

COMMISSION MEETING MINUTES
December 20, 2011

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on December 20 at 10:00 a.m. Members present were Chairman Louenda H. Downs, Commissioner Bret Millburn, Commissioner John Petroff, Jr., Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil Attorney Bill McGuire, and Deputy Clerk/Auditor Linda May.

Kathy Gunn, Davis County Community and Economic Development Administrative Assistant, lead the Pledge of Allegiance. All were invited to stand and join in.

Recognition of
Kathy Gunn for
Service to
Davis County

Chairman Downs invited Kathy to once again come forward to be recognized for her years of service to Davis County as Kathy has announced her retirement. Kathy started in 1979 with Davis County and has served with 19 County Commissioners and 5 Planning Directors. The nature of Kathy's position interfaces with many community leaders:

- Davis Council of Governments Inc. (County Commissioners, City Mayors, Hill Air Force Base, Davis School Board, Chamber of Commerce, Davis Area Conventions and Visitors Bureau, & Conference Center)
- Staff to Business Development Loan Fund
- Staff to Davis County Gala (businesses in our community)
- Staff support to Commissioners' Cup (sponsors and business Leaders)
- Staff to Antelope by Moonlight Bike Ride (residents and tourism visitors)
- Setting up meetings with local business owners (inside and out of Davis County)
- Staff to Tourism Tax Advisory Board
- Interfacing with commercial realtors, construction companies, banks and commercial lenders, local businesses and event sponsors throughout the year.

Commissioner Petroff thanked Kathy for making us look successful. Commissioner Millburn thanked Kathy for her professional service and friendship. Chairman Downs presented Kathy with a Davis County Coin of Recognition for Outstanding Service for Davis County and a letter of congratulations on her retirement.

Kent Sulser, Davis County Community and Economic Development Director, presented a wrap up report of the 2011 Gala. He invited Diane Townsend and Valerie Davis to come forward.

Presentation of
Funds from the
2011 Gala to
the Davis 4-H
Afterschool
Programs

Diane thanked the commissioner for the opportunity to have a gala. We had great sponsors and community support. The funds collected and donated from the gala amounted to \$26,384.00. These funds came from table donations, silent auction and proceeds from the gala. We thank the major sponsors, Target, Chevron, Lakeview Hospital, Zions Bank, JL Properties, Davis Hospital, Hansen Allen & Luce, Boyer Hill Military Housing, Compressor Pump and Service Inc. along with our many table sponsors and businesses.

Valerie stated on September 8 at the Davis Conference Center, the 2011 Davis County Gala was held. It is a great opportunity to celebrate Davis County, enjoy fine entertainment, and recognize one of our own with the Heart of Davis County Award which was presented to Haven Barlow. The recipient for this year's charity is the Davis 4-H Afterschool Programs. The 4-H afterschool programs are both valuable and essential for children who have needs and interest for expanded help and curriculum as well as a safe learning environment after school hours. These afterschool programs provide lessons and experiences in science, art, performing, drug and alcohol prevention, service, homework helps, and social skills. The next gala is set for September 6, 2012.

Kent stated it is an arduous task to organize and execute but made the mark and is honored to pass the proceeds to Rachael Rudd with the 4-H afterschool program.

Commissioner Millburn extended a thank you to all the sponsors and the hard work of the committee.

There are many people behind the scenes from kitchen help to those handling the finances who help make this event possible.

Commissioner Petroff stated that it is always the right mix and in walking into the room at the gala it feels like you have been transported to a special place.

Recognition of
Davis County
Fair for
Outstanding
Best Use of
Social Media

Dave Hansen, Davis County Legacy Events Center Director, stated the Davis County Fair has received an Award of Distinction for Communications in the following category: Outstanding Best Use of Social Media. The entries are evaluated and judged by a team of industry leaders and awarded by the International Association of Fairs and Expositions (IAFE). The award was presented during the Awards Reception on November 30, 2011, during the 121st annual IAFE Convention held in Las Vegas, Nevada. Megan Hatch, Fair Coordinator, was asked to come forward. She showed the award received and stated there are many other fairs bigger and the competition is from throughout the U. S. and 3 other countries and yet Davis County won. The commissioners congratulated Megan and thanked her for her hard work on Facebook, Twitter, You Tube, and Davis County's web page. Megan is our Social Media Queen.

Meeting
Cancelled
12/27/11

Commissioner Petroff made a motion to approve the cancellation of commission meeting on December 27, 2011. Commissioner Millburn seconded the motion. All voted aye.

Approval of
Donation to
Friends of
Antelope Island

Neka Roundy, Davis County Community and Economic Development Specialist, requested approval of a donation to Friends of Antelope Island. (A donation is allowable under the Utah Constitution and §17-50-303 Utah Code Annotated 1953.) The donation dollars are from the proceeds of the Antelope by Moonlight Bike Ride and we extend a thank you to Barry Burton, Planning Director, for having started this family friendly event 18 years ago. It is a donation in the amount of \$21,339.24. The proceeds will be used to enhance visitors' experiences. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Barry Burton who is currently serving as President of Friends of Antelope Island accepted the check. Commissioner Millburn reminded everyone the dollars are not coming out of the tax coffers. The money collected is from sponsors and participants of the Moonlight Bike Ride. In the end the money is returned to Davis County.

Agreement
#2011-384 The
Main Events
Concessions to
Handle
Concessions at
Legacy Events
Center for 2012

Dave Hansen, Davis County Legacy Events Director, presented agreement #2011-384 with The Main Events Concessions. The company will handle the concessions at the Legacy Events Center for 2012. The fee paid to the County is on a sliding scale ranging between 1% and 20% of gross sales, depending on sales volume. If sales are less than \$100 per hour, the fee is 1%. If sales are between \$101 and \$400 per hour, the fee is 15%. If sales are greater than \$401 per hour, the fee is 20%. In addition, he will pay the County 15% of gross sales for catering groups at the Legacy Center and 5% for groups he caters off site (fee for use of the kitchen). Commissioner Petroff 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
#2009-391A
Davis
Behavioral
Health Annual
Budget
Appropriation

Commissioner Millburn welcomed Brandon Hatch, Davis Behavioral Health CEO, to the meeting. Amendment #2009-391A with Davis Behavioral Health (DBH), is ready for approval. During the budgeting process the budget was approved in the amount of \$1,218,600.00. This amendment with DBH is for "Substance Abuse and Mental Health Services" for 2012 for components of service as identified countywide and with the jail. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor. Commissioner Millburn expressed appreciation to Brandon for his leadership with the organization.

Agreement
#2011-385
Bonneville
Billing &
Collections, Inc.

Mark Altom, Davis County Treasurer, presented agreement #2011-385 with Bonneville Billing & Collections, Inc. This is an assignment to Bonneville Billing & Collections, Inc. in order for the attorney

for Collection Service

representing Bonneville to collect on a returned check in the amount of \$167.00 on the account of Jolynn and Dave Robinson. There is no liability for costs to Davis County in this process. However, we would receive the full \$167.00; any fees added to the judgment are costs paid by the individuals. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement #2011-386 UT State History Research Center for Use of Photos in Atlas

Mark Langston, Davis County Information Systems Director, presented agreement #2011-386 with the Utah State History Research Center. It is for permission to use certain photos in the Davis County Atlas at \$10.00 each for three photos. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Chris Sanford, Davis County Library Director, presented the following three agreements:

Agreement #2011-387 Industrial Research for Boiler & Cooling Tower Treatment Service

Agreement #2011-387 with Industrial Research. The company will provide boiler and cooling tower treatment service for the Headquarters Library in Farmington. The contract will run through the end of September 2012. It is a payable of \$1,521.00. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement #2011-388 Midwest Office for Carpet Maintenance

Agreement #2011-388 with Midwest Office. It is for carpet maintenance at the Headquarters, South, North and Central Branch Libraries. It is a payable of \$17,651.64. Commissioner Petroff 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 #2011-389 FamilyLink.com Inc for Licensing Agreement

Agreement #2011-389 with FamilyLink.com Inc. It is a licensing agreement for World Vital Records.com. It is a payable of \$600.00. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreements #2011-390 thru #2011-401 for Legal Defenders

Mel Miles, Davis County Personnel Director, presented the following agreements for legal defenders for Davis County. The contract will be for six months, January 1 through June 30, 2012. This will allow the newly appointed legal defender coordinator, Todd Utzinger, an opportunity to review the contracts and workloads. The amount reflects a 3% increase over the previous contracts. The individuals as listed are not employees of Davis County but are contractors with the County:

#2011-390	William J. Albright	\$53,327.00
#2011-391	C. Markley Arrington	\$43,473.50
#2011-392	Ryan Bushell	\$39,914.50
#2011-393	Michael S. Edwards	\$39,397.50
#2011-394	Ronald Fujino	\$39,655.00
#2011-395	Richard M. Gallegos	\$31,880.00
#2011-396	Julie George	\$50,470.00
#2011-397	Matt Nebeker	\$33,619.50
#2011-398	Don Redd	\$53,327.00
#2011-399	Todd Sessions	\$34,778.50
#2011-400	Dan Shumway	\$37,677.00
#2011-401	Scott Wiggins	\$25,504.50

Commissioner Petroff 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.

Barry Burton, Davis County Planning Director, presented the following two items:

Agreement
#2011-402
Eagle
Environmental,
Inc. for
Asbestos
Abatement

Agreement #2011-402 with Eagle Environmental, Inc. It is a payable of \$3,785.00 for asbestos abatement at the old Children's Justice Center facility prior to its demolition. This process should be completed by December 31, 2011. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Change Order
#2010-409C
Wadman Corp
for
Administration/
Library/CJC
Project

Change order #2010-409C with Wadman Corp. for necessary changes to the Administration/Library/CJC Project. It is payable of \$256,909.24. There are numerous items listed and we have taken a lot of time to review the details. We are getting the best deal we can get. Within two weeks there were three price increases in steel which amounts to \$77,000.00 of the change order. Steve Rawlings, Davis County Clerk/Auditor, stated we are still within the budgeted amount for the project. Commissioner Millburn stated that he knows these charges have been thoroughly reviewed. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Amendment for
#2011-135 for
EPA Covenant
Description

Tony Thompson, Davis County Planning Office, addressed an amendment to contract #2011-135 with The United States Environmental Protection Agency "EPA". This is a review of an Environmental Covenant with the EPA. EPA's studies at the Bountiful/Woods Cross 5th South PCE Plume Site located in Bountiful, West Bountiful, and Woods Cross, Utah have determined that a tetrachloroethylene (PCE) – contaminated groundwater plume (PCE Plume), from past dry cleaning operations at 344 South 500 West in Bountiful, extends from the source west under the Holly Refinery property to beyond 1100 West Street in West Bountiful and then under Davis County's property (tax ID 06-034-0070 and 06-034-0071) at approximately 35 North 100 West, West Bountiful, Utah.

The EPA has installed a ground water collection and filtering system to clean up this plume. The State of Utah has claims on the water that is extracted and has required the EPA to discharge the water back into the Legacy Preserve to the west. To do this the EPA has crossed the properties with a buried discharge line to a point of discharge into the A1-A5 drain to the west of the properties, the A1-A5 drain will transport the water to the Legacy preserve.

The request is to accept and approve the amended Environmental Covenant with the UPA along with an agreement for access to the property Tax ID 06-034-0070 and 06-034-0071 and authorize recording of the same. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Kevin Fielding, Davis County Sheriff's Office, presented the following four items:

Notice of
Award &
Agreement
#2011-403
Wasatch
Correctional
Medical
Services, LLC
for Medical
Services at Jail

Notice of Award and agreement #2011-403 with Wasatch Correctional Medical Services, LLC. The company will provide medical services to Davis County jail inmates. The medical doctor is John R. Wood, MD. It is a five-year contract from January 1, 2012 thru December 31, 2016 with a renewable clause for 5 additional years. Commissioner Petroff 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
#2011-404 U.S.
Marshal Service
for Funds

Agreement #2011-404 with U.S. Marshal Service for a receivable of \$11,408.33. The amount receivable will provide \$1,408.00 for fuel and maintenance of vehicle #09-38 and \$10,000.00 for Joint Law Enforcement Operations Task Force overtime for Kyle Sorensen and Jon West of the Davis County Sheriff's Office. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Memo of Understanding #2011-405 UT Dept of Correction for Access to Sex Offender Registry

Memorandum of Understanding #2011-405 with the Utah Department of Corrections for Davis County Sheriff Office staff to have continued access to the Sex Offender Registry SONAR database. It is for the period of January 1, 2012 through December 31, 2014. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement #2011-406 UCCJJ for Funds for K9 Supplies

Agreement #2011-406 with UCCJJ for justice assistance grant funding in the amount of \$5,383.00. The funds will be used for K9 supplies. The necessary budget change will be presented in 2012. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Ordinance #8-2011 Amending & Repealing Certain Sections of the Animal Control Ordinance in Title 6

Clint Thacker, Davis County Animal Control Director, presented ordinance #8-2011 amending and repealing certain sections of the animal control ordinance as set forth in Title 6, Davis County Code, to update the code with regard to the licensing, care, and protection of animals. In about July we started the process of communication with cities regarding the proposed ordinance changes to license cats, change the number of animals a person can have, and the change of certain fees. The cat licenses are a means to get the cat back to the owner ASAP. We will not be going out door to door to track down cats, but are encouraging owners whose cats go outside to be responsible and license their cat. Cats should be vaccinated for rabies.

Chairman Downs commented this is a safety and welfare issue for animals. Commissioner Petroff said there so many cats that arrive at the shelter and with no way to identify owners. Commissioner Millburn questioned if approved how the information will go out and when do people need to be in compliance. Clint stated that the information will go to cities and hopefully they will include the information in their city newsletters. There has already been letters to cities and city managers have been invited to the animal control shelter for meetings. Hopefully people will be responsible and vaccinate and license their cats.

Ordinance changes: Section 6.12.010 will now include licensing and registration of dogs and cats; Section 6.12.060 makes changes to number of dogs and cats per residence; Section 6.20.040 changes to impoundment and disposal; Section 6.28.010 Cruelty to animals clarification of definitions; Section 6.16.140 Animals Attacking Persons and Animals enacted; Section 32.010 Fees & Charges changed for certain costs; and Section 6.12.070 Regulatory Permits repealed. Commissioner Millburn made a motion to approve the ordinance as amended. Commissioner Petroff seconded the motion. The complete ordinance is on file in the office of the Davis County Clerk/Auditor.

Ordinance #7-2011 Amending Certain Sections of Title 2 in Regards to the Planning Department & Fees

Scott Hess, Davis County Planning Office, presented Ordinance #7-2011 amending certain sections of the Administration and Personnel Ordinance as set forth in Title 2, Davis County Code, Section 2.48.050 and fees, to update the code with regard to recent department changes and increasing costs of operation. Code references will change from "Community and Economic Development" to "Planning Department". The Davis County Code is a regulator document guiding land use decisions in the unincorporated areas of Davis County. Building valuations and permit fees are based on allowable International Code Council (ICC) valuation tables and fee schedules. Other fees that may be charged in-lieu of ICC fees are outlined in the ordinance. Commissioner Petroff made a motion to approve the ordinance amendments. Commissioner Millburn seconded the motion. All voted aye. The complete ordinance is on file in the office of the Davis County Clerk/Auditor.

Approval of Recommendation For Redistricting & Voting Precincts

Pat Beckstead, Election Director, Davis County Clerk/Auditor's Office, requested approval of redistricting and voting precincts. With new laws and the redistricting there are many hoops to jump through. A big thank you to Cheryl Larsen and Jeff Baker, GIS staff - Information Systems Office, for their help with maps. Amber Miller and Cyndi Chamberlain, Clerk/Auditor's Office, have also been working intensely with

the maps. A power point presentation of unofficial maps was reviewed by the commission and then will need to be forwarded to the State by January 31, 2012. When Congressional, State Senate, State Representative, State Board of Educational lines and Precincts lines are all considered it has created some problematic situations. Two of Davis County's 31 newly proposed voting precincts are in the middle of the Great Salt Lake. Another 12 precincts have no registered voters in them because the precinct borders encompass only commercial, industrial or undeveloped properties. Another 14 proposed precincts are home to 100 or fewer register voters. New guidelines prevent the County from putting more than one senate, representative, congressional or Davis School Board representative in a voting precinct. As a result of the requirement, Davis County has gone from having 187 precincts to 218. Our hope is that state officials will see some of the small pockets and make some adjustments. The majority of the county's existing precincts were left the same. It does present a challenge to candidates. The maps upon commission approval will be submitted to the Lieutenant Governor's Office and the Utah Automated Geographic Reference Center by January 31, 2012. Commissioner Petroff made a motion to forward the maps with the recommendations as reviewed and to approve the proposed 2012 voting precincts. Commissioner Millburn seconded the motion. All voted aye.

Approval of
Annual Meeting
Schedule

Chairman Downs stated the Notice of Annual Meeting Schedule for 2012 needs to be approved as follows:

Regular meetings of the Board will be held in Room 236 in the Memorial Courthouse Building, 28 East State St., Farmington, Utah on Tuesday of each week at 10:00 a.m. or as soon thereafter as practical; provided, however, that the regular meeting may be canceled, postponed, or rescheduled upon a majority vote of the Board as the public business requires and the Board deems appropriate. If any meeting falls on a legal holiday, the meeting may be held at the same hour and place on the following day.

Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. A legal notice will be published in the newspaper.

Approve
Rotation of
Chair and
Appointment of
Vice-Chair

Chairman Downs stated that each year the rotation of the Chair and Vice-Chair of the Davis County Commission occurs. Commissioner Millburn who has been serving as Vice-Chair will serve as Chair for 2012. Chairman Downs made a motion for Commissioner Petroff to serve as Vice-Chair for 2012. Commissioner Millburn seconded the motion. All voted aye.

Commissioner Millburn made a motion to convene as the Board of Equalization. Commissioner Petroff 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 25 items for approval. Also listed on the property tax register to be ratified are the tax exemptions for business with \$3,800.00 or less tangible personal property related to the business. This is allowable under Utah Code §59-2-1115. In 2012 the amount allowable will be \$3,900.00. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye.

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

Commission
Minutes
Approved

Commissioner Petroff made a motion to approve the commission meeting minutes of November 29, 2011. 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 Commission Petroff. Commissioner Millburn seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

Commission Comments:

Commissioner Millburn stated this has been a fast year. Many great things have been accomplished.

Merry Christmas.

No public comments.

Meeting adjourned.