

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

Tuesday, January 22, 2013 - 10:00 a.m.

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 PRESENT: Kerry W. Gibson, Chair, Jan M. Zogmaister and Matthew G Bell.

OTHERS PRESENT: Ricky D. Hatch, 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. PLEDGE OF ALLEGIANCE – Machel Maycock

C. THOUGHT OF THE DAY – Chair Gibson

D. CONSENT ITEMS:

1. Purchase Orders for \$7,047,227.61
2. Warrants #294094-#294286 for \$1,490,564.36
3. Minutes for the meeting held on January 8, 2013
4. New beer licenses
5. ACH payment to US Bank for \$79,885.55 for purchasing card transactions through 1/15/2013
6. Lease Agreement with Bean-A-Colada Coffee Café, DBA Under the Sea-N-Ski Properties, LLC for space in the Pleasant Valley Branch Library for the purpose of operating a café – Contract C2013-8
Commissioner Zogmaister moved to approve the consent items; Commissioner Bell seconded, all voting aye.

E. ACTION ITEMS:

1. REQUEST FOR A REFUND OF PROPERTY TAXES FOR \$4,141.29 ON PARCEL #15-023-0025

John Ulibarri, County Assessor, stated that this request is to refund rollback taxes paid (\$4,100.29) and the penalty (\$41.00). Mr. Ulibarri explained that a previous owner lost the property in foreclosure through the Bank of America. With any change in ownership the County Assessor's Office is required to send rollback notice with an application for rollback. However, the bank did not respond and the Assessor's Office applied the rollback tax. The bank did not pay the tax and so it now falls to the new owner, Mr. Abplanalp. Since the property has continued its agriculture use, Mr. Ulibarri recommends that the Commission refund the tax and the associated portion of the penalty, with the condition that a new application be filed with the Assessor's Office.

Commissioner Bell moved to refund the \$4,141.29. Commissioner Zogmaister seconded; Chair Gibson expressed concern with sending the message to mortgage companies that they do not have responsibility, however, he stated that this new property owner is not at fault. Mr. Ulibarri noted that his office is modifying the process to catch this type of issue early; all voted aye.

2. AMENDMENT TO INTERLOCAL AGREEMENT C2008-204 THAT IS IN PLACE ALLOWING THE 911 CENTER TO USE 2 PAIRS OF WEBER COUNTY'S FIBER OPTIC. THIS AMENDMENT CHANGES THE USAGE TO 3 PAIRS – CONTRACT C2013-9

Leonard Call, County Information Technology Department Director, presented this amendment.

Commissioner Bell moved to approve Contract C2013-9, First Amendment to Interlocal Agreement C2008-204 with the Weber Area Dispatch 911 & Emergency Services District to allow the District to use three pairs of Weber County's fiber optic instead of two pairs; Commissioner Zogmaister seconded, all voting aye.

3. CONTRACT WITH WHEELER MACHINERY FOR AN EQUIPMENT MAINTENANCE AGREEMENT – CONTRACT C2013-10

Gary Laird, of County Solid Waste Management, presented this contract renewal for equipment at the Transfer Station in the amount of \$61,291. The contract is based on hours of operation, which reflects about a 2-year period.

Commissioner Zogmaister moved to approve Contract C2013-10 with Wheeler Machinery; Commissioner Bell seconded, all voting aye.

4. CONTRACT WITH GARDNER ENGINEERING FOR A TOPOGRAPHIC AND UTILITY SURVEY FOR DESIGN WORK ON 3500 WEST – CONTRACT C2013-11

Jared Anderson, County Engineer, stated that the funds for the project (\$3.6 million) on 3500 W. were awarded through WACOG. This is the beginning phase and is for the survey work for \$12,800.

Commissioner Zogmaister moved to approve Contract C2013-11 with Gardner Engineering for topographic and utility survey work on 3500 W.; Commissioner Bell seconded, all voting aye.

5. FINAL APPROVAL OF HEATHERGLEN SUBDIVISION PHASE 2 INCLUDING A FINANCIAL GUARANTEE IN THE AMOUNT OF \$11,386.74

Sean Wilkinson, of the County Planning Division, stated that this is a 4-lot subdivision in the Bayview Ranchettes. Each lot meets the minimum requirements in the A-1 Zone and all review agencies' comments have been addressed. Once 80% of the original 5-acre lots are developed, all of the roads must be brought to county standards. The financial guarantee, which the county currently holds in escrow, is for two fire hydrants. County Planning staff and the Western Weber Planning Commission recommend final approval, with a deferral of curb, gutter and sidewalk. This development is not within 1½ miles of a school.

Commissioner Bell moved to grant final approval of Heatherglen Subdivision Phase 2 with a financial guarantee for \$11,386.74 and deferral of curb, gutter and sidewalk; Commissioner Zogmaister seconded, all voting aye.

6. RATIFY A CONTRACT WITH SALZBURGER ECHO FOR PROFESSIONAL ENTERTAINMENT FOR THE 2013 HOF GERMANFEST AT THE GOLDEN SPIKE EVENT CENTER (GSEC) – CONTRACT C2013-12

Jim Harvey, with GSEC, presented this contract.

Commissioner Bell moved to ratify Contract C2013-12 with Salzburger Echo for professional entertainment for the 2013 hof GermanFest at the Golden Spike Event Center; Commissioner Zogmaister seconded, all voting aye.

7. RATIFY A CONTRACT WITH THE GRUBER FAMILY BAND FOR PROFESSIONAL ENTERTAINMENT FOR THE 2013 HOF GERMANFEST AT THE GOLDEN SPIKE EVENT CENTER – CONTRACT C2013-13

Jim Harvey, with GSEC, presented this contract for \$2,400.

Commissioner Bell moved to ratify Contract C2013-13 with the Gruber Family Band for professional entertainment for the 2013 hof GermanFest at the Golden Spike Event Center; Commissioner Zogmaister seconded, all voting aye.

8. RATIFY A CONTRACT WITH TRAX AV FOR SOUND AND LIGHTING FOR THE 2013 HOF GERMANFEST AT THE GOLDEN SPIKE EVENT CENTER (GSEC) – CONTRACT C2013-14

Jim Harvey, with GSEC, presented this contract.

Commissioner Zogmaister moved to ratify Contract C2013-14 with Trax AV for sound and lighting for the 2013 hof GermanFest in the Exhibit Hall at the Golden Spike Event Center; Commissioner Bell seconded, all voting aye.

9. CONTRACT WITH WEBER STATE UNIVERSITY RODEO TEAM TO HOLD THE WEBER STATE UNIVERSITY RODEO AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON 3/1-2/2013 – CONTRACT C2013-15

Jim Harvey, with GSEC, presented this contract.

Commissioner Bell moved to approve Contract C2013-15 with Weber State University Rodeo Team for the Weber State University Rodeo at the Golden Spike Event Center on March 1-2, 2013; Commissioner Zogmaister seconded, all voting aye.

10. CONTRACTS WITH ACORN ANTIQUES PRODUCTIONS FOR THE ACORN ANTIQUE SHOW & SALE AT THE GOLDEN SPIKE EVENT CENTER (GSEC):
February 16-17, 2013 – Contract C2013-16
May 18-19, 2013 – Contract C2013-17

Jim Harvey, with GSEC, presented these contracts.

Commissioner Zogmaister moved to approve Contracts C2013-16 and C2013-17 with Acorn Antiques Productions for the Acorn Antique Show & Sale at the Golden Spike Event Center; Commissioner Bell seconded, all voting aye.

11. CONTRACT WITH JORDAN WORLD PRODUCTIONS, INC., FOR 5 CIRCUS PRODUCTIONS AT THE GOLDEN SPIKE EVENT CENTER (GSEC) 1/25-27/2013 – CONTRACT C2013-18

Jim Harvey, with GSEC, presented this contract.

Commissioner Bell moved to approve Contract C2013-18 with Jordan World Productions, Inc. at the Golden Spike Event Center; Commissioner Zogmaister seconded, all voting aye.

12. CONTRACT WITH ROCKY MOUNTAIN MOTOCROSS TO PROVIDE TOP OF UTAH MOTOCROSS RIDERS/RACERS A PREMIER INDOOR FACILITY TO USE DURING THE OFF SEASON AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON 1/24-2/3/2013 – CONTRACT C2013-19

Jim Harvey, with GSEC, presented this contract.

Commissioner Zogmaister moved to approve Contracts C2013-19 with Rocky Mountain Motocross to provide Top of Utah Motocross an indoor facility at the Golden Spike Event Center; Commissioner Bell seconded, all voting aye.

13. CONTRACT WITH UTAH STATE CUTTER AND CHARIOT RACING ASSOCIATION FOR THE UTAH STATE CHARIOT CHAMPIONSHIPS AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON FEBRUARY 23-24, 2013 – CONTRACT C2013-20

Jim Harvey, with GSEC, presented this contract.

Commissioner Bell moved to approve Contracts C2013-20 with Utah State Cutter and Chariot Racing Association for the Utah State Chariot Championships at the Golden Spike Event Center; Commissioner Zogmaister seconded, all voting aye.

14. CONTRACT WITH UTAH ENGINEERING FOR MAINTENANCE TO THE HVAC SYSTEM IN THE RECREATION HALL AT THE GOLDEN SPIKE EVENT CENTER (GSEC) – CONTRACT C2013-21

Jim Harvey, with GSEC, presented this contract.

Commissioner Zogmaister moved to approve Contracts C2013-21 with Utah Engineering at the Golden Spike Event Center for HVAC maintenance; Commissioner Bell seconded, all voting aye.

15. CONTRACT WITH OGDEN/WEBER CONVENTION VISITOR’S BUREAU (CVB) TO PROVIDE A SALES AND MARKETING PROGRAM TO FACILITATE PROMOTION AND BOOKING OF CONVENTIONS, MEETINGS, AND EVENTS IN WEBER COUNTY’S PUBLICLY OWNED TOURISM VENUES – CONTRACT C2013-22

Commissioner Zogmaister noted that this is the annual contract. Sara Toliver, Director of the CVB, stated that the marketing plan is presented annually to the county for approval.

Commissioner Bell moved to approve Contract C2013-22 with the Ogden/Weber Convention Visitor’s Bureau, to provide a sales and marketing program for promotion and booking of events in Weber County’s publicly owned tourism venues; Commissioner Zogmaister seconded, all voting aye.

16. CONTRACT WITH FREE AND ASSOCIATES, INC. FOR AN APPRAISAL AGREEMENT FOR POWDER MOUNTAIN – CONTRACT C2013-23

David Wilson, Deputy County Attorney, asked that wording changes be made to the contract (from Special Service District to Special Assessment Area) and Commissioner Bell also noted the need for it to state Weber County rather than Morgan County. This contract is for \$13,150, funded by the developers, and is part of the due diligence period as the Commission explores whether to proceed with creating a special assessment area.

Commissioner Bell moved to approve Contract C2013-23 with Free and Associates, Inc., with the discussed changes; Commissioner Zogmaister seconded, all voting aye.

17. REQUEST FOR CONTRACT WITH XEROX FOR A W7545P COPY MACHINE FOR THE WEBER COUNTY COMMISSION OFFICE

This item was held.

F. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, JANUARY 29, 2013, 10 A.M.

G. PUBLIC COMMENTS: None

H. ADJOURN

Commissioner Bell moved to adjourn at 10:52 a.m.; Commissioner Zogmaister seconded, all voting aye.

Attest:

Kerry W. Gibson, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor