

COMMISSION MEETING MINUTES  
June 22, 2010

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on June 22 at 10:05 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.

Terry Tremea, Chief Deputy Administration, Davis County Clerk/Auditor's Office, led the Pledge of Allegiance. All were invited to stand and join in.

Chairman Petroff reminded everyone to get out and vote in the Primary Election today. Thanks to the poll workers who put in a very long day.

This coming Friday, June 25, 2010, will be the Antelope by Moonlight Bike Ride. It will start at 10:00 pm at the Antelope Island Marina.

Career Service  
Council  
Appointment

Mel Miles, Davis County Personnel Director, stated that Ralph Klemm who has served on the Career Service Council since 2001 and whose term will expire on June 30 has requested not to be reappointed. Mel presented the name of Cleve Dibble to replace Ralph. Cleve is retiring from the Davis School District this year after serving more than 30 years as a teacher and school administrator. The appointment would be from July 1, 2010 through June 30, 2013. Mel stated he has worked with Cleve at the Davis School District and Cleve is known for being wise and has earned the respect of the people. He is fair-minded and understands due process. Commissioner Downs stated that she is also acquainted with Cleve through the District and feels he is wise like Solomon and can't think of a better person to fill the vacancy. Commissioner Downs made a motion to approve the appointment. Commissioner Millburn seconded the motion. All voted aye.

Grant  
Application  
#2010-201 US  
Dept of Justice  
for Funding of  
Additional  
Deputies

Keith Major, Davis County Sheriff's Office, presented grant application #2010-201 with the US Department of Justice, Community Oriented Policing Services. The grant would provide funding for two additional deputies for three years. The fourth year would be funded by Davis County. If granted, it is a receivable of \$643,926.00. Last year the grant was applied for but not received. Keith stated that he anticipates knowing within about six months if it is approved. The application is done on-line. Commissioner Downs made a motion to ratify the application. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Ordinance  
Amendment  
#2-2010 of  
Title 15 Davis  
County Code

Scott Hess, Davis County Planning Office, presented an ordinance amendment #2-2010 to a portion of Title 15 of the Davis County Code known as the Davis County Land Use and Development Management Ordinance under NR Natural Resources as follows:

WHEREAS, in 2007 the Davis County Commission (Commission) passed Title 15 of the Davis County Code entitled the Davis County Land Use and Development Management Ordinance; and

WHEREAS, since that time the Commission has created the Davis County Planning Department which has taken over the responsibility of zoning from the Department of Community and Economic Development; and

WHEREAS, it appears that an additional conditional use under NR Natural Resources allowing recycling of certain materials is appropriate within that title;

BE IT ORDAINED by the Board of County Commissioners of Davis County as follows:

***That Section 15.20.1440 is amended as follows:***

**Section 15.20.1440 Conditional Uses.**

A. Extraction, processing, storage and sale of native natural resources as listed: sand, gravel, clay, burrow, stone, rock, top soil and road base. The extraction process must be authorized under a valid natural resource permit (as provided in the natural resource excavation ordinance);

B. Recycling, processing, storage and sale of off-site materials as listed: sand, gravel, clay, burrow, stone, rock, top soil, concrete, asphalt, and road base.

- C. Manufacturing, storage and sale of products from native natural resources extracted on the same parcel of land;
- D. Public and quasi-public use;
- E. Recreation, commercial;
- F. Single-family dwelling, for living quarters for farm employees, or security personnel, with or without their immediate families; provided, that no more than one such building shall be located on any parcel of land and further provided that said parcel shall contain at least ten (10) acres;
- G. Temporary buildings for uses incidental to construction work, which buildings must be removed upon completion or abandonment of the construction work. If such buildings are not removed within ninety (90) days upon completion of construction and thirty (30) days after notice, the building will be removed by the County at the expense of the owner;
- H. Signs (Class 3, per Article 10 of this chapter).

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. The ordinance is effective 15 days after its adoption and upon publication as required by law.

Meagan Hatch, Davis County Legacy Events Center Fair Coordinator, presented the following:

Agreement  
#2010-202  
McCann  
Universal for  
US Army as  
Fair Sponsor

Purchase order #2010-202 from McCann Universal on behalf of the US Army. This PO is for their sponsorship for the 2010 Davis County Fair. They will have a presence at several ticketed events and in our printed materials. It is a receivable of \$3,000.00. 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  
#2010-203  
Mighty Clever  
for Web Page  
for Legacy  
Events Center

Agreement #2010-203 with Mighty Clever. This agreement is for the design, maintenance and hosting of a new web page for the year round promotion of the Legacy Events Center. The target date for it to be up and running is by the end of July. 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  
#2010-204  
Cutrubus  
Chrysler Jeep  
Dodge as Fair  
Sponsor

Agreement #2010-204 with Cutrubus Chrysler Jeep Dodge. This is a sponsor ship for a presence at the Demotion Derby and a vehicle display throughout the Davis County Fair. It is a receivable of \$1,000.00. 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.

Change Order  
#2010-144A &  
Change Order  
#2010-144B  
Miller General  
Contractors  
LLC for Senior  
Center in  
Clearfield

Barry Burton, Davis County Planning Director, presented the following change orders for Miller General Contractors LLC for the Senior Center in Clearfield, UT:

Change Order #2010-144A for structural steel changes required as a result of Clearfield plan review. It is a payable of \$1,361.60.

Change Order #2010-144B for the over excavation of the building footprint due to unsuitable soils with junk and debris with associated fill and compaction. It is a payable of \$94,087.24.

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.

Change Order  
#2009-319G  
Wadman Corp  
for Health  
Depart Bldg in  
Clearfield

Barry Burton presented change order #2009-319G with Wadman Corp. The company is doing the new Health Department building in Clearfield, UT. The changes relate to footings and foundation, utility, and other changes to accommodate the Senior Center; removal of junk and debris found on site and various architectural, electrical and mechanical changes. It is a payable of \$18,994.39. 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. Steve Rawlings, Davis County Clerk/Auditor, stated the amount budgeted for the project was \$9,000,000 and the bid came in at \$5,200,000. The project is still within budget

even with the change orders to date. A contingency budget is being prepared by Curtis Koch, Director Procurement & Contracts, Davis County Clerk/Auditor's Office.

Agreement  
#2010-205  
BMI Imaging  
Systems, Inc.  
for Converting  
Film  
Documents to  
Digital Format

Terry Tremea, Chief Deputy Administration, Davis County Clerk/Auditor's Office, presented agreement #2010-205 with BMI Imaging Systems, Inc. Davis County has numerous records in the Recorder's Office which are preserved on microfilm. Davis County is in need of converting its film documents to a digital format on a compact disc. BMI has the experience and expertise to convert the Davis County film to a digital format on compact disks. Davis County agrees to pay BMI \$50 per roll of film for a total of \$1,850.00 for the 37 rolls listed in #2. Any additional rolls will be billed at \$50 per roll. The contract period ends December 31, 2010. 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.

Amendment  
#2009-168C  
Amendment  
#2009-158C  
UT Dept of  
Human  
Services for  
Funding of  
Mental Health  
Services and  
Substance  
Abuse Services

Commissioner Millburn presented the following two amendments with the Utah Department of Human Services based on the approval of the Area Plan from Davis Behavioral Health for services:

Amendment #2009-168C -- \$2,573,600.00 funding for Mental Health Services (State fiscal year 2011). The funding is passed through Davis County to Davis Behavioral Health. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. Document on file in the office of the Davis County Clerk/Auditor.

Amendment #2009-158C -- \$2,566,433.00 funding for Substance Abuse (State fiscal year 2011) The funding is passed through Davis County to Davis Behavioral Health. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. 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 27 corrections from the Assessor's Office, one escapement, and one veteran's abatement. Commissioner Downs made motion to approve. Commissioner Millburn 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 Downs made a motion to approve the commission meeting minutes of June 1, 2010. Commissioner Millburn seconded the motion. All voted aye.

Check  
Registers  
Approved

Check registers as prepared by the Davis County Clerk/Auditor's Office were approved with a motion from Commissioner Downs. Commissioner Millburn seconded the motion. All voted aye.

#### Commission Comments:

Commissioner Petroff stated he had watched Dateline on Friday evening when Troy Rawlings was interviewed regarding the conviction of Ed Owens. The use of DNA evidence finally became available. It showed Troy and his team were really on their toes. Troy did a great job in the few minutes he was given for the interview.

Commissioner Millburn welcomed Commissioner Downs back from her travel to Israel. We are glad to see her back.

Commissioner Downs said, "It is wonderful to be back and step on American soil. You do not feel the conflicts here. Our concepts of freedom and the republic are working. Davis County could be a poster child. I missed all the folks here.

No public comments. Meeting adjourned.