

COMMISSION MEETING MINUTES
June 30, 2009

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on June 30, 2009 at 10:00 a.m. Members present were Chairman P. Bret Millburn, Commissioner Louenda H. Downs, Commissioner John Petroff Jr., Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil Attorney Gerald E. Hess, and Deputy Clerk/Auditor Linda May.

Chairman Millburn stated that in light of the upcoming 4th of July celebration he invited everyone present to stand and join in singing “America the Beautiful.” Stacie Stone, Davis County USU Ag. Extension Office, played the piano. Chairman Millburn stated, “We do have the privilege of living in a great nation, state, and county.”

Carl Allen, Chief Deputy of Administration for the Davis County Clerk/Auditor’s Office, led the Pledge of Allegiance. All were invited to stand and join in.

Chairman Millburn announced there will not be a commission meeting held on July 7, 2009.

Announcement
of Upcoming
Utah State
Amateur
Championship
Tournament at
Valley View
Golf Course

Matt Lyons, Davis County Valley View Golf Course Pro, spoke about the upcoming Utah State Amateur Championship Tournament that will be held at Valley View Golf Course July 8 – 12. Tomorrow will be media day. It is the oldest continuously held golf tournament in the world. Valley View joins a small and elite list of public courses that have hosted the Utah State Amateur. The remodel of the clubhouse and banquet facilities will provide an enhanced experience at the course. Matt thanked the Commissioners, Steve Rawlings and Terry Tremea and those others who have helped make this possible. Matt stated, “It is an honor to host this great event. It’s certainly the most prestigious tournament in Utah golf history and we are proud to be part of it.” Commissioner Downs expressed appreciation to Matt for his diligence at the course and with the clubhouse project. She asked Matt to thank his wife as well for the special touches at the course.

Announcement
of 16th Annual
Antelope by
Moonlight Bike
Ride

Neka Roundy, Davis County Community and Economic Development, presented information about another premier event in Davis County. It is the 16th Annual Antelope by Moonlight Bike Ride on July 10 at 10:00 p.m. It is a 22 mile non-competitive ride from the marina to the Fielding Garr Ranch and back. A big thanks to Barry Burton, Davis County Planning Director, for the theme “Moonlight Madness” and illustration being used on posters and collector tee shirts. Prizes will be given for the best costume and best decorated bicycle involving the theme. To date there have been 600 registrations. The goal is to have on line registration next year. Neka stated, “It is absolutely beautiful to be able to look back at the mainland from the island.”

Introduction of
New
President/CEO
for Davis
Behavioral
Health

Chairman Millburn introduced Ron Stromberg as the new President and Chief Executive Office for Davis Behavioral Health. He is a Bountiful resident and has had extensive service with the State of Utah. Ron has more than 30 years of experience as an administrator in human services and corrections programs and brings an outstanding record of creating positive change in organizations. For the past four years, Ron has worked as the Assistant Director of the State of Utah Division of Substance Abuse and Mental Health.

Mr. Stromberg said that he can’t solve all problems, but in the first two weeks of being with the organization is impressed with the staff and there is a good team to work with at Davis Behavioral Health. The budget and contracts with Davis County are being carefully reviewed. Last April the area plan was presented which included budget information and was approved by the commission. The special legislative session was not ended and cuts have needed to be made in the budgets. The agency is expecting more cuts

from the Utah Department of Health which is cutting its funds for hospitalization of patients by \$1.2 million. That means DBH will receive \$29,000 less. Medicaid could also decrease its rate for patients, which could mean about a \$300,000 cut to the agency. To make matters more complicated, the agency gets penalized by Medicaid if it reduces services in order to be more efficient. Dean Smith, Chief Financial Officer, has been of great assistance in working through the budget. Mr. Stromberg said that he plans to organize DBH so it is providing more services and reducing the waiting list so, by next spring, when Medicaid auditors come out, the agency will receive a better rate. In October, Davis Behavioral Health will come before the Davis County Budget Committee to discuss more in depth the 2010 budget. The agency's 2010 budget is projected at \$16.4 million. It is projecting to receive \$2.9 million from the state mental health division and \$3 million from the state substance abuse division. It also expects to receive \$8.6 million from Medicaid funds. Davis County's share is around \$855,000. Chairman Millburn expressed appreciation to Mr. Stromberg for reviewing components of the budget and for the assistance from Dean Smith.

Announcement
of Special Joint
County
Commission
Meeting with
Salt Lake
County Council

Jerry Hess, Davis County Attorney's Office stated that a request has come to Davis County requesting a special joint county commission meeting with the Salt Lake County Council for a public hearing and action on a minor county boundary adjust (North Salt Lake Boundary adjust). It involves 21 acres of ground. The plat map has been reviewed by each county's surveyor. The joint public hearing will be held at the Salt Lake County Complex, 2001 South State St., Council Chambers, Salt Lake City, from 4:00 pm to 5:00 pm on July 21, 2009. Commissioner Petroff made a motion to approve the scheduled meeting. Commissioner Downs seconded the motion. All voted aye.

Amendment
#1999-67A UT
Department of
Administrative
Services for
Lease of 2nd
Floor of Work
Center

Steve Rawlings, Davis County Clerk/Auditor, presented amendment #1999-67A with the Utah Department of Administrative Services. The State will renew the lease for 10 additional years for the second floor of the Work Center. It is a receivable of \$880,447.02. It is for 1100 sq feet and includes an increase in cost for maintenance. The contract period is July 1, 2009 thru June 30, 2019. Commissioner Petroff made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file with the office of the Davis County Clerk/Auditor.

Report for the
2008 Audit
Review of
Davis County

Jeff Ambrose, CPA with Crane, Christensen & Ambrose, presented the follow-up report for the 2008 audit review of Davis County. The firm has performed the audit the last 5 – 6 years. Jeff thanked Jonathan Lee, Doug Stone, and Carl Allen of the Clerk/Auditor's Office for their assistance with the Comprehensive Annual Financial Report, as well as Mark Altom, Treasurer, and Steve Rawlings, Davis County Clerk/Auditor. The staffs of both offices have been very cooperative with assisting with needed information. Doug Stone and Jonathan Lee are very instrumental in putting together the CAFR. This will be the 15th consecutive year for the report. The firm's responsibility as described by professional standards, is to express an opinion about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accept accounting principles. As noted on page 18 – 19, Davis County received an unqualified or clean opinion. The basic financial statements for Davis County are covered on pages 32 – 109. Pages 20 through 27 boils everything down. The cash and fund balance is healthy. At the end of 2008 it was 18.2 million. A 7 million increase over 2007. The fund balance minimized the tax anticipation amount needing to be borrowed. Pages 70 – 74 itemize budgets within the county. The departments stayed within funds of budget perimeters. Page 114 is the Statistical Schedule listing the net assets by component. Jeff expressed kudos to the folks at Davis County for their financial management.

Commissioner Downs stated that we want to be secure and wise in expenditures. Replacement or work on buildings is something we know we need to be prepared for. It is important to have a good bond

rating. We don't have excess but have a plan and are comfortable.

Steve Rawlings, Davis County Clerk/Auditor, commented that on page 118 is a statistical comparison over 10 years which indicates a very strong financial position. The County has been given a MG 1 Rating which is the very best.

Chairman Millburn expressed kudos to all the departments for their diligent efforts. He thanked Jeff and his firm. Good bond ratings help with our borrowing capability.

Agreement #2009-211 Siemens Healthcare Diagnostics, Inc. for Purchase of Urinalysis Testing Equip.

Keith Major, Davis County Sheriff's Office, presented agreement #2009-211 with Siemens Healthcare Diagnostics, Inc. It is for the purchase of SYVA urinalysis testing equipment and supplies for the jail. It is a payable of \$2,454.00 per month. The payment includes training for up to four people but does not cover their wages. Commissioner Downs made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2009-212 Inter-local Agreement with 3 Cities for Edward R. Byrne Justice Assistance Grant

Keith Major presented agreement #2009-212 for an inter-local agreement with Davis County, Layton City, Bountiful City, and Clearfield City. It allows each entity to access funds dispersed under the Edward R. Byrne Justice Assistance Grant. Layton City will make application for and on behalf of Davis County and the cities. It will manage the grant subsequent to approve. It is a receivable for Davis County in the amount of \$4,750.00. Davis County will use its portion of the funds to purchase a K-9 bite suit, 3 helmets with internal mics, 2 holsters for Lidar mounts on Harley Davidsons, and 8 training boxes for K-9's. Commissioner Downs 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.

Kirk Schmalz, Davis County Public Works Director, stated that the state has not issued the permit yet for the 2600 South Storm Drain Improvements – Sediment Basin. The contract has been signed by Stark Brothers, Inc. However, the Notice to Proceed is pending the receiving of the state permit. Jerry Hess, Davis County Attorney's Office, stated it would be advisable to wait until both are ready. Commissioner Petroff made a motion to table the contract. Commissioner Downs seconded the motion. All voted aye.

Agreement #2009-213 Construction Control Corp. for Cost Estimating for New Headquarters Library Construction

Marshall Scott, Davis County Facilities Management Director, presented agreement #2009-213 with Construction Control Corporation. He is representing Chris Sanford, Davis County Library Director, who is out of town. The company will assist with the estimating of costs for the Headquarters Library construction. It is a payable of \$2,280.00. There were 16 proposals submitted and it has been narrowed to four. Tomorrow when Chris returns the names will be released. On July 16 the architects will present. Commissioner Downs 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.

Resolution #2009-214 for Adoption of Tax Rate for South Davis Recreation District

Steve Rawlings, Davis County Clerk/Auditor, presented resolution #2009-214 for adoption of a tax rate for the purpose of levying taxes within the South Davis Recreation District for the year 2009. The South Davis Recreation District has adopted its budget and incurred bond obligation for the year 2009. The Board of South Davis Recreation District does hereby, subject to approval of the Davis County Commission, set, establish and adopt the certified tax rate as determined by the Davis County Auditor and/or The Utah State Tax Commission for operation and maintenance and a tax rate as need to service District's bond for the purpose of levying taxes with the District for the year 2009 as follows:

South Davis Recreation District Certified Tax Rate	0.000117
Interest & Sinking	<u>0.000239</u>
Proposed Tax Rate	0.000356

Commissioner Downs 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 #2009-215 to Appoint Representative to the Multicounty Appraisal Trust

Chairman Millburn presented cooperation agreement #2009-215 to be ratified. Davis County has appointed Commissioner John Petroff Jr. to serve as its representative to the Multicounty Appraisal Trust. The request for a commissioner to be appointed came from the Utah Association of Counties in order for a Davis County representative to attend a previous meeting for the Multicounty Appraisal Trust. Commissioner Downs 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 #2009-216 Multicounty Appraisal Trust Participation

Agreement #2009-216 with the Multicounty Appraisal Trust through the Utah Association of Counties was presented. It is to establish and administer a multi-county cooperative effort in appraisal and equalization of property values and effective collection, utilization and distribution of property tax proceeds for the contracting parties. Legislative action UCA 59-2-1606 relating to statewide computer assisted mass appraisal system (CAMA) will be implemented. Commissioner Petroff said, "The goal is for all counties to be the same in assessing for property values. This has been in the works for quite some time." Steve Rawlings, Davis County Clerk/Auditor, stated that the funding mechanism has been in place for two year through the assessing and collecting fees. No tax increase will be required for implementation. Chairman Millburn stated it is a proactive approach by Davis County in an effort to stay on top of appraisals. Commissioner Downs 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.

Public Hearing for Input with Respect to the Bonds Thru the Municipal Building Authority

Commissioner Petroff made a motion to go into a public hearing. Jonathan Ward, Zions Bank Public Finance, stated the purpose is to receive input with respect to (1) The issuance by the Municipal Building Authority of Davis County Utah of approximately \$9,000,000 of Lease Revenue Bonds and (2) Any potential economic impact that the improvements, facility or property financed in whole or in part with the proceeds of said bonds may have on the private sector. Chairman Millburn asked for public comments. No public comments were given. Commissioner Petroff made a motion to close the public hearing. Commissioner Downs seconded the motion. All voted aye.

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

Property Tax Register Approved

A property tax register as prepared by the Davis County Clerk/Auditor was presented. Steve Rawlings, Davis County Clerk/Auditor, stated there are two Auditor's Corrections to abate taxes per exemption and Assessor's Adjustments for Escapements on four properties. There are 11 property tax appeals for approval and 13 for denial. Commissioner Downs made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

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

Check Registers Approved

Check registers as prepared by the Davis County Clerk/Auditor's Office were presented. Commissioner Downs made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Commission Comments:

Commissioner Downs expressed thanks to the people who know numbers and manage budgets. We have dedicated people in Davis County who serve us all. The command change at Hill Air Force Base reminds us of the great efforts for our country and the military organization. Major General Kathleen Close was presented a Davis County Coin of Recognition for Outstanding Service before her departure. The memorial for George Houghton was very touching. (His F-16 went down during an exercise over the west desert area.)

Commissioner Petroff stated that he would be remiss if he didn't mention this time of year and his appreciation for our country. The commissioners will be participating in four parades. These celebrations

such as West Point Days repeat all over our country. I am grateful for where I live and if you move you will not find better.

Commissioner Millburn stated “Amen” to all that has been stated. He is grateful to serve in this capacity. While recently in New York he was able to walk at Ground Zero. It is an awesome feeling. Thanks to two stepsons who are serving in the military. He expressed gratitude for the service men and women who are serving this country. Commissioner Millburn read the following quote from Abraham Lincoln, “The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot so well do, for themselves, in their separate and individual capacities. In all that the people can individually do as well for themselves, government ought not to interfere.”

Recess
Commission
Meeting

Commissioner Downs made a motion to recess the commission meeting until 3:00 p.m. Commissioner Petroff seconded the motion. All voted aye.

Reconvene
Commission
Meeting

Chairman Millburn reconvened the commission meeting at 3:10 p.m. Members present were Chairman P. Bret Millburn, Commissioner Louenda H. Downs, Commissioner John Petroff Jr., Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil Attorney Gerald E. Hess, and Deputy Clerk/Auditor Linda May.

Resolution
#2009-217 for
Sale of Utah
Tax and
Revenue
Anticipation
Notes, Series
2009

Jon Bronson, Zions Bank Public Finance, stated the Board of County Commissioner of Davis County has determined to sell its \$6,000,000 Davis County, Utah Tax and Revenue Anticipation Notes, Series 2009, for the purpose of meeting the current expenses of the County for the fiscal year ending December 31, 2009, until the payment of taxes and receipt of other revenues for said fiscal year are raised. Resolution #2009-217 reflects the Board decision to accept the proposed offer of Zions First National Bank (the “underwriter”) for the purchase of said Notes is economically beneficial and acceptable to County, which offer proposes to purchase said Notes at a price of \$6,027,420.00 (being the par amount thereof plus a reoffering premium of \$39,720.00, less an underwriter’s discount of \$12,300.00), and Notes to bear interest at 2% per annum from the dated date until paid as set forth in the document. Jon Bronson introduced Blake Wade, Ballard Spahr Andrews & Ingersoll, LLP. He stated that Zions bought the Notes and partners will purchase from Zions. Commissioner Downs 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. The closing date for the transaction will be July 15, 2009.

Meeting adjourned.