

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

Tuesday, April 21, 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** – Commissioner Gibson
- B. INVOCATION** – Commissioner Bell
- C. PLEDGE OF ALLEGIANCE** – Brooke Stewart

E. PRESENTATIONS:

1. PRESENTATION OF WEBER COUNTY HERO AWARD TO LAWANNA SHURLIFF

Commissioner Ebert said that a call had been issued for nominees of heroes in the county. George Hall read his nomination for Ms. Shurtliff stating that she had been his High School teacher during a difficult time and her challenge for him to do better stayed with him all through his life. She was the kind of teacher that influenced the lives of many and her caring and concern for individuals made her such an admired and respected political figure during her tenure representing Weber County in the House of Representatives. Ms. Shurtliff was pleased to know that she influenced Mr. Hall's life. Chair Gibson stated that Ms. Shurtliff continues to influence so many individuals. He served with her in the House of Representatives for four years and recognized that she was a person to emulate, who cared deeply about the community as a whole. She was presented with a plaque.

2. PRESENTATION ON LEADERSHIP

Spencer Holliday, Student Body President, Ogden Preparatory Academy, gave the speech that he had given recently on leadership. He said that leadership is about taking action, helping others, striving to make a difference in the lives of others and about taking responsibility. He added that a true leader admits mistakes, has the wisdom to learn from them and the courage to change.

3. PRESENTATION ON WEBER COUNTY EMERGENCY MANAGEMENT

Chair Gibson became well acquainted with Lance Peterson, County Emergency Manager, as they worked on the severe 2011 flooding in western Weber County. Mr. Peterson worked tirelessly for weeks with little sleep. He found Mr. Petersen to not only be an exemplary employee, but one who is a person of great character who truly loves what he does. He expressed gratitude to Mr. Peterson for his hard work and dedication over the years. Mr. Peterson explained the various facets of county emergency management and the various types of disasters. He works to create a framework to prepare for and reduce the vulnerability to hazards. He noted that the county has spent the past four years repairing and recovering from the 2011 flood. Emergency Management is the key link to get through the disaster process with the state and federal governments and bring in resources. He works with all 15 cities in the county, the University and the two hospitals. Some accomplishments under Mr. Peterson include creating a hazmat response capability, Weber Metro USAR (Urban Search & Rescue), working with CERT (Community Emergency Response Team) and with the northern Utah six-county Northern Utah Regional Homeland Security Coalition. The commissioners expressed gratitude to Mr. Peterson for the tremendous amount of work that he does.

4. **PRESENTATION OF THE COUNTY GOVERNMENT THEME FOR 2015 “COUNTIES MOVING AMERICA FORWARD: THE KEYS ARE TRANSPORTATION AND INFRASTRUCTURE”**

This item was not handled today.

5. **PRESENTATION OF THE “CRYSTAL BOWL AWARDS” TO RECOGNIZE CITIZENS AND GROUPS THAT HAVE MADE SIGNIFICANT CONTRIBUTIONS IN WEBER COUNTY**

Commissioner Ebert said that, like the quartz crystals, these recipients are powerful energy sources in our community. The Lantern House (formerly St. Anne’s Center) was recognized because of the work they do to aid the poor, needy and homeless to transition from shelter to housing and better their lives. Wil van der Steppan, Chair of the Board, outlined the organization’s history and said that much of its success is due to Jennifer Canter, its Director. Ms. Canter stated that the success is due to numerous individuals, including the donors. St. Anne’s was a small center and was not designed to house their current clients—more than 50% are families with children. Robert Hunter was the individual recognized for going above and beyond in service and touching many lives. He has served in many capacities and currently serves with United Way. Chair Gibson said that Mr. Hunter is one of the kindest individuals that he knows and it is an honor to know him. Mr. Hunter was recently put into the Wall of Fame at the Ogden/Weber Chamber of Commerce. Mr. Hunter was honored and grateful for the award. The commissioners presented the Lantern House representatives and Mr. Hunter with crystal bowls.

F. CONSENT ITEMS:

1. Purchase orders for \$64,431.51
 2. Warrants #320327- #320415 for \$909,748.30
 3. Minutes for the meetings held on April 7 and 14, 2015
 4. Contracts with Rocky Mountain Gun Show for gun/ammo shows/sales at Golden Spike Event Center on 8/15-16/2015 – Contract C2015-140; 11/15-16/2015 – Contract C2015-141
 5. Set public hearing for 5/5/2015, 10 a.m., on a proposed amendment to the County Land Use Code regarding public right-of-way expansions creating nonconforming lots and non-complying buildings
 6. Set public hearing for 5/5/2015, 10 a.m. on a proposed amendment to the County Land Use Code regarding the regulation of main and accessory buildings, and main accessory uses
 7. Change Order #2 to amend the contract with Bowen Collins and Associates for the revised amount of \$1,297,738.00 – Contract C2015-142
 8. Change Order #5 to amend the contract with Caldwell Richards Sorensen Consulting Engineers for the revised amount of \$975,308.75 – Contract C2015-143
 9. Weber County Tax Review Committee request for approval of decision on request from Iglesia Rios de Agua Viva to grant a 2nd extension to allow an additional year to pay delinquent property taxes
- Commissioner Bell moved to approve the consent items; Commissioner Ebert seconded.
Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

G. ACTION ITEMS:

1. **PRESENTATION FROM THE UTAH STATE FIRE MARSHALL’S OFFICE REGARDING THE WILDLAND URBAN INTERFACE ORDINANCE**

Ted Marshall, Utah State Fire Marshall, noted that the Wildland Urban Interface Code had not been meeting the counties’ needs. He presented a few amendments relating to definitions, structures, water supply and driveways stating that they came with approval of the State Forester and the State Fire Marshall. The amendments give the local jurisdictions more control. They are not applicable in areas with paved roads, fire hydrants, water systems, etc. He recommended that the Fire Marshall present to the Commission what changes the Weber Fire District feels are applicable to the county.

2. CONTRACT WITH THE STATE OF UTAH, DIVISION OF FACILITIES CONSTRUCTIONS AND MANAGEMENT REGARDING PROPERTY LOCATED AT 701 W. 12TH STREET, OGDEN, UT 84401 (FOR THE JUVENILE DETENTION CENTER – CONTRACT C2015-144

Kevin McLeod, of County Operations, presented this amendment to the contract approved on 3/10/2015. The State wanted several changes and Mr. McLeod feels they are not significant. Chair Gibson noted that because the money had not been appropriated to the State at that time, the county was able to secure the property and the State is now purchasing a portion of it to build their facility.

Commissioner Bell moved to approve Contract C2015-144 with the State of Utah, Division of Facilities Constructions and Management regarding sale of property located at 701 W. 12th Street; Commissioner Ebert seconded.

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

3. CONTRACT WITH BOWEN CONSTRUCTION FOR WATER SYSTEM UPDATES AT WEBER MEMORIAL PARK PROJECT – CONTRACT C2015-145

Jennifer Graham, County Recreation Facilities Director, stated that one of the two springs at the Park that provide the drinking water was declared under direct influence of ground or surface water and had to be abandoned. A study was conducted. She explained that water will be pumped (and chlorinated) out of the operational spring to a higher elevation and will gravity flow back to the distribution system.

Commissioner Bell moved to approve Contract C2015-145 with Bowen Construction for water system updates at Weber Memorial Park; Commissioner Ebert seconded.

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

4. AGREEMENT TO ELIMINATE AND DISSOLVE THE NORTHERN UTAH REGIONAL LANDFILL AUTHORITY (NURLA) – RESOLUTION 27-2015, CONTRACT C2015-146

Gary Laird, of County Solid Waste, stated that about eight years ago NURLA was created, mainly to look for a northern Utah regional landfill and consisted of Logan City, Wasatch Integrated Waste, Weber County and Box Elder. Weber County purchased Box Elder landfill. Box Elder withdrew from NURLA. A new entity has been created.

Commissioner Ebert moved to adopt Resolution 27-2015 approving Contract C2015-146 to eliminate and dissolve the Northern Utah Regional Landfill Authority; Commissioner Bell seconded.

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

5. FIRST READING OF PROPOSED WEBER COUNTY SHERIFF’S OFFICE FEES

County Sheriff Terry Thompson referred to the proposed fees before the Commission.

Commissioner Bell moved to approve the first reading of proposed Sheriff’s Office fees; Commissioner Ebert seconded.

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

6. FIRST READING OF UPDATED ORDINANCE: CONFLICT OF INTEREST POLICY 2.9.1H.

Lynn Taylor, of the County Clerk/Auditor’s Office, stated that Ricky Hatch, County Clerk/Auditor, recognized that some changes needed to be made to the ordinance. The Clerk/Auditor’s Office subsequently consulted with other counties.

Commissioner Ebert moved to approve the first reading of an ordinance related to the Conflict of Interest Policy 2.9.1h.; Commissioner Bell seconded.

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

7. UPDATED TRAVEL POLICY 9.0

Lynn Taylor, of the County Clerk/Auditor’s Office, stated that the Clerk/Auditor’s Office has been working on items 7–10 for over six months to ensure they are compliant with State and county regulations. Changes include that the county will now use GSA (General Services Administration) rates for per diem and a per diem for local vicinity travel was added.

Commissioner Bell moved to approve the updated Travel Policy 9.0; Commissioner Ebert seconded.
Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

8. UPDATED BOARD OF EQUALIZATION (BOE) POLICY 12.4 – RESOLUTION 28-2015

Lynn Taylor, of the County Clerk/Auditor’s Office, stated that the resolution expands the scope of electronically filed appeals. Some changes to the policy included that property owners can appeal on the classification basis and modified deadlines mirror the Utah State Tax Commission’s.

Commissioner Ebert moved to adopt Resolution 28-2015 approving the updated Board of Equalization Policy 12.4; Commissioner Bell seconded.

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

9. UPDATED TAX RELIEF POLICY 12.5

Lynn Taylor, of the County Clerk/Auditor’s Office, stated that this policy had substantial revisions after closely collaborating with other counties in an effort to standardize how the counties conduct tax relief. Amendments include the process for selling a property receiving tax relief, increasing the allowable savings amount for the indigent abatement to \$7,500, and the U.S. Health and Human Services’ poverty guidelines have been adopted in part.

Commissioner Ebert moved to approve the updated Tax Relief Policy 12.5; Commissioner Bell seconded.

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

10. FUND BALANCE POLICY 5.1

Scott Parke, County Comptroller, presented this new policy stating that the county issued refunding bonds at the end of 2014 and Standard & Poor’s favorably viewed the county’s overall financial health and future outlook. They recommended that the county formally adopt a fund balance policy. It sets a minimum acceptable fund balance level for each of the county’s significant funds and ongoing monitoring/reporting requirements.

Commissioner Ebert moved to approve Fund Balance Policy 5.1; Commissioner Bell seconded.

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

H. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, APRIL 28, 2015, 10:00 A.M.

I. PUBLIC COMMENTS: None

J. ADJOURN

Commissioner Ebert moved to adjourn 1208; Commissioner Bell seconded.

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

Attest:

Kerry W. Gibson, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor