

**MINUTES  
OF THE BOARD OF COMMISSIONERS OF WEBER COUNTY**

Tuesday, January 20, 2015 - 10:00 a.m.

Commission Chambers, 2380 Washington Blvd., Ogden, Utah

*In accordance with the requirements of Utah Code Annotated Section 52-4-7(1)(d), the County Clerk records in the minutes the names of all citizens who appear and speak at a County Commission meeting and the substance "in brief" of their comments. Such statements may include opinion or purported facts. The County does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.*

**COMMISSIONERS:** Kerry W. Gibson, Chair, Matthew G Bell and James Ebert.

**OTHERS PRESENT:** Ricky D. Hatch, County Clerk/Auditor; David C. Wilson, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

- A. WELCOME** – Chair Gibson
- B. INVOCATION** – Suzanne Ellison-Ferre
- C. PLEDGE OF ALLEGIANCE** – Javis Darcas
- D. THOUGHT OF THE DAY** – Commissioner Bell

Mike King, of the Coordinating Council for the Northern Utah Public Affairs of the Church of Jesus Christ of Latter Day Saints, said that Royal Eccles and he were representing Elder Craig G. Fisher of the Quorum of the Seventy. They thanked the Commission and county for all of the support during the Ogden Temple Open House, (particularly with parking issues) where well over 500,000 people attended from 7/28-9/6/2014. With these crowds came great opportunities to highlight the county, the Temple and its beautiful grounds and the tabernacle. As a token of appreciation, they presented the Commission with a beautifully framed print of the Temple and hoped this wonderful gem would be displayed as other landmarks in the county. They presented a letter to the commissioners that included Commissioner Zogmaister and asked that thanks be conveyed to her. The commissioners thanked them for the beautiful print and the investment the Church has made in our community.

Chair Gibson introduced the new security officer for Weber Center, Deputy Sheriff Maria Garcia. She has been with the Sheriff's Office for almost 10 years and said that she is here to serve.

**E. CONSENT ITEMS:**

1. Purchase orders for \$346,347.61
2. Warrants #317368 - #317552 for \$1,263,484.46
3. Minutes for the meeting held on January 13, 2015
4. Weber County Tax Review Committee recommendations for partial tax refund on the following parcels: #06-180-0003 (\$329.96); #23-126-0001 (\$753.17). Other parcels were moved under Action Items.
6. Contract Modification to the contract with CRS Engineers for the 12<sup>th</sup> Street reconstruction project for \$2,234,711.00 – Contract C2015-7

Commissioner Bell moved to approve the consent items, removing a portion of item D.4 and the item D.5 from the consent calendar and placing them under Action Items; Commissioner Ebert seconded; Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson - aye

**F. ACTION ITEMS:**

**D.4.-WEBER COUNTY TAX REVIEW COMMITTEE (COMMITTEE) RECOMMENDATIONS FOR PARTIAL TAX REFUND ON FOLLOWING PARCELS: #12-093-0012, 0013, 0014, 0015, 12-093-0035 (\$2,523.29)**

Paige Greenhalgh, of the Commission Office, said that the Committee recommended to the Commission to approve a 1-year refund. Robert Seager stated that when he met with the Committee they had only talked percentages (the property had been misclassified 3 years), not figures, and this refund is fairly close to what the amount should be—\$3,149.37 based on last year's percentages. Chair Gibson said that they make efforts to be fair to the taxpayers and also follow statute and asked if there were any statutory concerns, outlining options (including bringing the item back later) and Mr. Seager said that he understands that statute allows going back one year for refunds.

Commissioner Bell moved to refund \$2,523.29 for parcels 12-093-0012, 13, 14, 15 and 12-093-0035; Commissioner Ebert seconded.  
Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson - aye

**D5.-REAL ESTATE SALES AGREEMENT & QUIT CLAIM DEED FOR PARCEL #04-024-0002 – CONTRACT C2015-8**

Nate Pierce, County Operations Department Director, stated that William Velasquez desires to purchase this unbuildable .04 acres from the county. The County Assessor’s Office has valued it at \$600.

Commissioner Ebert moved to approve Contract C2015-8, Real Estate Sales Agreement, and the Quit Claim Deed for parcel #04-024-0002; Commissioner Bell seconded.

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson - aye

**1. CONTRACT WITH WALKABOUT EVENTS FOR A CLINTON ANDERSON WALKABOUT TOUR 2-DAY CLINIC AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON 2/14-15/2015 – CONTRACT C2015-9**

Jim Harvey, with GSEC, presented this contract.

Commissioner Bell moved to approve Contract C2015-9 with Walkabout Events for a Clinton Anderson Walkabout 2-day clinic at the Golden Spike Event Center on 2/14-15/2015; Commissioner Ebert seconded;

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson - aye

**2. CONTRACTS WITH ACORN PRODUCTIONS FOR ANTIQUE SHOWS/SALES AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON THE FOLLOWING DATES: 2/14-15/2015 – CONTRACT C2015-10; 5/9-10/2015 – CONTRACT C2015-11; 11/7-8/2015 – CONTRACT C2015-12**

Jim Harvey, with GSEC, presented these contracts.

Commissioner Ebert moved to approve Contracts C2015-10 through C2015-12 with Acorn Productions for antique shows/sales at the Golden Spike Event Center as listed; Commissioner Bell seconded;

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson - aye

**3. CONTRACT WITH UTAH STATE CUTTER AND CHARIOT ASSOCIATION FOR THE UTAH STATE CHARIOT CHAMPIONSHIPS AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON 2/21-22/2015 – CONTRACT C2015-13**

Jim Harvey, with GSEC, presented this contract.

Commissioner Bell moved to approve Contract C2015-13 with Utah State Cutter and Chariot Association for the Utah State Chariot Championships at the Golden Spike Event Center on 2/21-22/2015; Commissioner Ebert seconded;

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson - aye

**4. CONTRACT WITH JORDAN WORLD PRODUCTIONS INC. FOR THE JORDAN WORLD CIRCUS AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON 1/30-2/1/2015 – CONTRACT C2015-14**

Jim Harvey, with GSEC, presented this contract.

Commissioner Ebert moved to approve Contracts C2015-14 with Jordan World Productions Inc. for the Jordan World Circus at the Golden Spike Event Center on 1/30-2/1/2015; Commissioner Bell seconded;

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson - aye

**5. RESOLUTION APPOINTING MEMBERS TO THE GOLDEN SPIKE EVENT CENTER (GSEC) ADVISORY BOARD – RESOLUTION 10-2015**

Jim Harvey, with GSEC, presented the names of Lori Berrett and Ricky Yorgason for 4-year reappointments with terms expiring 12/31/2018.

Commissioner Bell moved to adopt Resolution 10-2015 reappointing Lori Berrett and Ricky Yorgason to the Golden Spike Event Center Advisory Board; Commissioner Ebert seconded.

Roll call vote:

Commissioner Bell ..... aye

Commissioner Ebert ..... aye

Chair Gibson..... aye

6. **RESOLUTION APPOINTING REPRESENTATIVES TO THE BOARD OF DIRECTORS AND THE OPERATIONS AND MANAGEMENT COMMITTEE OF THE NORTHERN UTAH ENVIRONMENTAL RESOURCE AGENCY (NUERA) – RESOLUTION 11-2015**

Chair Gibson noted that NUERA is a cooperative effort between several jurisdictions to look for emerging technologies related to solid waste management, recycling, etc.

Commissioner Ebert moved to adopt Resolution 11-2015 appointing Commissioner Gibson and Commissioner Bell to the Board of Directors of the Northern Utah Environmental Resource Agency and Gary Laird to the Operations and Management Committee of the Northern Utah Environmental Resource Agency with terms expiring when replaced; Commissioner Bell seconded.

Roll call vote:

Commissioner Bell ..... aye  
Commissioner Ebert ..... aye  
Chair Gibson..... aye

7. **RESOLUTION APPOINTING THE COUNTY REPRESENTATIVE TO THE WEBER HOUSING AUTHORITY BOARD (WHS) – RESOLUTION 12-2015**

Chair Gibson noted that former Commissioner Zogmaister was serving on this Board.

Commissioner Bell moved to adopt Resolution 12-2015 appointing Commissioner Ebert as the county representative to the Weber Housing Authority Board; Commissioner Ebert seconded.

Roll call vote:

Commissioner Bell ..... aye  
Commissioner Ebert ..... aye  
Chair Gibson..... aye

8. **AMENDMENT TO THE LOCAL SALES AND USE TAX (“RAMP TAX”) TO FUND RECREATIONAL FACILITIES AND CULTURAL ORGANIZATIONS INCLUDING ART, MUSEUMS AND PARKS PROVIDING FOR AN ADDITIONAL TEN YEAR ENACTMENT PERIOD AS AUTHORIZED BY WEBER COUNTY VOTERS – ORDINANCE 2015-1**

David Wilson, Deputy County Attorney, stated that on the 11/4/2014 election the voters approved an opinion question for the county to re-enact a 10-year period for the RAMP tax. This ordinance hereby levies the collection of 1/10<sup>th</sup> of 1% of the tax within county boundaries from 1/1/2015-12/31/2024.

Commissioner Bell moved to adopt Ordinance 2015-1, Amendment to the Local Sales and Use Tax (“RAMP Tax, Title 34”) to fund recreational facilities and cultural organizations including art, museums, and parks providing for an additional ten year enactment period as authorized by Weber County voters; Commissioner Ebert seconded.

Roll call vote:

Commissioner Bell ..... aye  
Commissioner Ebert ..... aye  
Chair Gibson..... aye

9. **RESOLUTION APPOINTING A MEMBER TO THE POWDER MOUNTAIN WATER AND SEWER DISTRICT – RESOLUTION 13-2015**

Commissioner Bell noted that there is a vacancy on this Board related to former Commissioner Zogmaister’s term.

Commissioner Bell moved to adopt Resolution 13-2015 appointing Commissioner Ebert to the Powder Mountain Water and Sewer District with a term expiring 12/31/2015; Commissioner Ebert seconded.

Roll call vote:

Commissioner Bell ..... aye  
Commissioner Ebert ..... aye  
Chair Gibson..... aye

**10. RESOLUTION APPOINTING A MEMBER TO BEN LOMOND CEMETERY DISTRICT – RESOLUTION 14-2015**

Brooke Stewart, of the Commission Office, noted that the statute was followed for noticing the vacancy. Two applications were received (from Bruce Thorpe and Toby Mileski).

Commissioner Bell moved to adopt Resolution 14-2015 reappointing Bruce Thorpe as the county representative on the Ben Lomond Cemetery District; Commissioner Ebert seconded.

Roll call vote:

Commissioner Bell ..... aye  
Commissioner Ebert ..... aye  
Chair Gibson..... aye

**11. AGREEMENT WITH THE UTAH DEPARTMENT OF NATURAL RESOURCES (DNR) FOR THE WEBER COUNTY EWP PROJECT – CONTRACT C2015-15**

Jared Andersen, County Engineer, noted that this item is for the county to be reimbursed through DNR.

Commissioner Bell moved to approve Contract C2015-15, Agreement with the Utah Department of Natural Resources for the Weber County EWP Project; Commissioner Ebert seconded.

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson - aye

**12. CONTRACT WITH BLUE REVIEW FOR MANAGEMENT OF BLUE STAKE TICKETS – CONTRACT C2015-16**

Jared Andersen, County Engineer, stated that this item is to help organize the tickets related to item F.13.

Commissioner Ebert moved to approve Contract C2015-16 with Blue Review for the management of Blue Stake tickets; Commissioner Bell seconded.

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson - aye

**13. CONTRACT WITH BLUE STAKES FOR MARKING UTILITIES WITHIN THE COUNTY RIGHTS-OF-WAY – CONTRACT C2015-17**

Jared Andersen, County Engineer, said that this is for marking utilities within county rights-of-way.

Commissioner Bell moved to approve Contract C2015-17 with Blue Stakes for marking utilities within the county rights-of-way; Commissioner Ebert seconded.

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson - aye

**G. PUBLIC COMMENTS:** Douglas Hansen expressed concerns regarding the proposed Little Weber cutoff EWP project to put a concrete canal through the Hansen and others’ properties out to Little Weber stating that it will negatively impact his family’s property. They have gone through several floods, have discussed alternatives many times with the county, proposing more economical and efficient alternatives, and today he presented one of those. Weber River’s flow has been reduced and he said that it would be most effective to open up the end of the Weber River allowing it to flow so that during high water it will help clean itself because the increased flow will pick up sediment and flush it out. The South Fork of the river takes very little water, the Middle and North Forks carry the most and a dike was placed in front of the two rivers so water could be moved to the South Fork to ensure water in the Ogden Bay Refuge. Currently, that dike is a dam and holds up the water at the Middle Fork, dropping sediment four miles up river, including at his property, and does not flow like it used to. He recommends that much of the EWP funds be put into the Middle Fork to open it up so when high water comes the head gates can be opened to let the water flow out and help pickup sediment. This will improve the flow over the years. He does not see the need to go through their area when there are better alternatives. Chair Gibson said the county will continue to be aware of these issues and try to minimize impacts.

**H. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, JANUARY 27, 2015, 10 A.M.**

**I. ADJOURN**

Commissioner Bell moved to adjourn; Commissioner Ebert seconded;

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson - aye

Attest:

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Kerry W. Gibson, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor