Dorrana C		Redeemed
12-050-0070	US Development Inc		Redeemed
12-050-0073	US Development Inc		Redeemed
12-064-0014	Willumsen, Joy and Kozofsky, William		Redeemed
12-081-0127	Patriot Capital Residential LLC		With/drawn
12-103-0041	Cook, Glen A & Deanna M		Redeemed
12-211-0073	Reyes, Antulio,		Redeemed
12-348-0013	Oakden, Michael L		Redeemed
12-544-0129	Springfield Estates Phase 4 Homeowners Assoc.		Redeemed
12-544-0130	Springfield Estates Phase 4 Homeowners Assoc.		Redeemed
12-553-0104	Ball, Todd		Redeemed
12-553-0121	Haven, Penni		Redeemed
13-097-0020	Bump, Shannon & Valerie Anne		Redeemed
14-028-0041	Wood, Gerald Scott		Redeemed
14-042-0008	Mike Schultz Inc & Hamblin Investments Inc		Redeemed
14-042-0060	Mike Schultz Inc & Hamblin Investments Inc		Redeemed
14-064-0121	M & D Developers LLC		Redeemed
14-125-0004	Miller, Steve Les & Nora Patricia		Redeemed
14-158-0007	McBride, Dallin D & Tiffani A		With/drawn
14-163-0025	McTee, David S & Valerie S		Redeemed
14-376-0040	M & D Developers LLC	\$ 447.01	Preferred Sale: Clinton City
14-379-0062	Mainline Construction		Strike to County
14-390-0027	M & D Developers LLC		Redeemed
14-390-0078	M & D Developers LLC		Redeemed
14-390-0079	M & D Developers LLC		Redeemed

This concluded the 2010 Davis County Clerk/Auditor Delinquent Tax Sale.

Commissioner Downs made a motion to accept the minutes as presented. Commissioner Millburn seconded the motion. All voted aye.

Meagan Hatch, Davis County Legacy Events Center Fair Coordinator, presented two agreements:

Agreement  
#2010-170  
Standard  
Examiner for  
Sponsorship  
Davis County  
Fair

Agreement #2010-170 with the Standard-Examiner for a sponsor agreement. Davis County Fair will guarantee a minimum purchase of \$3,500.00. In return, Standard-Examiner will provide the Davis County Fair with an advertising credit of \$5,250.00. Sponsor benefits include co-sponsor of the PRCA Rodeo, a vendor booth, print ads, and banner space. 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  
#2010-171  
Sugar Daisy  
Baker for  
Cupcake Eating  
Contest

Agreement #2010-171 with Sugar Daisy Baker. This is a sponsor agreement for the Davis County Fair Cupcake Eating Contest and they will provide the cupcakes and prizes for these events. They will receive advertising space in print materials and banner placement during the fair. 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.

Keith Major, Davis County Sheriff's Office presented the following three items of business:

Agreement  
#2010-172  
Second District  
Court Bailiff  
Services

Agreement #2010-172 with the Second District Court. The Davis County Sheriff's Office will provide security and bailiff services for Second District Court. It is a receivable of \$714,000.00. 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.

Agreement  
#2010-173  
Chevron for  
Enforcement  
Services by  
Sheriff's Office

Agreement #2010-173 with Chevron. The Davis County Sheriff's Office will provide law enforcement services to the Chevron refinery. They will utilize the services of one deputy with a canine for security services. It is a three year contract for approximately \$10,000.00 yearly. It requires a budget change to increase line item 10-3421-000 Sheriff Fees by \$10,000.00 and increase line item 10-4210-160 Overtime by \$10,000.00. Commissioner Downs made a motion to approve the agreement and budget change. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Ordinance  
#1-2010 for  
Amending  
Sheriff's Office  
Fees

Ordinance #1-2010 to provide for the amendment of fees for the Davis County Sheriff's Office was presented. The ordinance update for additional fees was approved by the legislature. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The ordinance will be published in the Clipper and Standard Examiner. The Davis County Code books will be updated and the code will be updated on the Davis County internet.

Agreement  
#2010-174  
Weber County  
Library  
Cooperative  
Borrowing  
Agreement

Chris Sanford, Davis County Library Director, presented agreement #2010-174 with Weber County Library. It is a cooperative borrowing agreement between Davis County and Weber County Libraries. The first such agreement was signed in 1995. It has been equally utilized by both counties. The contract period is July 1, 2010 through June 30, 2015. 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  
#2010-175  
North Salt Lake  
Funds for 775  
West Rd  
Rebuild

Kirk Schmalz, Davis County Public Works Director, presented agreement #2010-175 with North Salt Lake. It relates to the contract #2010-164 with Post Asphalt Paving for the rebuild of 775 West Road. It is a cost change or \$34,149.00 as a receivable from North Salt Lake. 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.

Grant of Easement #2010-176 for Trail in Centerville

Tony Thompson, Davis County Planning Office, presented a grant of easement #2010-176 for a section of trail to Centerville City (part of Tax ID 02-013-0073). It is for a permanent easement and right-of-way for the construction, operation, maintenance, repair, and replacement of a five foot wide trail for the non-motorized use as a pedestrian/recreation trail. This trail is a connection for Centerville from their city park to Ford Canyon trailhead. This trail will traverse through a detention basin and the path way alignment has been approved by Davis County Public Works. The grant of easement contains provisions to transfer the liability of use to Centerville City along with the maintenance of the trail and a nuisance agreement with revocable and cancelation rights. Centerville City will also be granted an access point on the south side of the main gate located on the west side of the property. Commissioner Millburn made a motion to authorize the Chair to execute the Grant of Easement and authorize the recording of easement. Commissioner Downs seconded the motion. All voted aye. Document on file in the Recorder's Office and the Clerk/Auditor's Office.

Amendment #2008-199B UT Dept of Health Funding for Drug Court

Commissioner Millburn presented amendment #2008-199B with the Utah Department of Human Services, Division of Substance Abuse & Mental Health for increase Drug Court funding by \$212,536.00, extended the period of the contract until June 30, 2011, and replace the rate table and include FY 2011 budget forms. 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 #2010-177 Wildland Fire Protection Joint Funding

Commissioner Millburn introduced Tim Garcia, Deputy Director, and Roice Arnold, District Fire Manager, of the Department of Natural Resources, Division of Forestry, Fire & State Lands and Weber Fire District. Tim stated that before the commission is agreement #2010-177 for Wildland Fire Protection. It is for a cost sharing of salary for the District Fire Warden. The operating agreement is between Weber Fire District, State of Utah, and Davis County. The cost to Davis County is \$15,707.00 (1/2 will be paid by the State). The challenge is Davis County has only a small amount of State land. Previously Morgan County and Davis County had an agreement but having two sides of the mountain created difficulties. The contract period is June 1 through October 31. 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.

Health Board Appointments

Lewis Garrett, Davis County Health Department Director, requested the reappointment of the following individuals to the Davis County Board of Health: Ron Garrison, Ann Benson, and Ben Tanner. All have participated fully in Board activities and their contributions have been very valuable in our decision making process. Davis County would benefit by their reappointments. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. The terms will run until June 30, 2013.

Health Board Appointment for Mayor Representative

Lewis Garrett also requested the appointment of Mayor Don Wood to the Davis County Board of Health to fill the mayoral candidate vacancy. Mayor Wood has expressed an interest in serving and the Board believes that his activities and contribution will be very valuable to Davis County. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Commissioner Downs made a motion to convene as the Board of Equalization. Commissioner Millburn 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's Corrections for 6 properties struck to the Davis County –May Tax Sale; and

one tax abatement regarding a centrally assessed property. 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. All voted aye.

Commission  
Minutes  
Approved

Commissioner Millburn made a motion to approve the commission meeting minutes of May 11, 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 approved by Commissioner Millburn. Commissioner Downs seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

No commission comments.

No public comments.

Meeting adjourned.