

COMMISSION MEETING MINUTES
July 20, 2010

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on July 20 at 10:04 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.

Jonathan Lee, Chief Deputy Finance, Davis County Clerk/Auditor's Office, lead the Pledge of Allegiance. All were invited to stand and join in.

Presentation of
2009
Comprehensive
Annual
Financial
Reports

Jeff Ambrose, CPA, Crane Christensen & Ambrose, came forward to discuss the 2009 Comprehensive Annual Financial Report. Jeff thanked Mark Altom, Treasurer; Jonathan Lee, Lynn Ann Winterton, and Doug Stone of the Clerk/Auditor's Office for their assistance with the CAFR. Jeff also thanked the various departments of the County for their cooperation. Pages 18 and 19 are the Independent Auditors' report. Pages 32 – 111 are the basic financial statements for Davis County. All are encouraged to get acquainted with the graphs and tables in the report. (The Comprehensive Annual Financial Reports are available to the public.) The cash and fund balance are healthy. The revenue is down by about \$606,000 but is still robust by comparison to other places. Pages 72 through 77 shows Davis County's Schedule or Revenues, Expenditures, and Changes in Fund balance – Budget and Actual for the Fiscal Year Ended December 31, 2009. No department overspent their budget and budgets were monitored well. Section III is the Statistical Section provides additional historical context and detail to aid in using the information and in understanding and assessing the County's overall financial health.

Commissioner Downs commented that numerous people stop her and want a snapshot of Davis County. We have tried to be open and provide information. Our AAA rating has been of great value. It is good to have a robust economy and this report verifies what we are saying.

Commissioner Millburn thanked Jeff for the report and for validating the hard work of many. We are in a good position and provide services for citizens. We will be moving ahead with projects and we thank the departments for buying in to the future. However, we need to remember "must have before the nice to have."

Commissioner Millburn made a motion to accept the audit report. Commissioner Downs seconded the motion. All voted aye. Document is available through the Davis County Clerk/Auditor's Office or on line at www.daviscountyutah.gov. Steve Rawlings, Davis County Clerk/Auditor, thanked Jonathan Lee and Doug Stone for taking the lead with the project. He thanked Jeff Ambrose for his efforts. An RFP will be prepared for companies to bid on the audit for next year.

Change Order
#2009-392A
Hansen, Allen,
Luce, Inc for
the Barton
Creek Drainage
Repair &
Upgrade
Studies &
Design Work

Kirk Schmalz, Davis County Public Works Director, presented a change order #2009-392A for Hansen, Allen, Luce, Inc. The project is the Barton Creek Drainage repair and upgrade. Changes have been significant through the design process and required additional studies and design work beyond what was originally assumed for the design and bidding services. Coordination with regulatory agencies such as UTA and UDOT has also been part of the project. It is a payable of \$68,000.00. The percentage for the contract is well within the parameters for the estimate for the project. 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.

Meagan Hatch, Davis County Legacy Event Center Fair Coordinator, presented the following agreements for the 2010 Davis County Fair:

Agreement
#2010-232
Wells Fargo for
Sponsorship of
Fair

Agreement #2010-232 with Wells Fargo for a sponsorship of the fair. It is a receivable of \$1,000.00. They will receive a presence at the ticketed events, a vendor booth, and banner placement. 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
#2010-233
Energy
Solutions for
Sponsorship of
Fair

Agreement #2010-233 with Energy Solutions for a sponsorship of the fair. It is a receivable of \$2,000.00. They will receive a presence at all of our ticketed events, logo on fair t-shirts, and a year round banner in the Legacy Events Center. 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
#2010-234
Creature
Encounters for
Display &
Performance at
Fair

Agreement #2010-234 with Creature Encounters. They provide an interactive display and performances of exotic animals, such as snakes, turtles, birds, spiders, and more. It is a payable of \$2,600.00. 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
#2010-229C
#2010-229D
for Syracuse
City to Join
with Davis
County for
CDBG
Entitlement
Funding

Scott Hess, Davis County Planning Office, presented amendment #2010-229C with Davis County to approve the interlocal agreement between Davis County Syracuse City for participation in the CDBG program and acceptance #2010-229D of the interlocal agreement from Syracuse City to participate for the Federal FY 2011, 2012 & 2013. Scott stated he had applied for a 30-day extension when paperwork was submitted last week to HUD and the extension was granted until August 14, 2010. Scott thanked Commissioner Petroff for his extra efforts in working with Syracuse City. Commissioner Millburn made a motion to approve the amendments. Commissioner Downs seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

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

Ordinance
#3-2010
Amending
Provisions of
the Enhanced
Vehicle
Emissions
Inspection
Maintenance
Program

Ordinance #3-2010 amending various provisions of Title 10, Chapter 10.12 of the Davis County Code known as the Enhanced Vehicle Emissions Inspection Maintenance Program in particular Section D.3. to clarify the language the revoking of a permit (permanent) or suspend (temporary). 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. It will also be published in the Clipper and the Standard Examiner.

Agreement
#2010-235
United Way of
Salt Lake
Funding for
Dental Program

Agreement #2010-235 with United Way of Salt Lake. This is the annual renewal that provides funding for the dental program in the Family and Community Health Services Division. It is a receivable of \$20,000.00. 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
#2010-236
DATC for
Student
Training
Program with
Health Dept.

Agreement #2010-236 with Davis Applied Technology Center. The Health Department will accept nursing student from the DATC for work-based learning relating to the student training plan. The period of contract is upon signage until terminated. 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
#2010-237
Bountiful
Community
Food Pantry for
Senior
Community
Service
Employment

Agreement #2010-237 with Bountiful Community Food Pantry. This is for a senior community service employment program where the Health Department will provide a safe and healthful work site, orientation, and training as needed for participants to engage in productive duties and tasks as assigned. 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
#2010-238 UT
Legal Services
to Provide
Education &
Assistance to
Seniors

Agreement #2010-238 with Utah Legal Services. They will provide legal education presentations and direct legal assistance to senior citizen residents of Davis County consistent with the requirements of the Older Americans Act. They provide services at the Senior Centers. It is a payable of \$5,504.00. 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
#2010-239 UT
Dept of Human
Services for
Funding to
Senior Services

Agreement #2010-239 with the Utah Department of Human Services to provide funding for the Senior Services Division. It is a receivable of \$1,435,845.00. 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
#2010-240 UT
Dept of Human
Services for
Funding of
Medicaid
Clients who
Reside in Their
Homes

Agreement #2010-240 with Utah Department of Human Services to provide funding and oversight for in-home services in accordance with the requirements of the Home and Community- Based Medicaid Aging Waiver Program to Medicaid-eligible clients who require the level of care provided in a hospital or nursing facility but who choose to continue residing in their own homes. It is a receivable of \$26,000.00 for Administration and up to \$126,343.00 for services. 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
#2010-241
MBI Inc.
#2010-242
Business
Interior for
Furniture at
New Health
Dept. Facility

Barry Burton, Davis County Planning Director, presented the following two agreements for companies to provide furniture for the new Health Department Building in Clearfield:

Agreement #2010-241 MBI Inc. for a payable of \$108,805.46 (systems furniture).

Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye.

Agreement #2010-242 Business Interior for a payable of \$187,412.80 (individual furniture items).

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
#2010-243 UT
Dept of Human
Services
Funding for
DORA for
Program to be
Administered
by Davis
Behavioral
Health

Commissioner Millburn presented agreement #2010-243 with the Utah Department of Human Services. The funding in the amount of \$243,136.00 will be passed through to Davis Behavioral Health to provide comprehensive substance abuse assessment and treatment services for adult felon offenders charged with controlled substance abuse offenses in accordance with the Drug Offender Reform Act (DORA). The contract is for July 1, 2010 through June 30, 2011. 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. Commissioner Millburn expressed condolences to the family of Mark Payne, Director for the Division of Substance Abuse and Mental Health, who had a heart attack and died this past weekend.

Resolution
#2010-244 for
Financing to
Janicki thru
Davis County

Commissioner Downs welcomed John Hunter, Special Program Director, and Larry Elliott, Layton Plant Manager, for Janicki; Ben Hart, Economic Development Specialist for Layton City; and Johnathan Ward, Zions Bank Public Finance. Johnathan presented resolution #2010-244 providing for the financing by Davis County, Utah (The "Issuer") of the acquisition, construction, equipping and improvement of manufacturing facilities and related improvements to be located in Layton City, Utah in order that Janicki

Industries (The Borrower”) may be provided with facilities to promote the general health and welfare within the State of Utah; authorizing and providing for the issuance by the issuer of its not exceed \$9,500,000 Facility Revenue Bonds (Janicki Industries Project), Series 2010 which will be payable solely from the revenues arising from the pledge of a financing agreement with the borrower; authorizing the execution and delivery of a financing agreement between the issuer, the borrow and Wells Fargo Bank, Nation Association, and related documents; and related matters. Johnathan stated the funds are a pass through to Janicki and there is no liability to Davis County. 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.

Commissioner Downs said, “Let’s get the dirt moving soon.”

Ben Hart said, “There was a recent national article identifying Davis County as the site ranked 18th in the nation on the CNN list detailing where the jobs are. There are great opportunities with private industry.”

Commissioner Millburn made a motion to convene as the Municipal Building Authority Board. Commissioner Downs seconded the motion. All voted aye.

Johnathan Ward, Zions Bank Public Finance, the Private Activity Bond Council met last week in Salt Lake. Steve Rawlings, Davis County Clerk/Auditor, and Commissioner Bret Millburn attended the meeting. Additional funds are available in the amount of 4.8 million and can be used for capital improvement projects. Bonds would be 25 – 30 year bonds with an interest rate of 3.5% or less for borrowing. It is a historic low.

Johnathan Ward presented resolution #2010-245 a resolution 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 \$20,000,000; 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 contest period; providing for a period to submit written petitions for an election as required by law; and related matters.

The resolution further states, whereas, on July 13, 2010 the Board adopted a resolution with respect to certain aspects of the Project and calling for a public hearing and this resolution will supersede that prior resolution.

Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Steve Rawlings, Davis County Clerk/Auditor, stated we may be out two to three years on long range plan but this gives us the option to look at the future construction needs. Commissioner Millburn stated we don’t have to spend but will look at strategies. Document on file in the office of the Davis County Clerk/Auditor.

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

Steve Rawlings, Davis County Clerk/Auditor, presented the following two budget changes for Davis County Facilities Management:

- (1) Decrease line item 63-2951-000 Fund Balance by \$40,000.00 and increase line item 63-4161-590 Facilities Depreciation by \$40,000.00. It is the estimated 2010 depreciation budget from Fund Balance. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye.
- (2) Decrease line item 63-3340-000 by \$749,000.00 and increase line item 45-3340-000 Capital Project Grant Revenue by \$749,000.00; decrease 63-4161-720 Facilities Capital Project Expenses

Municipal Building Authority Resolution #2010-245 to Authorize the Issuance & Sale of Authority Lease Revenue Bonds not to Exceed \$20,000,000 (This resolution supersedes resolution #2010-230)

Budget Changes for Davis County Facilities Management

by \$749,000.00 and increase 45-4910-720 Capital Project Expenses by \$749,000.00. This is housekeeping to reclassify Back-Net equipment (EECGB Grant) to Capital Project Fund. Commissioner Millburn made a motion to approve. Commission Downs seconded the motion. All voted aye.

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

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

Approval of
Property Tax
Register

Ross Bartholomew, Davis County Tax Administration Director, presented the property tax register. The register reflects three items: one Auditor's tax exempt recommended for approval and two Assessor's corrections. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Ross reminded everyone that the property valuation notices will be going out by the end of the week or the first of next week.

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

Approval of
Personnel
Register

Commissioner Millburn made a motion to approve the personnel register. 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 by 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 Comments:

Commissioner Downs stated economic development in Davis County can be related to the CAFR. We are careful, conscientious, and conservative as we plan. Davis County is a seed bed. Hopefully taxpayers will understand money is well spent. The next year's budget cycle is coming up.

Commissioner Millburn stated there is a good team effort. He agrees with Commissioner Downs we are working collectively. We are reaching out to work with cities and as a whole with many other entities.

No public comments.

Jerry Hess, Davis County Attorney's Office, asked to clarify that last week we did a resolution for the Municipal Building Authority. As we are going through the process and circumstances change, a new parameter resolution must be issued. The parameter resolution marks the beginning for the process.

Meeting adjourned.