

COMMISSION MEETING MINUTES  
January 12, 2010

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on January 12 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.

Chairman John Petroff led the Pledge of Allegiance. All were invited to stand and join in.

H1N1  
Vaccination  
Free Clinics

Chairman Petroff announced the ongoing Davis County H1N1 vaccination clinics free to the general public. The upcoming dates are January 12 at the Davis Conference Center and January 14 at the Bountiful Regional Center.

Grant  
Application  
#2010-7 UT  
Substance  
Abuse for  
RSAT Funding

Keith Major, Davis County Sheriff's Office, presented grant application #2010-7 to the Utah Substance Abuse & Anti-Violence Coordinating Council. It would be a receivable of \$34,641.00 for the Residential Substance Abuse Treatment (RSAT) program at the Davis County jail. 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.

Application  
#2010-8 to  
Emergency  
Management  
Institute for  
Training

Kenny Payne, Davis County Sheriff's Office, presented application #2010-8 to the Emergency Management Institute. FEMA conducts courses at Emmitsburg, Maryland. The application is for a Community-specific Integrated Emergency Management Course (IEMC). The application must be sent to Denver for approval. There are specific hazards in Davis County such as the oil refineries, HAFB, a large amusement park and the earthquake fault line. It would be invaluable training and specific to our needs. If approved, costs are covered for attendees except for the meals. Commissioner Millburn made a motion to approve the forwarding of the application. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Application  
#2010-9 State  
of Utah for  
Beer Retailer  
License for  
2010

Dave Hansen, Davis County Legacy Events Center Director, presented application #2010-9 to the State of Utah. The application is to renew our non-tavern on-premise beer retailer license for 2010. This is one of three licenses we hold that need to be renewed at different times throughout the year. The fee for this license is \$200.00 but has been waived by the state for the last few years. 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  
#2010-10  
Diversified  
Flooring for  
Carpet  
Maintenance of  
Libraries

Chris Sanford, Davis County Library Director, presented agreement #2010-10 with Diversified Flooring. It is for carpet maintenance at three of the libraries: Syracuse Branch (\$220.00/monthly; Centerville Branch (\$245.00/monthly); and Kaysville Branch (\$255.00 monthly). We have had agreements in place previously but the company has gone through a restructuring and is requiring the agreement to be signed at this time. 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  
#2010-11  
Hansen, Allen  
& Luce Inc for  
Engineering  
Services

Kirk Schmalz, Davis County Public Works Director, presented agreement #2010-11 with Hansen, Allen & Luce, Inc. The company will provide technical assistance and engineering services to design upgrade and repairs to the North Salt Lake Drain Channel. The company has expertise with this type of project. It is a very big project. It is a payable of \$239,000.00. 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.

Amendment  
#2008-153C  
State of Utah  
for SSBG  
Funding

Scott Hess, Davis County Planning Office, presented an amendment #2008-153C with the State of Utah. The amendment to the Social Services Block Grant (SSBG) is to add \$15,511.11 from 2008-2009 carryover funds for use during the contract period of February 1, 2010 thru July 1, 2010. It is for a Davis Behavioral Health program. Steve Rawlings, Davis County Clerk/Auditor, stated grants that are pass thru don't affect the approved budget. 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  
#2010-12  
Hunsaker  
Painting to  
Paint Surveyor  
Office Areas

Marshall Scott, Davis County Facilities Management Director, presented agreement #2010-12 for Hunsaker Painting. The company will provide services to paint the space in Davis County Surveyor Offices. It is a payable of \$3,840.00. 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.

Marshall Scott stated that the change order as listed on the agenda for Onyx Construction will be deferred till a future meeting.

Amendment  
#2009-223A  
UT Dept of  
Human  
Services  
Funding &  
Budget Change

Lewis Garrett, Davis County Health Director, presented amendment #2009-223A with the Utah Department of Human Services, Division of Aging and Adult Services. It is to increase funding from the American Recovery and Reinvestment (ARRA) funds for senior services. It is a receivable of \$76,087.17. A budget change to increase funding and the regular budget carryover is also presented for approval as follows:

Increase line item 11-3340-000 – Contract Revenue	\$46,186.00
Increase line item 11-3340-300 – Senior Employment	\$18,320.00
Increase line item 11-3340-400 – Health Insurance Counseling	\$ 581.17
Increase line item 11-3690-100 – Senior Medicare Patrol	\$11,000.00
Increase line item 11-4980-246 – Food Purchase	\$46,186.00
Increase line item 11-4980-610 – Miscellaneous Expenditures	\$29,901.17

Commissioner Millburn made a motion to approve the amendment and budget change. Commissioner Downs seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn extended a welcome to Sandy Kester of Senator Orrin Hatch's office.

Budget Change  
for Health  
Promotion  
Division

Lewis Garrett, Davis County Health Director, stated that he has one additional budget change to present for new funding from Lakeview Hospital to be used in the Health Promotion Division for year 2010 Obesity Grant activities. The budget change is as follows:

Increase line item 15-4315-610 – Miscellaneous Expenses	\$ 500.00
Increase line item 15-3340-026 – Sundry	\$ 500.00

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.

Barry Burton, Davis County Planning Director, presented two change orders for Wadman Corporation. The company is the contractor for the new Davis County Health Department Building.

Change Order  
#2009-319A  
for Wadman  
Corp.

Change order #2009-319A is a payable of \$21,482.30 for changes to structural steel due to Clearfield City's plan review. 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.

Change Order  
#2009-319B  
for Wadman  
Corp.

Change order #2009-319B is a payable of \$38,941.66 to change the fencing from vinyl to precast concrete. The decision was made based on the foot traffic by the railroad tracks, increase fence height from 6' to 8' for safety and to hopefully avoid the graffiti and other vandalism that happens to vinyl fences. Chairman Petroff asked Barry to confirm the warranty on the fence because of vibration from the railroad tracks. Commissioner Downs made a motion to approve the change order. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreements  
#2010-13 thru  
#2010-16 for  
Board of  
Equalization  
Hearing  
Officers

Ross Bartholomew, Davis County Tax Administration Director, presented four agreements for Board of Equalization hearing officers as need during the year 2010:

#2010-13	Douglas Miller	\$37.50/hourly
#2010-14	Terry Coon	\$37.50/hourly
#2010-15	L. Robert Dilley	\$37.50/hourly
#2010-16	Randy Kelly	\$45.00/hourly

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

Property Tax  
Register  
Approved

Ross Bartholomew, Davis County Tax Administration Director, presented the property tax register. Reflected on the register are 54 property tax appeals for approval, 10 property tax appeals for denial, 6 Auditor's Corrections for tax abatements, and 2 Assessor's Corrections for previous years. There are 136 appeals still being worked through the Assessor's Office. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Personal  
Property Tax  
Hearing

Chairman Petroff stated the commission has received a request from Wilbur Jefferies to hold a hearing to review his appeal of the value of his 2007 Alfa Motor Home.

Mr. Jefferies has since notified the commission that he is out of town but is available by phone if necessary to answer questions about this appeal. Mr. Jefferies has provided paperwork verifying that on November 12, 2008, he, a willing buyer, purchased the motor home from Ardell Brown RV Center, a willing seller in the business of selling motor homes for the amount of \$126,000. Mr. Jefferies is appealing the 2009 value based on the fact that the manufacturer is out of business.

Mr. Jefferies has been working with the Davis County Assessor's Office. The Assessor's Office has provided information that although the manufacturer of this motor home has gone out of business (in 2008), the NADA book and Price Digest had that information available when they set the values of the motor home for 2009. Therefore the Assessor's Office believes the previously offered adjustment to a taxable value of \$147,320 reflects the lowest taxable value to which the Assessor's Office has the authority to make. Mr. Marv Mackey, State Tax Commission, has also been contact. He noted that the last option was to go to the Price Digest Lowe book, which on January 1, 2009, was \$147,320.00.

Chairman Petroff stated that Mr. Jefferies has provided a copy of the contact of sale (\$126,000.00) and it was an arm's length transaction.

Commissioner Millburn likens it to a short sale on a home, no warranty, and attempts to identify like properties are not available.

Cary Liston, Davis County Assessor's Office Chief Deputy, stated the percent adjusted off the top is an adjustment in perpetuity. The percent good rates are based on the year of manufacture of the motor home.

Commissioner Downs asked the question, "How many appeals have we had?"

Cary Liston said, "In Salt Lake County there were 3 appeals last year and it has been a few years since we have had one in Davis County."

Commissioner Downs made a motion to recommend the modification as discussed to the \$126,000.00 based on the price paid. No lower than low book. Commissioner Millburn seconded the motion. All voted aye. The Davis County Assessor's Office will prepare the correspondence to inform Mr. Jefferies of the decision. The letter read as follows:

The result of the Commission Hearing on Tuesday, January 12, 2010, as determined by the Board of Equalization, was to adjust the 2009 taxable value of your 2007 Alpha Leisure motor home to a value based on what you paid for the home. Because you purchased a 2007 motor home in 2008,

your adjustment is made by dividing the 126,000 by the percent good rate of .67 to get an MSRP of \$188,060. Thus, reversing the equation, [ $\$188,060 \times .67 =$  a taxable value of \$126,000 and a 2009 tax due of \$1,260.00]. On November 17, 2009, you paid a 2009 tax of \$1,668.60. A refund will be sent to you in the amount of \$408.60.

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

Commission  
Minutes  
Approved

Commissioner Millburn made a motion to approve the commission meeting minutes for the special meeting of December 8 (Budget Hearing), December 15, and December 22. 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 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.

No commission comments or public comments.

Meeting adjourned.