

COMMISSION MEETING MINUTES
July 13, 2010

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on July 13 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.

Laura Arrington, Davis County Sheriff's Office Administrative Secretary, led the Pledge of Allegiance. All were invited to stand and join in.

Recognition of Kevin Rose, Davis County Sheriff's Office as 2010 Public Safety Answering Point Finest Technician Award

Tom Novelle, Davis County Sheriff's Dispatch Center Manager, introduced Kevin Rose. Tom stated that he had nominated Deputy Rose to receive the 2010 Public Safety Answering Point Finest Technician Award. The award is sponsored by Neptune Intelligent Computer Engineering. Deputy Rose will receive the national award in August after it is announced at the National Association of Public Safety Communication Officials conference in Houston.

Tom said, "Deputy Rose has overhauled the communications system for dispatch from top to bottom during this last year. He knows what officers need as well as what dispatchers do because of his past experience and it is a huge benefit for the department. He is a Davis County Sheriff's Deputy, paramedic, training director, Spillman Application and RMS Administrator, Communications System Technician, and Emergency Medical Dispatcher and Radio Dispatcher. Deputy Rose goes above and beyond to meet the goals and objectives he has set for himself and our communications network."

Chairman Petroff said, "We don't have to go out of Davis County to find the finest." The commissioners presented Deputy Rose with a Davis County Coin of Recognition for Outstanding Service and thanked him for his service and for the lives he has touched.

Acknowledge the Efforts of Clerk/Auditor's Staff

Steve Rawlings, Davis County Clerk/Auditor, took the opportunity to thank his staff for their tremendous efforts of the last few days in the processing of passports. A nationwide increase in fees of \$35.00 is set to be implemented today. Yesterday 246 passports were applied for at the Davis County office. On Friday there were 140. An average day is about 50 passports. There were 15 people from the Clerk/Auditor's office who had been trained to assist with the passport process. Thanks to Terry Tremea for his crowd control in the hallway. There were people who came from Salt Lake to get the service in Davis County. The county did the photography as well. The Davis County Clerk/Auditor's Office is 1 of 4 county offices who will still do passports. The commissioners thanked Steve and staff for their efforts in assisting citizens.

Notice of Award to Whitaker Construction for Barton Creek Flood Control Project

Kirk Schmalz, Davis County Public Works, presented the request for approval of the Notice of Award to Whitaker Construction Company for the Barton Creek Flood Control Project. They were the low bidder on the project in the amount of \$2,890,210.00. The bid has been thoroughly reviewed and it is a valid bid. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye.

Agreement #2010-212 UT Attorney General's Office for CJC Legislative Appropriation

Commissioner Downs presented agreement #2010-212 with the Utah Attorney General's Office. It is for the legislative appropriation of \$187,783.00 to the Children's Justice Center. The appropriation is down by about \$14,000.00 but Doug Miller, Davis County Children's Justice Center Director, will utilize rollover funds from last year to make up the difference. Commissioner Downs made the motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement #2010-213 Custom Events Inc. for Rental of Outdoor Entertainment Equipment for Library Events

Chris Sanford, Davis County Library Director, presented agreement #2010-213 with Custom Events, Inc. It is for the rental of outdoor entertainment equipment for the events celebrating the end of the “Summer Reading Program – Make a Splash at Your Library.” It is a payable of \$1,785.00 for use of equipment on August 11 and August 12. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Lewis Garrett, Davis County Health Director, presented the following:

Agreement #2010-214 UT Dept of Health for Funding of Health Department Programs

Agreement #2010-214 with the Utah Department of Health. The contract is a receivable of \$124,691.00 to fund the following programs: minimum performance standards, local health environmental services, Utah indoor clean air program, and the summer food program. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Agreement #2010-215 UT Dept of Health for Funding of C3 Local Health Dept Programs

Agreement #2010-215 with the Utah Department of Health. The contract is a receivable of \$359,737.00. It is the renewal of the C3-Local Health Department programs as follows: PANO (Physical Activity, Nutrition and Obesity), Tobacco Prevention, Injury Prevention, Comprehensive Tobacco, Community Collaboration, and arthritis. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Agreement #2010-216 UT Dept of Health for Funding of Maternal Child Health Activities

Agreement #2010-216 with the Utah Department of Health. The contract is a receivable of \$84,766.00 to fund the maternal child health activities and prenatal to five home visitations. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Agreement #2010-217 UT Dept of Envir. Quality for Funding for Health Dept Activities

Agreement #2010-217 with the Utah Department of Environmental Quality. It is a receivable of \$66,332.00 to fund activities for air quality/asbestos/lead paint, drinking water, solid and hazardous waste/used oil, and water quality. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Budget Change for the Davis County Health Department

Lewis Garrett, Davis County Health Director, presented a budget change for the Davis County Health Department. It is to decrease line item 15-2951-000 Health Fund Balance by \$500,000; increase line item 15-4311-910 Health Transfer Out by \$500,000; increase line item 43-3820-000 Health Construction Fund Transfer-in by \$500,000; and increase line item 43-4261-720 Health Construction Expense by \$475,782. Transfer of 2010 Health Department fund balance excess is to help with Health Building construction expenses. (Reconciliation to actual will be done when the project finishes.) Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Agreement #2010-218 Scott Cameron as Rodeo Barrel Man & Clown

Dave Hansen, Davis County Legacy Events Center Director, presented agreement #2010-218 with Scott Cameron. Scott will be the barrel man/clown for the 2010 PRCA rodeo held during the County Fair. It is a payable of \$2,500.00. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

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

Agreement #2010-219 CT Rodeo as Stock Contract for Junior Rodeo

Agreement #2010-219 with CT Rodeo. Cameron Tuckett will be the stock contractor for the Junior Rodeo to be held at the Davis County Fair. It is a payable of \$1,700.00. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file at the

office of the Davis County Clerk/Auditor.

Agreement #2010-220 K12 Management for Sponsorship with Fair

Agreement #2010-220 with K12 Management. They are a sponsor for title sponsorship of the Science Discovery Tent at the Davis County Fair. It is a receivable of \$1,500.00. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Agreement #2010-221 Litter Hurts for a Trade at the Fair

Agreement #2010-221 with Litter Hurts (Intrepid Communications). This is a sponsorship agreement for a trade. They will provide three large items for use in the Demolition Derby Drop at the Davis County Fair and in return will be able to set up their large display trailer and receive several announcer plugs during the Demolition Derby. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Agreement #2010-222 Horizon Credit Union for Sponsorship with the Fair

Agreement #2010-222 with Horizon Credit Union. This is a sponsorship agreement for title sponsorship of the Davis County Fair Creative Corner and Rockband Tournament. They will also be a sponsor of the Read and Win reading contest being promoted through Davis Reads and the Davis County Fair. It is a receivable of \$4,750.00. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Agreement #2010-223 MediaOne of Utah for Sponsorship with the Fair

Agreement #2010-223 with MediaOne of Utah. This is a sponsorship agreement for the company to have presence at all fair ticketed events, receive a vendor booth, and Legacy Center banner in exchange for advertising through their newspapers and online media. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Agreement #2010-224 Apple Tree & Apple Village Assisted Living for Sponsorship with the Fair

Agreement #2010-224 with Apple Tree & Apple Village Assisted Living. This is a sponsor agreement for the Senior Day and Senior Exhibits building. They will have a presence in our advertising and will also receive booth space. It is a receivable of \$1,500.00. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Agreement #2010-225 DJ Media Services Inc. for Radio Ads of the Fair

Agreement #2010-225 with DJ Media Services Inc. This is the radio contract for advertising the 2010 Davis County Fair. The purchase includes 406 total spots and 3 live remotes. It is a payable of \$10,008.00. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Agreement #2010-226 #2010-227 Rocky Mountain Power for Energy Rebates for Lighting Upgrades at two Libraries

Luke Love, Davis County Facilities Management Office, presented two agreements with Rocky Mountain Power for energy rebates for lighting upgrades:

Agreement #2010-226 Layton Library \$4,317.00/receivable

Agreement #2010-227 Clearfield Library \$5,716.00/receivable

Luke stated that it is anticipated there will be additional per year savings of approximately \$2,444.00 for the Layton Library and \$4,486.00 for the Clearfield Library. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Documents on file at the office of the Davis County Clerk/Auditor.

Agreement #2010-228 UT Dept of Comm. Development & Culture for CDBG Funds

Scott Hess, Davis County Planning Office, presented agreement #2010-228 with the Utah Department of Community Development and Culture. It is a receivable of \$92,825.00 for CDBG funds to be used by the Bountiful/Davis Arts Center for an elevator installation. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor.

Agreements
#2010-229
#2010-229A
#2010-229B
for Davis
County &
Cities to Jointly
Enter into
Entitlement
Funding for
CDBG
Beginning year
2011

Scott Hess spoke in regards to the Community Development Block Grant (CDBG) program. Davis County is eligible to become designated as an “Urban County” and receive entitlement funding for the CDBG program beginning fiscal year 2011. Each city has had an opportunity to review and consider the Inter-local Agreement to join the Urban County. The following were presented for approval:

#2010-229 – A resolution of Davis County, Utah approving an inter-local cooperative agreement with Sunset, Clinton, West Point, Farmington, Centerville, West Bountiful, Bountiful, Woods Cross and North Salt Lake Cities relating to the conduct of the Community Development Block Grant Program.

#2010-229A – A resolution approving an inter-local cooperation agreement between Davis County and Sunset, Clinton, West Point, Farmington, Centerville, West Bountiful, Bountiful, Woods Cross, and North Salt Lake Cities relating to the conduct of the Community Development Block Grant Program for Federal Fiscal years 2011, 2012, and 2013 and successive three year periods afterward and state of policies.

#2010-229B Nine cities inter-local agreements for CDBG participation with Davis County Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file at the office of the Davis County Clerk/Auditor. Scott stated the County has until July 14 to return the agreements to HUD. He will also apply for a 30-day extension to hopefully allow the remaining cities to reconsider participation with the County.

SSBG
Committee
Recommended
Distribution of
Funding for
Davis County

Scott Hess stated there has been a committee review of funds for the 2010 Social Services Block Grant (SSBG). He thanked the committee members: Steve Handy, Commissioner Bret Millburn, Jim Young, Diane Townsend, Jeanie Lamb, and Chris Hillman. Applicants submitted project information and were interviewed. The following were recommended for approval:

| <u>Applicants</u> | <u>Funded Amount</u> |
|-----------------------------------|----------------------|
| Davis Community Learning | \$ 10,000.00 |
| Bountiful Community Food Pantry | \$ 11,500.00 |
| Davis Head Start/Early Head Start | \$ 6,500.00 |
| Family Connection Center | \$ 20,000.00 |
| AAA Fair Credit Foundation | \$ 5,000.00 |
| Pioneer Adult Rehab Center | \$ 10,000.00 |
| Davis Behavioral Health | \$ 9,000.00 |
| Utah Council of Blind | \$ 11,000.00 |
| Safe Harbor | \$ 5,000.00 |
| TOTAL | \$103,000.00 |
| Davis County Administrative | \$ 10,000.00 |
| FINAL GRANT AMOUNT | \$113,000.00 |

Commissioner Millburn thanked Scott for his organization and efforts with the program. Commissioner Millburn made a motion to approve the recommended list. Commissioner Downs seconded the motion. All voted aye.

Amendments
#2009-168D
#2009-158D
UT Dept of
Human
Services for
Corrections to
Contracts

Commissioner Millburn presented two amendments with the Utah Department of Human Services:
#2009-168D – revision to contract language to include payment to contractor for timely and accurate monthly data submissions for the State Fiscal Year 2011 – Mental Health.

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.

#2009-158D – revision to contract language to include payment to contractor for timely and accurate monthly data submissions. Local Authority’s “match” reduced from \$211,015.00 to \$182,754.00.

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.

Jonathan Lee, Director of Finance, Davis County Clerk/Auditor's Office, presented the Davis County Certified and Proposed Tax Rates for 2010:

| | <u>Certified</u> | <u>Proposed</u> | <u>Dollars</u> |
|-------------------------------|------------------|-----------------|----------------|
| General County | 0.001763 | 0.001817 | \$26,955,262 |
| County Debt Service | 0.000128 | 0.000128 | \$ 1,899,050 |
| State Assessing & Collecting | 0.000162 | 0.000162 | \$ 2,403,298 |
| County Assessing & Collecting | 0.000103 | 0.000106 | \$ 1,566,218 |
| County Library | 0.000351 | 0.000363 | \$ 5,404,978 |
| County Service Area | 0.000889 | 0.000899 | \$ 411,119 |

Legislative Change: For the calendar year beginning on January 1, 2010 and ending on December 31, 2010, a taxing entity is exempt from the notice and public hearing provisions (UCA §59-2-919) if the taxing entity budgets an increased amount of ad valorem property tax revenue equal to or less than the taxing entity's five-year average of the most recent prior five years of redemptions as reported on the County Treasurer's final annual settlement required (UAC §59-2-1365).

Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion.

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

Approval of Property Tax Register

Cheri Mayer, Davis County Tax Administration Office presented the property tax register. The register reflects 19 Auditor's Corrections for tax abatements for exempt entities and two VA rating changes for tax abatements; 3 Treasurer's Adjustment for Layton City as tax exempt; and 1 Assessor's Adjustment for denial of a Personal Property tax appeal. Commissioner Downs made a 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.

Approval of Commission Minutes

Commissioner Millburn made a motion to approve the commission meeting minutes of June 15 and 22, 2010. Commissioner Downs seconded the motion. All voted aye.

Approval of Check Registers

Check registers as prepared by the Davis County Clerk/Auditor's Office were approved with a motion from Commission Millburn. Commissioner Downs seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Commission Comments:

Commissioner Downs said that the commissioners have been attending parades cities. It is fun to associate with the people and the children really like the taffy.

Commissioner Millburn stated that he had an opportunity to go to Salt Lake County and observe the mental health Court. We are hoping to start a similar court in Davis County. We should all count our blessings. We are grateful to move ahead, improve lives, and help citizens.

Commissioner Millburn also spoke about the fire above Centerville. The State Forest Service and Weber Fire District coordinated the efforts for the fight. Hats off to all the folks who assisted. The guys and gals on the ground are dedicated folks. At one point they had a mile of hose laid down. There were extra efforts put on the front end of the fire fight and by Saturday it was ready to be shut down.

No public comments.

Steve Rawlings, Davis County Clerk/Auditor stated that bonds were sold this morning for the Tax Anticipation Notes. Nine bids were garnered. Two weeks ago the average interest was 0.49 and today

Citigroup came in at 0.33. This is a savings to the taxpayers. The amount to be bonded is \$6,500,000.

Recess Mtg.

Commission meeting was recessed and will reconvene at 2:00 pm this afternoon.

Commission meeting reconvened at 2:00 p.m. in room 236. 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.

Resolution #2010-230 Authorizing the Issuance & Sale of Tax & Revenue Anticipation Notes in the Amount of \$6,500,000

Johnathan Ward, Zions Bank Public Finance, asked to have Jon Bronson, Zions Bank Public Finance excused as he had an emergency with a client. Johnathan stated the bids received this morning for Davis County \$6,500,000 Tax and Revenue Anticipation Notes, Series 2010 were submitted using PARITY® and ranked by lowest TIC as follows:

| <u>Bidder Name</u> | <u>TIC</u> | <u>Bid Amount</u> |
|---------------------------------|------------|-------------------|
| *Citigroup Global Markets Inc. | 0.330349 | \$6,500M |
| Piper Jaffray & Company | 0.368558 | \$6,500M |
| George K. Baum & Co. | 0.380366 | \$6,500M |
| TD Securities | 0.440089 | \$6,500M |
| Janney Montgomery Scott, Inc. | 0.489830 | \$6,500M |
| Zions First National Bank | 0.646478 | \$6,500M |
| Robert W. Baird & Co., Inc. | 0.689019 | \$6,500M |
| Stifel Nicolaus & Company, Inc. | 0.698513 | \$6,500M |
| M&I Bank | 0.767372 | \$6,500M |

*Awarded the bid.

The Notes are to be issued in anticipation of the collection of taxes and other revenue for Fiscal Year 2010 for the purpose of payment of current and necessary expenses of the County and for other purposes for which funds of the County may be legally expended. Moody's Investors Service has assigned a MIG1 rating to Davis County.

Johnathan presented resolution #2010-230 authorizing the issuance and sale of \$6,500,000 Davis County, Utah Tax and Revenue Anticipation Notes, Series 2010, and entering into certain covenants and making certain representations in connection therewith; awarding and confirming the sale of said notes; approving the form of notes; approving an official statement; and related matters. 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 Municipal Building Authority Board. Commissioner Downs seconded the motion. All voted aye.

Municipal Building Authority Resolution #2010-231 for Issuance & Sale of the Authority's Lease Revenue Bonds in an Amount not to Exceed \$15,000,000

Johnathan Ward, Zions Bank Public Finance, presented a resolution #2010-231 of the Municipal Building Authority of Davis County, Utah (The "Authority") authorizing the issuance and sale of the Authority's Lease Revenue Bonds, Series 2010 (The "Bonds") in the aggregate principal amount of not to exceed \$15,000,000; fixing the maximum aggregate principal amount of the bonds, the maximum number of years over which bonds may mature, the maximum interest rate which the bonds may bear, and the maximum discount from par at which the bonds may be sold; providing for the publication of a notice of public hearing and bonds to be issued; providing for the running of a contest period; providing for a period to submit written petitions for an election as required by law; and related matters. The Authority desires to issue its Lease Revenue Bonds to: (1) finance the costs of the acquisition, construction, renovation, improvement, equipping and furnishing of buildings for lease to the County for use as administration, library, justice and other County purposes including demotion of existing buildings and construction of related parking; (2) refund bonds

previously issued by the Authority; (3) fund any required deposit to a debt service reserve fund; and (4) pay costs associated with the issuance of the Bonds. 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.

Meeting adjourned.