

COMMISSION MEETING MINUTES  
June 29, 2010

The Board of Davis County Commissioners met in room 236 of the Davis County Memorial Courthouse, 28 East State Street in Farmington, Utah on June 29, 2010 at 10:05 AM. Members present were Commissioner John Petroff, Jr. - Chair, Commissioner Louenda H. Downs, Commissioner P. Bret Millburn, Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil County Attorney Gerald E. Hess, and Deputy Clerk/Auditor Janet Buckley.

Tracy Gross, Davis County Animal Care & Control, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Animal Care & Control presentation re: Wal-Mart Grant and Adoption Program

Animal Care and Control Officer Tracy Gross made a presentation to the Commission regarding a \$2,300.00 grant received from the Layton Wal-Mart's "Give Back to the Community" program and explained what supplies were purchased for the animals. Officer Gross also spoke to their Adoption Program. Their adoption goal for 2010 is 750 dogs and 350 cats. To date they have adopted out over 500 animals. These numbers have been made possible by teaming up with No More Homeless Pets, PetsMart and other rescue groups. They are participating in more off site adoptions utilizing the disaster trailer. Officer Gross was pleased to share the good news and thanked the Commission for their continued support.

Commissioner Downs recognized Captain Curtis Anderson, Animal Care and Control Director, present at the meeting. She indicated, under Captain Anderson's command, this department has had some great things happen. She encouraged the press to visit and see the changes. Commissioner Petroff said it is a very well run program. Commissioner Millburn spoke to the name change of the department from Animal Control to Animal "Care" and Control and how Officer Gross and Captain Anderson invoke this principle.

Bid Opening for Barton Creek Flood Control Project

Steve Rawlings, Davis County Clerk/Auditor, opened the following bids, which include two addendums, for the Davis County Public Works' Barton Creek Flood Control Project:

BIDDER	AMOUNT
Associated Brigham Contractors, Brigham City, Utah	\$3,947,008.52
Geneva Rock Products, Inc., Orem, Utah	\$3,509,520.00
Whitaker Construction Company, Brigham City, Utah	\$2,890,210.00
Bowen Construction, Centerville, Utah	\$3,620,380.00
Gerber Construction, Lehi, Utah	\$3,802,449.82
COP Construction, LLC, North Salt Lake, Utah	\$3,968,370.00

Kirk Schmalz, Davis County Public Works Director, will review the bid packages and a bid award will take place at Commission Meeting July 13, 2010.

Agreement #2010-206 Sagebrush Consultants for Farmington Creek Restoration Project

Mr. Schmalz presented agreement #2010-206 with Sagebrush Consultants, LLC in the amount of \$1,650.00 to provide a cost estimate and scope of work for the Farmington Creek Restoration Project. This report is required to obtain the necessary permits. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. This document is on file in the office of the Davis County Clerk/Auditor.

Public Hearing re: issuance of \$9,500,000.00 bonds on behalf of Janicki Industries

Commissioner Downs made a motion to open the public hearing to receive input with regard to the issuance by Davis County, Utah of Facility Revenue Bonds, Series 2010 (Janicki Industries) in the aggregate principal amount of not to exceed \$9,500,000.00. Commissioner Millburn seconded the motion. All voted aye.

Jonathan Ward, Zions Bank Public Finance indicated this public hearing is in accordance with the Tax Equity Fiscal Responsibility Act (TEFRA). Davis County is allowed to be a conduit, lending their tax exempt status, to pass through the funds through the issuance of bonds to a private company, in this case, Janicki Industries. The bonds if approved by the commission do not place debt on the county. The County has the authority to pass through the federal funds that have been made available for such projects.

Commissioner Downs recognized Layton City Mayor Steve Curtis and Ben Hart, Layton City Economic Development Specialist in attendance. They have been working along with Kent Sulser, Davis County Community and Economic Development Director, to locate a division of Janicki Industries in Layton City.

Commissioner Petroff introduced and asked Lisa Janicki, of Janicki Industries to make comments. Lisa Janicki introduced herself as the Chief Financial Officer of their family owned business located in Cedar Wiley, Washington, population ten thousand. Janicki Industries is a one-stop, full-service engineering and manufacturing company. They provide engineering design, project management, composite fabrication, precision tooling, and the most accurate measuring capabilities in the world. Their composite drill and trim method uses water when sawing to keep particulates out of the air. They are contracted for the F35 Program with the military and partner with ATK. It would be beneficial for them to have a location closer to ATK and Hill Air Force Base to deliver their products. They have been working closely with DEAC (Davis Economic Advisory Council) and Layton City to find a suitable site in Layton City to locate their new 100,000 square foot plant. Ms. Janiki thanked those involved for their time and effort on their behalf.

Commissioner Petroff asked if there were any others present who would like to make comment. Mr. Terry Marasco, Salt Lake City, Utah and member of the Utah Clean Air Alliance introduced himself. He indicated he had no comment on the bond but would like to speak of his concern about the overall air quality within the Wasatch Front. Mr. Marasco indicated bringing in more companies will add pollution in the air that is already out of containment. He said he is not against industry coming to Utah but for them to be mindful of the air quality and the restrictions already in place by the EPA. He suggested the available technology to capture pollutants if companies would invest in it. Mr. Marasco also divulged Janicki Industries has incurred two fines. One for spilling contaminants into a waterway which reached a sewer plant and the second for not having a spill release plan.

Commissioner Millburn made a motion to close the public hearing. Commissioner Downs seconded the motion. All voted aye.

Commissioner Downs commented she felt comfortable with the planning which has gone into this project and how Janicki Industries would be a good community partner. She explained involvement she and the other commissioners have serving on various board and committees in regard to air quality and she is comfortable with Janicki Industries.

Jan Winborg, Davis Community Housing Authority Director presented a request for Certification by the State or Local Official of PHA Plans consistency with Consolidated Plan for approval. The PHA Plan is a guide to public housing agency operations and strategies for meeting local housing needs and goals. The Plan describes the agency's long-range goals and objectives. The Plan also serves as the annual application for grants to support improvements to public housing buildings (Capital Fund Program). It is required that the housing authority plan be consistent with the housing and community development plans of the community. Ms. Winborg pointed out their inclusion of the Homeless Coordinating Council in their Plan. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Agreement #2010-207 Fat Boy Ice Cream provider and sponsor of the 2010 Fair

Megan Hatch, Davis County Legacy Events Center Fair Coordinator presented agreement #2010-207, in the amount of \$1,850.00, with Fat Boy Ice Cream to be the official dairy provider of the Davis County Fair, including sponsoring the All-You-Can-Eat Ice Cream Tent. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2010-208 Stephen G. Handy Marketing Communications to recruit Fair sponsors

Ms. Hatch presented agreement #2010-208 with Stephen G. Handy Marketing Communications to recruit sponsors for the Davis County Fair. Mr. Handy's compensation will be 20% of the gross amount of sponsorships he generates. Commissioner Millburn inquired about established and repeat sponsors and if Mr. Handy would be receiving full compensation for them. Ms. Hatch indicated there has been discussion in this regard. Future contracts would show different percentages for new and repeat business. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Bid proposal #2010-209 to NACo to host WIR Conference

Kent Sulser, Davis County Community & Economic Development Director, requested to ratify a bid proposal, #2010-209, to the National Association of Counties to host either the 2012 or 2013 Western Interstate Regional Annual Conference at the Davis Conference Center. The bid had to be submitted by June 23. Barbara Riddle of the Davis Area Convention and Visitors Bureau, along with Scott Lunt of the Davis Conference Center, worked together on the proposal. It is anticipated 400 to 500 guests would travel and stay in Layton which would be an economic benefit to the County. There would be a cost involved utilizing the Opportunity Fund which has funds set aside for this type of occasion. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Resolution #2010-210 to adopt South Davis Recreation District's tax rate for year 2010

Steve Rawlings, Davis County Clerk/Auditor, presented resolution #2010-210 for ratification to adopt South Davis Recreation District's tax rate as approved by its Board, for the purpose of levying taxes within the South Davis Recreation District for the year 2010 as follows:

Operation Management	0.000127
Debt	<u>0.000252</u>
TOTAL	0.000379

Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2010-211 CDBG pass-through to Davis Community Housing Authority

Scott Hess, Davis County Planning Department, presented agreement #2010-211 with the Utah Department of Community & Culture – Division of Housing and Community Development. It is a Community Development Block Grant (CDBG) in the amount of \$115,500.00 as a pass-through agreement to the Davis Community Housing Authority. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Board of Canvass - 2010 Primary Election Audit Report

Pat Beckstead, Davis County Clerk/Auditor Elections Director, presented the Commissioners with the "2010 Primary Election Audit Report" (included with these minutes). The report was not compiled until after this morning's mail delivery lest there were any absentee ballots received having been postmarked by the acceptable date.

Commissioner Millburn made a motion to go into Board of Canvass. Commissioner Downs seconded the motion. All voted aye.

Steve Rawlings congratulated Pat on administering a great primary election. Pat gave credit to her phenomenal and dedicated staff. Just as much work goes into a primary election and a general election

During the election, Pat had the opportunity to visit all eleven polling locations. The post election audit included one machine in each legislative district and its' paper ballots. Of registered Republic voters 17.3% cast their ballot. Commissioner Downs reviewed the Northridge High School voting location folder. Commissioner Millburn reviewed the Centerville Elementary voting location folder. They commented on how organized the information was within the folders.

Commissioner Downs declared and made a motion to approve the winners of each race:

US Senate	Tim Bridgewater
State Representative District 15	Brad Wilson
State Representative District 19	Jim Nielson
State Representative District 20	Becky Edwards
Davis School District 3	Larry N. Jensen
Davis School District 6	Michael Sperry

Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

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. Documents are on file in the office of the Davis County Clerk/Auditor.

Commission minutes approved

Commissioner Downs made a motion to approve the commission meeting minutes of June 8, 2010. Commissioner Millburn seconded the motion. All voted aye. Document is on file in the office of the Davis County Clerk/Auditor.

Property Tax Register approved

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

Ross Bartholomew, Davis County Tax Administration Director, presented the property tax register. The register reflects 13 items. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

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

Commissioner Comments:

Commissioner Downs reviewed the just delivered 2009 Comprehensive Annual Financial Report (CAFR). She congratulated the Clerk/Auditor's staff for the compilation of the report. She anticipates it will be another award winning document. She also commended the county departments for helping keep Davis County financially sound.

Commissioner Millburn recognized Sandy Kestor of Senator Hatch's office having been in attendance at the meeting. He thanked the press corps and Farah Thompson, Public Works, for attending. In recognition of the 4<sup>th</sup> of July he is grateful for the blessings and opportunities afforded as citizens of the United State of America. He echoed Commissioner Downs' statements regarding the CAFR. Job well done.

Steve Rawlings thanked the Commissioners for the comments on the recognition of the CAFR. Jeff Ambrose, Crane, Christensen & Ambrose, will make a report to the Commission mid July. In the best interest of the County, a bid proposal to conduct the 2010 audit will be prepared.

No public comments.

Adjourned.