

COMMISSION MEETING MINUTES  
December 8, 2009

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on December 8, 2009 at 10:00 a.m. Members present were Chairman P. Bret Millburn, Commissioner John Petroff Jr., Commissioner Louenda H. Downs, Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil Attorney Gerald E. Hess, and Deputy Clerk/Auditor Linda May.

Commissioner Louenda Downs led the Pledge of Allegiance. All were invited to stand and join in.

Chairman Millburn reminded everyone this evening is the public hearing for the 2010 Budget, at 6:00 p.m. at Farmington Junior High School.

The commission has been informed that job opportunities are currently available for the upcoming 2010 census. Training will be provided.

Grant  
Application  
#2009-362 UT  
Div of  
Homeland  
Security for  
HazMat  
Training

Keith Major, Davis County Sheriff's Office, presented grant application #2009-362 with the Utah Division of Homeland Security. The funds if granted in the amount of \$3,200.00 would be utilized for HazMat training. There is a 20% local match required. 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  
#2009-363 UT  
Micrographic  
Service  
Solutions for  
Maintenance  
Service

Chris Sanford, Davis County Library Director, presented agreement #2009-363 with the Utah Micrographic Service Solutions. It is for the microfilm reader/printer maintenance at the Headquarters Library. It is a payable of \$1,000.00. 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  
#2009-364  
Industrial  
Research for  
Maintenance  
Service

Chris Sanford presented agreement #2009-364 with Industrial Research. The company will provide the boiler and cooling tower treatment service for the Headquarters Library in Farmington. It is a payable of \$2,028.00. 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  
#2009-365  
Midwest Office  
for Carpet  
Maintenance

Chris Sanford presented agreement #2009-365 with Midwest Office. It is for carpet maintenance at the Headquarters, South, North and Central library branches. The amount for each branch varies depending on the square footage and is billed on a monthly basis. The total payable for the year is \$16,121.38. Commissioner Petroff 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.

Agreements  
#2009-366 thru  
#2009-372  
AAA Fire  
Safety & Alarm  
Inc. for Fire  
Equipment  
Maintenance

Chris Sanford presented agreements for AAA Fire Safety & Alarm Inc. for fire equipment maintenance and monitoring as follows:

#2009-366	Syracuse Northwest Branch	\$695.00 yearly
#2009-367	Clearfield Branch	\$225.00 yearly
#2009-368	Central Branch	\$538.00 yearly
#2009-369	Kaysville Branch	\$125.00 yearly
#2009-370	Headquarters Branch	\$ 50.00 yearly
#2009-371	Centerville Branch	\$855.00 yearly
#2009-372	Bountiful Branch	\$850.00 yearly

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.

Kent Sulser, Davis County Community and Economic Development Director, welcomed all those in attendance today for the distribution of the 2009 Commission Cup Funds. Commissioners' Cup funds are intended for educational programs which support the youth of Davis County. It was the 12<sup>th</sup> annual Commission Cup Golf Tournament and there are 12 recipients. The following are requested for approval:

North Davis Preparatory Academy	\$1,000.00
Woods Cross Summer Reading	\$ 600.00
Safe Harbor	\$ 800.00
Clearfield Aquatic Center	\$1,167.00
Davis Art Council	\$1,834.00
Gov. Cal Rampton Constitution Ed Fund	\$ 284.00
GSL Bird Festival	\$ 934.00
DATC	\$1,167.00
Headstart – Father Reading	\$ 667.00
Family Connection Center	\$1,167.00
Creekside Elementary	\$ 667.00
DSF Safe School Graduation	\$3,517.00

A total of \$22,150.00 was requested and today we have been able to present \$13,804.00. These funds are raised from the tournament minus expenses and are not general fund dollars. Thanks to Neka Roundy who served as the Chair for the event.

Commissioner Downs stated that the contributions constitute fair and adequate consideration for the reasons the entities contribute to the prosperity, well-being, order, and comfort of county inhabitants. Commissioner Downs made a motion to approve the contributions. Commissioner Petroff seconded the motion. All voted aye.

Chairman Millburn thanked Kent Sulser and Neka Roundy of Davis County, the sponsors, and participants. Chairman Millburn called a representative forward as listed above to receive their check and make brief comments if they wished. The Commissioners thanked each for making a difference.

Kent Sulser presented agreement #2009-373 with the Davis County Council of Governments, Inc. It is a receivable of \$50,000.00 for Davis County to provide staff (3) and office services to support Davis County COG, Inc. DCCOG was created on December 12, 1984 for the purpose of providing sources of capital through loans within Davis County for companies committed to creating new jobs.

The purpose of the fund is to provide “gap financing” to establish county businesses and to assist with their growth and expansion. Gap financing is defined as the difference between the total projects cost, the owner’s and partner’s contribution and what has been borrowed from a lending institution (bank). The BDF is not designed to fund 100 percent of the project costs but to supplement lending provided by commercial lenders.

The revolving loan fund of Davis County was established using federal community development block grant funds. Today, the Business Development Fund (BDF) program is funded and operated via loan repayments to a 501(c)(3), Davis County Council of Government’s Inc. (DCCOG) as a non-profit organization. This program is a tool used to promote business growth and expansion.

The funds are audited independent of Davis County. Kent also meets with the Clerk/Auditor’s Office. Commissioner Downs reaffirmed DCCOG is not in competition with banks as banks refers businesses to BDF.

Commissioner Petroff 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.

Kirk Schmalz, Davis County Public Works Director, presented agreement #2009-374 with Centerville City. Centerville City and Davis County both desire to repair and maintain Parrish Creek drainage structures and facilities, particularly for this agreement the 36” underground corrugated metal pipe under 1250 West in

Engineering of  
Parrish Creek  
Repairs

Centerville. Centerville and Davis County agree that removal and repair of the pipe should be designed to (1) identify and protect underground utilities in the vicinity, and (2) to preclude damage and minimize disruption of services. Davis County will pay \$5,000.00 to Centerville City for the design by ESI Engineering. 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  
#2009-375 ESI  
Engineering,  
Inc. for  
Barnard Creek  
Study

Kirk Schmalz presented agreement #2009-375 with ESI Engineering, Inc. The company will complete a hydraulic model and breach analysis study for Barnard Creek. It is a payable of \$6,000.00. Commissioner Petroff 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.

Substantial  
Completion for  
Pacific West  
LLC for  
Hooper Draw  
Improvements

Kirk Schmalz presented the Certificate of Substantial Completion for Pacific West LLC (agreement #2009-102). The company has completed all items on the punch list for Hooper Draw Improvements @ Camelot Mobile Home Park. There were some challenges but the project went well with the company. Commissioner Petroff made a motion to approve the Chairman to sign the Certificate. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2009-376  
American  
Roofing for  
Memorial  
Courthouse  
Roof Repair

Marshall Scott, Davis County Facilities Management Director, presented agreement #2009-376 with American Roofing. The roof area above the 1932 section of the courthouse needs to be recoated and graveled. There will be a 95% gain in heat and energy efficiency. The exact time frame for completion will depend on the weather. 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  
#2009-377  
McKool Smith,  
P.C. for  
Lawsuit

Chairman Millburn presented agreement #2009-377 with McKool Smith, P.C. Davis County is seeking damages, attorneys' fees, costs and all other appropriate relief for the non-payment or underpayment to the County of transient occupancy taxes by online booking companies such as Hotels.com, Expedia.com, etc. There are other counties Weber, Salt Lake and Utah counties are also joining in on the lawsuit. The law firm is in Texas and has been successful in other such lawsuits. There is no cost to the county if not successful. If successful, the firm will receive a portion of the award. 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.

Amendment  
#2009-158B  
UT Dept of  
Human Service  
for Increased  
Funding

Chairman Millburn presented amendment #2009-158B with the State of Utah, Department of Human Services. It is a receivable of an additional \$5,000.00 for the "State Outcomes Measurement and Management System (SOMMS) funding for pass thru to Davis Behavioral Health Substance Abuse Data Submission Program. Commissioner Petroff 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.

Amendment  
#2009-168B  
UT Dept of  
Human  
Services for  
Increased  
Funding

Chairman Millburn presented amendment #2009-168B with the State of Utah, Department of Human Services. It is a receivable of an additional \$5,000.00 funding to the "Data Infrastructure Grant" (DIG) for pass thru to Davis Behavioral Health "mental health". Commissioner Petroff 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 Downs 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 183 property tax appeals for approval, 38 denials, Assessor's correction, one Treasurer's abatement, and one Auditor's abatement. 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.

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

Commission  
Minutes  
Approved

Commissioner Petroff made a motion to approve the commission meeting minutes of November 17. Commissioner Downs seconded the motion. All voted aye.

Check  
Registers  
Approved

Check registers as prepared by the Davis County Clerk/Auditor were presented. Commissioner Downs made a motion to approve. Commissioner Petroff seconded the motion. All voted aye.

No commissioner comments.

No public comments.

Meeting adjourned.