

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

Tuesday, February 21, 2012- 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 unreported 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, Vice chair, and Jan M. Zogmaister. Craig L. Dearden was excused.

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

- A. **WELCOME** - Commissioner Gibson
- B. **PLEDGE OF ALLEGIANCE** - Jim Harvey
- C. **THOUGHT OF THE DAY** - Commissioner Zogmaister

**D. PRESENTATION FROM THE UTAH DIVISION OF WILDLIFE RESOURCES FOR THE PAYMENT IN LIEU OF TAXES CHECK TO WEBER COUNTY**

Justin Dolling, Northern Regional Supervisor, Utah Division of Wildlife Resources, presented a check for \$8,150.84 as payment in lieu of taxes for approximately 16,000 acres in Weber County.

**E. CONSENT ITEMS:**

- 1. Purchase Orders for \$727,849.99
- 2. Warrants #282894-#283056 for \$823,052.25
- 3. Minutes for the meeting held on February 14, 2012
- 4. New business licenses
- 5. ACH payment to US Bank for \$70,655.78 for purchasing card transactions made through the billing cycle ending February 15, 2012

Commissioner Zogmaister moved to approve the consents items; Commissioner Gibson seconded, both voting aye.

**F. ACTION ITEMS:**

- 1. **CONTRACT WITH OGDEN PUBLISHING CORP. TO PRODUCE A SPRING HOME AND GARDEN SHOW INSIDE THE EXHIBIT HALL & RECREATION BUILDING AT THE GOLDEN SPIKE EVENT CENTER MARCH 2-4, 2012 - CONTRACT C2012-25**

Jim Harvey, of the GSEC, presented this standard contract.

Commissioner Zogmaister moved to approve Contract C2012-25 with Ogden Publishing Corp. to produce a Spring Home and Garden Show inside the Exhibit Hall and Recreation Building at the Golden Spike Event Center 3/2-4, 2012; Commissioner Gibson seconded, both voting aye.

- 2. **CONTRACT WITH ROUND HOUSE RACING FOR RENTAL OF FORT BUENAVENTURA FOR FOAM FEST AUGUST 3-4, 2012 - CONTRACT C2012-26**

Jennifer Graham, County Recreation Facilities Director, presented this contract.

Commissioner Zogmaister moved to approve Contract C2012-26 with Round House Racing for rental of Fort Buenaventura for Foam Fest August 3-4, 2012; Commissioner Gibson seconded, both voting aye.

3. **CONTRACT WITH NATURAL RESOURCES CONSERVATION SERVICE FOR GRANT FUNDS FOR PROJECTS THAT WILL HELP ALLEVIATE DAMAGE FROM THE 2011 FLOODS AND PREVENT FURTHER DAMAGE FROM HIGH SPRING RUNOFF LEVELS IN FUTURE YEARS - CONTRACT C2012-27**

Jared Anderson, County Engineer, stated that Requests for Proposals for engineering firms were issued and selection of a firm will occur in March. That engineering firm will assess river flows, elevation, etc., and help direct the county with flood mitigation. Currently, the Natural Resources Conservation Services has an independent firm conducting a damage survey study. Commissioner Zogmaister noted that the USDA will provide up to \$14,300,000 in grant funds. The county will match the grant at 25%, up to \$4,333,333. The required match may come from the State or other sources. Commissioner Gibson said that this river is important to the community and a critical piece of infrastructure to the county. Due to lack of resources, it has been neglected over the years. The contract amount will not take care of all the problems but allows taking some good steps forward. He expressed appreciation for the cooperation/relationship with the Division of Wildlife Resources.

Commissioner Zogmaister moved to approve Contract C2012-27 with Natural Resources Conservation Service for grant funds for projects that will help alleviate damage from the 2011 floods and prevent further damage from high spring runoff levels in future years; Commissioner Gibson seconded, both voting aye.

**G. PUBLIC HEARING:**

1. Commissioner Zogmaister moved to adjourn the public meeting and convene the public hearing; Commissioner Gibson seconded, both voting aye.

2. **PUBLIC HEARING REGARDING A PROPOSED AMENDMENT TO CHAPTER 15 (FOREST RESIDENTIAL FR-3) OF THE WEBER COUNTY ZONING ORDINANCE TO ALLOW A NIGHT WATCHMAN UNIT AS PART OF A HOMEOWNERS ASSOCIATION'S (HOA) COMMON FACILITY BUILDING FOR AN ONSITE EMPLOYED MANAGER OR NIGHT WATCHMAN**

Jim Gentry, of the County Planning Division, stated that an applicant who owns condominiums in Ogden Valley in the FR-3 Zone requested this amendment. The applicant has experienced problems with vandalism at the condominiums. Night watchmen are allowed in other zones. The Ogden Valley Planning Commission unanimously voted to approve one watchman for every 100 units.

John Lewis, with Moose Hollow HOA, stated that a watchman is needed there fulltime for safety. They have experienced vandalism and disturbances. He said that typically part of the compensation package includes giving the watchman on-site housing, and rather than add an additional unit, they plan to use space that is available.

Commissioner Gibson invited public comments and none were offered.

3. Commissioner Zogmaister moved to adjourn the public hearing and reconvene the public meeting; Commissioner Gibson seconded, both voting aye.

4. ACTION ON PUBLIC HEARING:

**G.2. - PUBLIC HEARING - AMENDMENT TO CHAPTER 15, FOREST RESIDENTIAL FR-3 ZONE - NIGHT WATCHMAN UNIT - ORDINANCE 2012-3**

Commissioner Zogmaister moved to adopt Ordinance 2012-3 amending the Weber County Zoning Ordinance, Chapter 15, Forest Residential Zone FR-3, by allowing a dwelling unit as part of a Homeowner Association’s common facility building, such as a clubhouse, for use by an on-site employed manager or night watchman as a permitted use; Commissioner Gibson seconded.

Roll Call Vote:

Commissioner Zogmaister.....aye  
Commissioner Gibson .....aye

**H. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, FEBRUARY 28, 2012, 10 A.M.**

**I. PUBLIC COMMENTS:**

Douglas Heslop stated that he is a farmer and is very concerned about the flooding that occurred this Spring—75 acres of his property was under water for several weeks, which was to his detriment. The neglect of the lower Weber River is critical to his livelihood. He appreciates all the help that farmers are getting from the County Commission and the allocation from the Natural Resources Conservation Services. He urged the county to stay on top of this issue.

**J. ADJOURN**

Commissioner Zogmaister moved to adjourn at 10:26 a.m.; Commissioner Gibson seconded, both voting aye.

Attest:

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Craig L. Dearden, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor